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NOV 13 2006 9:01 AM

IN THE MATTER OF:

Order No. 2006-164-DAO-WS

Declaration of Water Shortage Warning
For all Use Classes using the Biscayne
Aquifer or Surface Water within the South
Dade Water Use Basin, the Water
Conservation Areas/Everglades National Park
Water Use Basin, Water Conservation Area 3 Water
Use Basin, Water Conservation Area 2 Water Use
Basin, Water Conservation Area 1/C-51 Water Use
Basin, M-Canal Water Use Basin, C-18 Water Use
Basin, Loxahatchee River Water Use Basin, the North
Palm Beach County Water Use Basin, and the Interior
Palm Beach County Water Use Basin

DECLARATION OF WATER SHORTAGE WARNING

The Governing Board of the South Florida Water Management District, after considering recommendations of District staff and being otherwise fully apprised of the matter, issues this Order Declaring Water Shortage Warning containing the following Findings of Fact and Ultimate Facts and Conclusions of Law.

FINDINGS OF FACT

1. The sources subject to this Order are the Biscayne Aquifer and surface water bodies within the basins within the Lower East Coast Region, pursuant to Rule 40E-21.691(2), and as identified in Exhibit A.
2. All water use classes are subject to this Order.
3. As of November 1, 2006, the level of Lake Okeechobee was 12.68 feet NGVD 29 (11.38 feet NAVD 88). This is approximately three feet below the

average water levels in Lake Okeechobee for this time of year.

4. This occurred because during the months of June through October, 2006, the normal wet season rainfall conditions to recharge the low levels in Lake Okeechobee were deficient. In 2006, rainfall for the months of June through October in watershed basins recharging Lake Okeechobee was up to 28% below average. Rainfall over Lake Okeechobee was also 23% below normal for the June through October 2006 time period.

5. The Climate Prediction Center is predicting a relatively low chance of below-normal November 2006 through April 2007 rainfall. Weak to moderate El Nino conditions may increase changes of above average winter rainfall, but this is not guaranteed. Current and projected inflows into Lake Okeechobee over the dry season are projected to be relatively small. Lake Okeechobee stage projections indicate a significant chance that levels will remain relatively low through the end of the calendar year.

6. Due to the low lake level and lack of water in the recharge basins for Lake Okeechobee, climate forecasts, and projected user demands over the upcoming dry season, the Governing Board declared Phase I Water Shortage Restrictions for the Lake Okeechobee Service Area and connected surface waters on November 9, 2006. Users within the Lake Okeechobee Service Area, who are directly dependent upon Lake Okeechobee for agricultural and urban water supplies, must cut back their consumptive use demands by 15 percent.

7. Lake Okeechobee is also a critical secondary source of water for the Lower East Coast region during the dry season. It is relied upon to prevent

saltwater intrusion and provide wellfield recharge when water levels in the Biscayne Aquifer and Water Conservation Areas can no longer meet user demands. Historically, deliveries from the regional system, including Lake Okeechobee, to the Lower East Coast have been 500,000 million gallons per day in the dry season. This situation is compounded when water levels in Lake Okeechobee go below 10.5 feet NGVD, as it is very difficult below such level to provide water to the Lower East Coast due to conveyance limitations in the regional system canals and evaporation of water during dry conditions.

8. In light of the above, it is critical that aggressive water conservation of the Lower East Coast primary sources, being the Biscayne Aquifer and water in the Water Conservation Areas, are immediately implemented to lower the potential that Lake Okeechobee will need to be tapped later in the dry season if and when such primary sources are depleted.

9. There is a significant potential that water supplies from Lake Okeechobee over the next dry season will decline to the extent that sufficient water will not be available to meet the present and anticipated requirements of the water users within the subject area, while protecting the water resources from serious harm and meeting secondary dry season demands within the Lower East Coast region.

10. The declaration of a water shortage warning in the Lower East Coast is considered prudent at this time in order to provide notice to users of the high potential for future water shortage cