



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

July 14, 2016

9:00 AM

District Headquarters - B-1 Auditorium
3301 Gun Club Road
West Palm Beach, FL 33406

FINAL

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Employee Recognitions - Presented by Peter Antonacci, Executive Director
 - June Employee of the Month: Eliu Cueto, Right of Way Information Specialist, Operations, Right of Way
 - June Team of the Month: Trade Support Team
 - July Employee of the Month: Jaime Morales-Garcia Jr., Inventory Specialist, Business Support Unit
 - July Team of the Month: Upper East Coast Water Supply Plan Team
 - 25 Year Service Award: William Meyers, Sr. Systems Administrator, Systems Engineering
 - 30 Year Service Award: Michael Hiscock, Section Administrator, General Services Section
 - Good Samaritan Award: Donald Saunders Jr., Structure Maintenance Technician, St. Cloud Field Station
4. Agenda Revisions - Tia Barnett, Director, Board & Executive Services
5. Abstentions by Board Members from items on the Agenda
6. Project & Lands Committee Report - Clarke Harlow, Chair

7. Big Cypress Basin Report - Rick Barber, Chair
8. Approval of the Minutes from the June 9, 2016 Governing Board Meeting, held in Ft. Myers

Consent Agenda

9. Public Comment on Consent Agenda
10. Move Consent Agenda Items to Discussion Agenda
11. Board Comment on Consent Agenda
12. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
13. Regulatory Consent Items

Conservation Easements and Releases

- Approve the partial release of 21 recorded conservation easements and a consent to encroach within 22 conservation easements for a project known as Sabal Trail Gas Pipeline (FDEP Permit Numbers 328333-001 and 328333-002) in Orange and Osceola Counties.

Summary:

Sabal Trail is requesting the release of a total of 10.53 acres from 21 separate conservation easements for the Sabal Trail Gas Pipeline in Orange and Orlando Counties. Florida Department of Environmental Protection (FDEP) Permits authorizing construction of the pipeline (Permit Numbers 328333-001 and 328333-002) have been issued. Mitigation for the impacts within the SFWMD conservation easements was provided through the purchase of 5.35 credits from the Southport Ranch Mitigation Bank. Sabal Trail is also seeking approval of a consent to encroach within 22 separate conservation easements. These areas will be used for temporary staging during construction of the pipeline and then restored to original conditions as required by the FDEP permits cited above. (Regulation, staff contact, Chuck Walter, ext. 3824)

- Approve the partial release of a recorded conservation easement for a project known as Excavation Number 104 / Osceola Utility Commission Parcel 808 (Application No. 160503-27, Permit No. 48-01067-P) in Orange County.

Summary:

Approve the release of 0.03 acres of conservation easement within a project known as Excavation Number 104 / Osceola Utility Commission Parcel 808 in Orange County. This parcel was erroneously included within the conservation easement area. It is part of an existing dirt road. Approximately 28.54 acres of the original conservation easement remain. (Regulation, staff contact, Chuck Walter, ext. 3824)

- Approve the partial release of a recorded conservation easement for a project known as Marina Bay (Application No. 150921-14, Permit No. 36-04853-P-05) in

Lee County.

Summary:

Lee County Homes Associates III, LLLP is requesting a release of 0.10 acres of conservation easement, to construct a privacy wall along a portion of their property line that abuts I-75. No mitigation is proposed to offset this conservation easement release, since the area to be released is upland. Approximately 9.37 acres remain preserved under the existing recorded conservation easement for Conservation Area 16. (Regulation, staff contact, Melissa Roberts, ext. 7795)

- Approve the partial release of a recorded conservation easement for a project known as Savona Bay (Application No. 151218-22, Permit No. 36-06833-P) in Lee County.

Summary:

DR Horton Inc. is requesting a release of 0.04 acres of conservation easement, for the installation of rip rap for shoreline stabilization. The applicant is providing 0.01 mitigation bank credits as mitigation. Approximately 12.91 acres remain preserved under the existing recorded easement. (Regulation, staff contact, Melissa Roberts, ext. 7795)

- Approve the amendment of two recorded conservation easements for a project known as Bass Road Residential Planned Development (Application No. 160112-1, Permit No. 36-05233-P) in Lee County.

Summary:

Lennar Homes, LLC is requesting an amendment of a conservation easement to release and add portions of two conservation easements for the realignment of an internal road. These include the following: Preserve 1, which totals 9.928 acres, would have 0.044 acres released and 0.263 acres added, making Preserve 1 a total of 10.147 acres. Preserve 2, which totals 10.263 acres, would have 0.431 acres released and 0.156 acres added, making Preserve 2 a total of 9.988 acres. Although the total preserved area is slightly reduced, fewer wetland impacts will result from the re-aligned road; therefore no additional mitigation is proposed. Approximately 20.13 acres remain preserved under the existing recorded easement. (Regulation, staff contact, Melissa Roberts, ext. 7795)

- Approve the full release of a recorded conservation easement for a project known as Hyder Squared (AKA Liberty Trust) (Application No. 160219-6, Permit No. 50-11075-P) in Palm Beach County.

Summary:

441 Acquisition LLC is requesting release of a 13.47 acre conservation easement to construct a residential development east of Highway 441 and south of Atlantic Avenue in Delray Beach. The applicant is providing 7.9 freshwater forested mitigation bank credits as mitigation. (Regulation, staff contact, Ricardo Valera, ext. 6404)

- Approve the partial release of a recorded conservation easement for a project known as Christ Fellowship (Application No. 151026-15, Permit No. 43-01664-P) in Martin County.

Summary:

The applicant is requesting the release of 15.19 acres of a conservation easement to reconfigure the preserved areas so that they adhere to the preferred upland preservation area requested by Martin County Board of County Commissioners. The applicant is providing an additional 5.2 acres of upland preservation to offset the proposed change in preservation area. No mitigation is required to offset this conservation easement release, as the area to be released was not part of a mitigation plan. Approximately 77.03 acres remain preserved under a new recorded easement. (Regulation, staff contact, Ricardo Valera, ext. 6404)

Seminole Tribe Work Plans

Concur with the Sixth Amendment to the Twenty Ninth Annual Work Plan for the Seminole Tribe of Florida. This work plan is the procedural mechanism under which the District addresses water use, surface water management, natural resource management, well construction, and right of way activities the Tribe plans to undertake. This mechanism was established under the 1987 Water Rights Compact among the Seminole Tribe of Florida, the State of Florida and the SFWMD (also see Section 373.200, Florida Statutes).

Summary:

Under this amended work plan, the following activities are planned. Works in the Hollywood Reservation include a proposal for the construction of the Seminole Classic Casino parking lot expansion. The expanded parking area (6.23 acres) will accommodate approximately 500 additional parking spaces, including a dry retention area. (Everglades Policy & Coordination, staff contact, Armando Ramirez, ext. 6684)

14. Right of Way - Regulatory Consent

Right of Way Occupancy Permit Requests for Denial

Staff recommends denial of a request by Aneudi Sanchez (Application Number 14-0305-1) for issuance of a Right of Way Occupancy Permit for a proposed fence within the north right of way of the North New River Canal adjacent to 11400 Tara Drive, Plantation, Florida 33325 (Section 12, Township 50 South, Range 40 East, Lot 25, Plantation Acres South Unrecorded, Book 49786 Page 806 of the Public Records of Broward County, Florida). The District sent a final letter to Mr. Sanchez advising him that his application will be scheduled for the July 14, 2016 Governing Board meeting with a recommendation for denial. The applicant has failed to provide sufficient information to demonstrate that the proposed use meets the criteria established in the document referred to in Rule 40E-6.091, F.A.C. (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

15. Resolution No. 2016 - 0701 Approve release of canal and road reservations, and issuance of non-use commitments. (Real Estate, staff contact, Kathy Massey, ext. 6835)

Summary:

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate

District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

Staff Recommendation:

Staff Contact: Kathy Massey, ext. 6835

Staff recommends approval of the following:

- Release of canal and road reservations, and issuance of non-use commitments for CF Weston Hills Arcis, LLC (File Nos. 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710) for 351.05 acres in Broward County
- Release of canal reservations for Pembroke Towers, Ltd. (File No. 6-16-1) for 4.0 acres in Broward County
- Release of canal reservations for SunTrust Bank, as Trustee (File Nos. 6-16-3 and 18695) for 17.23 acres in Broward County
- Release of canal reservations for Church of Jesus Christ the Almighty, Inc. (File No. 6-16-4) for 3.03 acres in Miami-Dade County
- Release of canal reservations for Vera Brosnahan, Trustee (File No. 6-16-5) for 1.72 acres in Broward County
- Release of canal reservations for Andrew M. Skinner and Machel Ann Tenbroeck (File No. 6-16-6) for 2.35 acres in Miami-Dade County
- Release of canal and road reservations for Team Horner RE Holdings, LLC (File No. 18694) for 1.35 acres in Broward County

16. Resolution No. 2016 - 0702 Approve the release of an access easement containing 3.64 acres, more or less, in exchange for a relocated access easement containing 0.83 acres, more or less, C-43 (Caloosahatchee River) Project, located in Sections 6 and 7, Township 43 South, Range 32 East, Hendry County, subject to satisfaction of certain terms, conditions and requirements. (Real Estate, staff contact, Kathy Massey, ext. 6835)

Summary:

Florida Department of Transportation (FDOT) is currently widening a portion of State Road 80 in Hendry County. FDOT is requesting that an existing access road to the C-43 (Caloosahatchee Canal) be rerouted to accommodate their project. The District will release a portion of the existing access road easement containing 3.64 +/- acres, located in Sections 6 and 7, Township 43 South, Range 32 East. In exchange, FDOT will grant the District a new Access Road Easement containing 0.83 +/- acres.

17. Resolution No. 2016 - 0703 Approve declaring surplus land interests in Collier County containing 1.76 acres, more or less, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and approving offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value. (Real Estate, staff contact, Ray Palmer, ext. 2246)

Summary:

District staff has analyzed the options for disposal of that certain parcel of land containing 1.76 acres, more or less, located in Collier County identified as Tract OB100-001 ("Tract"). The Tract was acquired and developed for use as the Big Cypress Basin field station, consisting of an office building and warehouse, with supporting site improvements. A new field station has been constructed at another site and operations have been relocated, leaving this former field station no longer in use. Further staff

analysis resulted in a determination that the Tract was not needed for any other District purposes and would therefore be available for surplus. An appraisal has been obtained establishing an appraised value of \$1,100,000 for the Tract. A public meeting regarding the surplus and sale of the Tract was conducted on May 27, 2016. Staff recommends to the Governing Board that the Tract be declared surplus, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and be offered to the public for bid to be sold for the highest price obtainable but not less than the appraised value.

18. Resolution No. 2016 - 0704 Approve the purchase of land interests containing 5.0 acres, more or less, in Miami-Dade County, Pennsuco Project, in the amount of \$40,000 plus an additional \$10,133.85 fund allocation for long term land management and associated real estate and environmental restoration expenditures, for which dedicated Lake Belt Mitigation Fund have been budgeted; approve declaring surplus, disposal of, and removal from the asset records any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition. (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

Summary:

Tract No. W9307-946, owned by Jerry Kemp, comprises a total of 5.0 acres located within the District's Pennsuco Wetlands Project. The purchase price for Tract No. W9307-946 is \$40,000, together with the \$10,133.85 in cumulative funding for land management costs and associated real estate and environmental restoration expenditures. The purchase price of \$40,000 is under the appraised value of \$70,000. The Pennsuco wetlands are approximately 13,000 acres of wetland prairie located adjacent to the east perimeter of Water Conservation Area (WCA) 3B in northwestern Miami-Dade County. The Pennsuco area is bordered to the west and north by Krome Avenue, to the south by Tamiami Trail and the east by the Dade-Broward Levee.

19. Resolution No. 2016 - 0705 Approve extending the termination date for satisfaction of terms, conditions and requirements of Resolution No. 2012-1105, in connection with the release of right of way interests containing 1.42 acres, more or less, to the underlying fee owner at appraised value, C-4 (Tamiami Canal), located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, subject to satisfaction of certain terms, conditions and requirements. (Real Estate, staff contact, Kathy Massey, ext. 6835)

Summary:

The applicant, Target Corporation, has requested and received approval for the release of a portion of the C-4 canal right of way easement to accommodate their proposed commercial development under Resolution No. 2012-1105. The area to be released is 1.42 acres, more or less, and is located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, Florida.

The applicant has not met all of the development requirements and is requesting an extension of time for the release. Resolution No. 2012-1105 will be rescinded and replaced with a new resolution approving this item, subject to the terms, conditions and requirements.

20. Resolution No. 2016 - 0706 Approve declaring surplus land interests in Okeechobee County containing 44.15 acres, more or less, subject to a reserved perpetual access easement containing 2.3 acres, more or less, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and approving offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value. (Real Estate, staff contact, Ray Palmer, ext. 2246)

Summary:

Pursuant to Resolution 2013-612, the Governing Board directed staff to further analyze the options for disposal of certain lands and to thereafter propose recommendations to the Governing Board for further approval. Tract C1100-041 containing 44.15 acres, more or less, located in Okeechobee County (the "Tract"), was included in the Resolution. Staff further analyzed the options for disposal of the Tract, obtained an ecological assessment, and conducted a public meeting on May 27, 2016 regarding the surplus and sale of the Tract. The ecological assessment did not identify any matters of concern. An appraisal establishing an appraised value of \$220,000 for the Tract was also obtained. The appraisal appraised value reflected that the surplus of the Tract will be subject to a reserved perpetual access easement encumbering the east 60 feet comprising approximately 2.3 acres. Staff recommends to the Governing Board that the Tract be declared surplus, subject to the reserved perpetual access easement and without reservation of phosphate, minerals, metals and petroleum under Section 270.11, Florida Statutes and be offered to the public for bid to be sold for the highest price obtainable, but in no event less than appraised value.

21. Resolution No. 2016 - 0707 Authorize entering into an Agreement with the University of Florida Board of Trustees through September 30, 2020 for the purpose of conducting herbicide evaluations and refining best management practices for the control of old world climbing fern (Lygodium), in an amount not-to-exceed \$252,434, of which \$15,014 of dedicated funds are budgeted; and the remainder is subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2020 budget. (Contract No. 4600003416) (Field Operations & Land Management, staff contact, Francois Laroche, ext. 6193)

Summary:

Invasion of South Florida's natural habitats by nonindigenous plant species has significantly altered the region's ecosystems, particularly by displacing native species and altering ecosystem functions. These impacts present major challenges to the District's mission to restore, preserve, and protect the South Florida ecosystem. Perhaps no other plant species poses a greater threat to South Florida's mesic upland and wetland ecosystems than Old World climbing fern (Lygodium). This highly invasive fern smothers native vegetation, severely compromising plant species composition, destroying tree island canopy cover, dominating understory communities, and substantially altering fire and nutrient cycling regimes.

The University of Florida Institute of Food and Agricultural Sciences is uniquely suited to carry out herbicide evaluations in cooperation with District invasive plant management scientists currently combating Lygodium in the Everglades and elsewhere. The District intends to enter into a five-year agreement with the University of Florida. Over a multi-year period, the University will work with the District's scientists to develop an accelerated herbicide screening program, address non-target injury, examine environmental factors in relation to management, and improve

sequential treatment strategies for differing plant communities and environments.

22. Resolution No. 2016 - 0708 Approve an amendment to the Fiscal Year 2015-2016 Budget recognizing unanticipated intergovernmental revenue from the 2016 Legislative Session of \$469,460 for CERP planning, design, engineering and construction authorizing the Executive Director or designee to submit reimbursement requests in the amount of \$469,460 as funded by the Florida Legislature from the Save Our Everglades Trust Fund. (Administrative Services, staff contact, Dorothy Bradshaw, ext. 2823)

Summary:

The district anticipates receiving funds from State Appropriation 1590 from the 2016 Legislative session to facilitate and support CERP planning, design and engineering. The funds become available at the beginning of the State's fiscal year 2016-2017 budget, July 1, 2016. The amendment requests to recognize a portion of these funds early to take advantage of the three month fiscal year difference between the state and the District. The amendment will fund \$200,000 for S-199 and S-200 design. If the design is not initiated this fiscal year, it will delay the project by one to two years due to sequential nature of the milestones. \$30,980 of the appropriation is for Lake Okeechobee Watershed Project engineering technical support. The official project kick off will occur on July 25, 2016 and employ the USACE's expedited SMART planning feasibility process which requires a tremendous amount of work be done within the first 90 days. \$238,480 of the appropriation is for the Western Everglades Project model development, application and post processing, moving water south feasibility and engineering technical support. Initiation of planning has been expedited due to several factors: a desire to address Tribal Nation concerns in the Western Everglades region, public/ political demands to send more water south instead of to the estuaries. Request for review and approval has been submitted to the Florida Department of Environmental Protection and the Executive Office of the Governor pursuant to the requirements of s. 373.536(4) (c), F.S.

