

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Chip Merriam, Deputy Executive Director, Water Resources

**DATE:** June 4, 2007

**SUBJECT:** Memorandum of Agreement between the "STOPR" Utilities of Central Florida concerning Wetland Restoration and Mitigation

### **Background:**

The City of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County, and Reedy Creek Improvement District ("STOPR Utilities") all have consumptive use permit applications on the June, 2007 Governing Board agenda. During the review of the STOPR Utilities' consumptive use permit applications, staff conducted a groundwater modeling analysis and performed site inspections of wetland areas located within the area of influence associated with the STOPR Utilities' groundwater withdrawals. Staff determined harmful impacts to 575.6 acres of herbaceous and forested wetlands in the Central Florida region within the SFWMD have occurred over time as a result of several factors including drainage, land development, and historic groundwater withdrawals, including those of the STOPR Utilities. Mitigation to offset any historic impacts to wetlands due to the STOPR Utilities' groundwater withdrawals is necessary pursuant to conditions contained within the STOPR Utilities' existing water use permits.

The purpose of this Memorandum of Agreement ("MOA") is to agree upon appropriate mitigation, taking into account the percent contribution of each STOPR Utility to the historic harmful impacts. The offsetting mitigation will occur at two locations. The first restoration site, Rolling Meadows, is now a sod farm that is owned by the District and located on the south side of Lake Hatchineha. Four of the five STOPR Utilities will contribute funds to an escrow account for the purpose of restoring this site. Tohopekaliga Water Authority will provide mitigation on property it currently owns.

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

Historic harm to wetlands will be addressed by this MOA.

### **Funding Source:**

There is no funding source involved.

### **This Board item impacts what areas of the District, both resource areas and geography:**

This item impacts the Water Use Regulation Division, Water Supply Department, Orlando Service Center, Kissimmee River Restoration Division and concerns wetland resources in the Central Florida region.

### **What concerns could this Board item raise?**

The proposed MOA requires wetland mitigation for historic, harmful impacts. Concerns may exist as to whether appropriate mitigation has been required of the STOPR Utilities as well as what avenues are being pursued to address harm caused by other users.

### **Why should the Governing Board approve this item?**

The Governing Board should approve this item to resolve historic harm to wetlands by agreeing to restoration of specific sites.