23. Board Vote on Consent Agenda

24. Board Comment

Discussion Agenda

25. Overview of Seminole Tribe of Florida Water Rights Compact - Jennifer Brown, Senior Attorney, Office of Counsel and Michelle Diffenderfer, Lewis Longman & Walker, (ext. 2258)
26. Technical Reports
 - A) Water Conditions Report - John P. Mitnik, Division Director, Operations, Engineering & Construction (ext. 2679)
 - B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources (ext. 6952)
 - C) Project Spotlight - Town of Cutler Bay - Matt Morrison, Federal Policy Chief, Everglades Policy & Coordination (ext. 6844)

Summary:

Consistent with the South Florida Water Management District's policy and commitment to the responsible planning, management, and promotion of public recreational access and use on District lands, a Proclamation is proposed to show support for cooperation on recreation and educational opportunities on District-owned lands within the Town of Cutler Bay in Miami-Dade County. The District owns approximately 1,090 acres of land within the town's limits, of which 885 acres will be included in the Cutler Wetlands component of the Comprehensive Everglades Restoration Plan, Biscayne Bay Coastal Wetlands Phase I Project. This Proclamation by the South Florida Water Management District's Governing Board encourages cooperative approaches for recreational and educational opportunities consistent with the Biscayne Bay Coastal Wetlands Phase I Cutler Wetlands Component and the Town of Cutler Bay's commitment towards providing passive recreation and education as a primary tool for protecting and maintaining South Florida ecosystems.

27. Authorize the Executive Director to procure commodities, equipment, and services needed to respond to the emergency conditions identified in the Governor's Executive Order Nos. 16-155 and 16-156 regarding increased algae blooms including expediting implementation of Dispersed Water Management projects on privately-owned and publicly-owned lands and amend the FY2015-2016 budget to recognize fund balance of \$2,600,000 available to implement the Orders. (Ernie Marks, Division Director, Everglades Policy & Coordination, ext. 6993)
- A) Resolution No. 2016 – 0709 Authorize the Executive Director to procure commodities, equipment, and services needed to respond to the emergency conditions identified in State of Florida Office of the Governor Executive Order Nos. 16-155 and 16-156 regarding increased algae blooms resulting from increased discharges from Lake Okeechobee. (Office of Counsel, staff contact, Carlyn Kowalsky, ext. 6240)
- B) Resolution No. 2016 - 0710 Approve an amendment to the Fiscal Year 2015-2016 Budget recognizing \$2,600,000 of fund balance to execute activities associated with Executive Order Nos. 16-155 and 16-156. (Administrative Services, staff contact, Dorothy Bradshaw, ext. 2823)

Summary:

Governor Scott has issued an emergency declaration to address the increased number of algae blooms during the month of June 2016. The Florida Department of Environmental Protection, the state's five water management districts, the Florida Department of Health, the Florida Fish and Wildlife Conservation Commission and other state agencies all work together to respond to algal blooms. In support of Governor Scott's direction the South Florida Water Management District is taking the following actions:

- Store additional water north of Lake Okeechobee in the Kissimmee Chain of Lakes;
- Work with state and community partners to explore every opportunity to increase water flowing south from Lake Okeechobee;
- Store additional water through dispersed water storage projects.
- Holding additional water in the Kissimmee River Basin
- Increased discharges into L-8 Canal
- Expediting the DuPuis Wildlife Management Area Dispersed Water Management project

- Constructing a 320-acre impoundment at Section C Water Farm located in the C-23/C-24 basin
- Temporary water storage at Florida Power and Light's C-44 cooling pond
- Emergency pumping at Bluefield Grove
- Emergency pumping at Caulkins Citrus
- Emergency pumping at Sunrise Grove

The District will implement the Governor's executive orders by accelerating associated activities to address the emergency at additional locations as they are developed.

28. Resolution No. 2016 - 0711 Authorize a letter requesting the U.S. Army Corps of Engineers take immediate action, including: 1) Asking the U.S. Congress for funding necessary to complete rehabilitation of the Herbert Hoover Dike around Lake Okeechobee, 2) Deploying its full resources to finish construction, and 3) Preparing now to store more water in the lake once repairs are complete to help stop devastating discharges to the St. Lucie and Caloosahatchee rivers and estuaries.
29. Resolution No. 2016 - 0712 Support the Governor's proposed Indian River Lagoon and Caloosahatchee Cleanup Initiative for new funding of a 50/50 matching grant program with local communities surrounding the water bodies affected by algae blooms to encourage residents to move from septic tanks to sewer systems in order to curb pollution that is currently entering into these water bodies.
30. Approve the Fiscal Year 2015 Comprehensive Annual Financial Report, Audit Management Letter, and Single Audit Report - Tim Beirnes, Inspector General (ext. 6398)

Summary:

The District's external audit firm completed their audit of the District's financial statements for the fiscal year ending September 30, 2015. This annual independent financial audit was performed to fulfill the requirements of Part III, Chapter 218, Florida Statutes. The audit examines the financial records and statements of the District in order to form opinions of the District's financial statements. These audits are performed in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants, the rules of the Auditor General of the State of Florida, and the standards for financial audits set forth by the U.S. Office of Management and Budget revised Circular A-133, Audits of State, Local Governments and Non-Profit Organizations.

31. Approval of Inspector Generals Audit Reports and a Review of the Office of Inspector General Peer Review Report - Tim Beirnes, Inspector General (ext. 6398)

Summary:

The following audit reports are completed:

- Approval of the Audit of the Permit Application Process
- Approval of the Audit of the IT Resource Approval Process

The Audit and Finance Committee Charter provides for the Board's review and approval of audit reports. Additionally the Office Inspector General Peer Review Report was completed on April 28, 2016. The report covering the three year period

ended December 31, 2015. Florida State statutes [20.055(6)(a)], require inspector general's to perform audits in accordance with Government Auditing Standards promulgated by the Comptroller General of the United States. One of those standards requires an external independent peer review once every three years to assess the audit organization's conformance with applicable professional standards.

The review was performed through the Association of Local Government Auditors peer review program. The Inspector Generals Office received a "Pass" compliance report, which means that in the reviewers opinion the Office of Inspector General's quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with applicable Government Auditing Standards for audits completed during the period January 1, 2013 through 31, 2015.

32. Resolution No. 2016 - 0713 Authorize entering into an agreement with the U.S. Department of the Army to evaluate alternatives and prepare a Post Authorization Change Report for the C-111 South Dade Project that will be used to seek Congressional authorization to replace temporary pump stations S-332B and S-332C and associated discharge pipes with permanent facilities; and affirming South Florida Water Management District's financial capability to satisfy the obligations of the Non-Federal Sponsor described in the agreement, for which the South Florida Water Management District will be responsible for providing 50 percent of the cost, and for which \$25,000 is budgeted for Fiscal Year 2015-2016 and the remaining funding is subject to Governing Board approval of future Fiscal Year budgets (Contract No. 4600003435). (Everglades Policy & Coordination, staff contact, Matt Morrison, ext. 6844)

Summary:

The South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (USACE) propose to jointly prepare a Post Authorization Change Report (PACR) for Congressional authorization to replace two C-111 South Dade Project temporary pump stations with permanent facilities. In order to meet federal responsibilities under the 1999 jeopardy biological opinion for the Cape Sable seaside sparrow, the USACE expedited the design and construction of temporary pump stations S-332B and S-332C instead of building the authorized permanent facilities. Preparation of the PACR requires execution of a cost-share agreement between the SFWMD and USACE. The cost-share agreement requires SFWMD, as the Non-Federal Sponsor, to contribute 50 percent of the study cost as in-kind contribution, directing staff to execute a Self-Certification of Financial Capability and provide \$25,000 cash funds at the time of cost-share agreement execution.

33. Authorize an amendment to the Agreement with Broward County Board of County Commissioners for cost-sharing, use and maintenance of the S-9 Access Bridge replacement project, to increase District funding in an amount not to exceed \$400,000, which is subject to Governing Board approval of the Fiscal Year 2016-2017 budget. (Contract No. 4600002872) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

Summary:

The S-9 Pump Station Access Bridge was completed in 1957 by the Army Corps of Engineers. The bridge is located at the western terminus of Griffin Road in western Broward County and provides access to the S-9/S-9A Pump Stations and Everglades Holiday Park over the L-37/L-33 borrow canals. Broward County desires to replace the existing S-9 Access Bridge with a two lane bridge. SFWMD and Broward County

have an existing 50/50 cost-share agreement for this project, with Broward County providing all design and construction of the new bridge, and SFWMD participation in a review and advisory capacity. Due to site access restrictions during construction, additional cost-share funding is required in an amount not-to-exceed \$400,000 for a total agreement amount not-to-exceed \$1,200,000.

34. Resolution No. 2016 - 0714 Authorize entering into a 260-day contract with Great Lakes Environmental & Infrastructure, LLC, the lowest responsive and responsible bidder, for the Ten Mile Creek Rehabilitation Project, in the amount of \$5,767,400, which is budgeted; providing an effective date. (Contract No. 4600003444) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

Summary:

The Ten Mile Creek Water Preserve Area (WPA) is located on the south bank of Ten Mile Creek, immediately west of both the Florida Turnpike and Interstate 95 in Fort Pierce, Florida. The Ten Mile Creek WPA consists of a 526-acre reservoir designed for water storage, and a 132-acre wetland Treatment Cell designed for water quality improvement prior to discharge. The facility was originally constructed by the USACE but was not operated for several years due to deficiencies associated with the safety of its embankment. During the 2015 wet season, the SFWMD was approved to operate the reservoir at a limited approximately 1 foot depth, up to elevation 19.0' NGVD. In May 2016, the project was deauthorized by the USACE and returned to the SFWMD to complete a remediation project that would allow for an increased level of storage, albeit less than the level anticipated during the reservoir's original design and construction.

The objective of this remediation project is to improve the level of service of the reservoir by increasing its maximum stage from 19.0' NGVD to 22.0' NGVD. The project includes filling of the reservoir's interior collector ditch and repairing areas of the apron in order to reduce levels of seepage and improve factors of safety associated with the reservoir's embankment. These improvements in the capacity of the facility will assist in improving the timing and quality of freshwater flows into the North Fork of the St. Lucie River, assist in water supply when stored water is available, and may also assist in reducing flooding during high rainfall events in the region. Implementing the Ten Mile Creek Rehabilitation Project is anticipated to result in improvement of the District's ability to provide water storage and treatment in the Ten Mile Creek Basin, resulting in environmental enhancement to the North Fork of the St. Lucie River.

35. Resolution No. 2016 - 0715 Authorize entering into a 1,885-day contract with PC Construction Company, the lowest responsive and responsible bidder, for the Pump Station S-5A Repowering and Automation Project, in the amount of \$56,526,000, for which \$1,980,520 is budgeted, and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600003443) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

Summary:

The Pump Station S-5A Repowering and Automation Project is intended to be constructed by the District over the next five years. This project is an integral component of the District's 10-year Strategic Plan to refurbish the infrastructure of the Central and Southern Florida Flood Control Project. This project will allow the District to maintain the operation of the station for at least the next 50 years. The S-5A Pump

Station provides flood control for the S-5A Basin.

36. Resolution No. 2016 - 0716 Approve a 3-year cattle grazing lease extension on the Lease Agreement with Frank J. and Marilyn H. Brady on 1,831.52 acres, more or less, in Martin County. (Contract No. 4600001297) (Real Estate, staff contact, Ray Palmer, ext. 2246)

Summary:

On December 20, 2007, the District acquired the Property in Martin County, Florida, known as Brady Ranch for the Taylor Creek/Nubbin Slough Storage and Treatment Area Component of the Lake Okeechobee Watershed Project (Project) to capture, store and treat basin run-off during periods when levels in Lake Okeechobee are high or increasing.

Simultaneous with the closing of Brady Ranch, the District entered into a Post Closing Use and Occupancy Agreement with Frank J. and Marilyn H. Brady, the previous owners, to continue to reside on the Property, allow cattle grazing and continue operating the exotic animal hunting preserve while winding down activities associated with removal of the exotic animals. The Reservation Agreement initially expired on July 1, 2009, but was amended and extended four times and is now set to expire on July 1, 2016. The proposed 5th Amendment will be for a lease extension to July 1, 2019, for cattle grazing, and will include a plan for the lessee to remove all of the exotic animals before the expiration of the lease. This extension will coincide with a 3-year CERP Lake Okeechobee Watershed Project Study. This study will identify regional-scale storage features north of Lake Okeechobee.

From July 2009, the rent was based on \$10 per acre with annual CPI adjustments. Based on the new Leasing Policy approved on April 14, 2016, annual rent will be calculated and adjusted each year.

37. Environmental Risk Assessment Services (Real Estate, staff contact, Ray Palmer ext. 2246)

Authorize the official ranking of short-listed firms and entering into three year work order contracts with two one-year renewal options, subject to successful negotiations as follows:

Resolution No. 2016-0717	AECOM Technical Services, Inc.
Resolution No. 2016-0718	CB&I Environmental
Resolution No. 2016-0719	CDM Smith, Inc
Resolution No. 2016-0720	Environmental Consulting & Technology, Inc
Resolution No. 2016-0721	Professional Service Industries, Inc
Resolution No. 2016-0722	Terracon Consultants, Inc.

Each contract is with one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets. The contracts are issued in response to RFP 6000000756. (Real Estate, Staff Contact, Ray Palmer ext. 2246)

Summary:

Staff is seeking approval to authorize the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six environmental consulting firms selected through a Consultant Competitive Negotiation Act solicitation process. Each approved contract

establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities. The contracts are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff.

38. Resolution No. 2016 - 0723 Approve release of a portion of a canal right of way easement containing 0.14 acres, more or less, in exchange for a canal right of way easement containing 0.31 acres more or less, and deny the release of a portion of a canal right of way easement containing 0.03 acres, more or less, Hillsboro Canal Project, Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, Section 31, Township 47 South, Range 42 East, Broward County. (Real Estate staff contact, Kathy Massey, ext. 6835)

Summary:

The applicant (Steve Gale and Marilyn Gale) has requested a release of a portion of a canal right of way easement containing 0.17 acres, more or less, which constitutes a release of the easement lying south of a line located 30 feet from the top of bank of the Hillsboro Canal. Staff is recommending the denial of this release. The Operations and Maintenance staff have advised that the District needs 40 feet from top of bank, because the width of the right of way must accommodate heavy equipment during routine maintenance and in emergency situations. After completion of the District's Hillsboro Canal Bank Stabilization Project, all the adjacent residents, including the applicant, received a communication from the District in February 2016 stating that a minimum setback of 40 feet from top of bank is required.

Staff recommends the release of a portion of a canal right of way easement containing 0.14 acre, more or less, of the canal right of way easement lying South of a line located 40 feet South of the top of bank of the Hillsboro Canal for residential purposes. In exchange, a new canal right of way easement containing 0.31 acre, more or less, will be granted to the District over that portion of Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, Section 31, Township 47 South, Range 42 East, Broward County, located 40 feet South of the top of bank. The exchange will be subject to the terms, conditions and requirements.

39. Resolution No. 2016 - 0724 Authorize Contract No. 4600003421 with Future Kids of West Palm Beach Corp for a ten year lease in a revenue amount of \$1,158,679. (Office of Counsel, staff contact, Thomas Sawyer, ext. 6257)

Summary:

This request is to authorize Contract No. 4600003421 with the Future Kids of West Palm Beach Corp for a period of ten years in a revenue amount of approximately \$1,158,679. The purpose of the contract is to lease space located at the District's Headquarters complex for childcare services. The proposed lease consists of a stand-alone 6,216 square foot building located on an approximately 1-acre parcel situated at

the Southwest corner of the Headquarters site.

40. Resolution No. 2016 - 0725 Approve submission of the proposed Fiscal Year 2016-2017 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices. (Administrative Services, Staff Contact, Dorothy Bradshaw, Ext. 2823)

Summary:

Each year, the Governing Board discusses proposed millage rates as part of the statutorily mandated Truth-in-Millage (TRIM) process. These rates are then provided to each county property appraiser within the boundaries of the District for inclusion on TRIM required proposed property tax notices.

The proposed Fiscal Year 2016-2017 millage rates are the rolled-back millage rates and have been calculated to comply with the TRIM process to calculate the rolled-back millage rates. The following millage rates are proposed consistent with Governing Board strategic guidance:

District-at-Large:	0.1359 mills
Okeechobee Basin:	0.1477 mills
Everglades Construction Project:	0.0471 mills
Big Cypress Basin:	0.1336 mills

41. General Public Comment

Staff Reports

42. Monthly Financial Report - Dorothy Bradshaw
43. General Counsel's Report - Brian Accardo
44. Executive Director's Report - Peter Antonacci
45. Board Comment
46. Adjourn

Closed Door Session

Security discussion pursuant Florida Statute 281.301

Members of the public wishing to address the Governing Board on agenda items which require a vote are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chairman or designee to speak. Governing Board policy limits comments from the public to 3 minutes unless otherwise determined by the Governing Board Chairman. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda. Unless otherwise determined by the Chairman, Board action on Consent Agenda items moved to the discussion agenda will occur at or after 9:00 a.m. on Thursday.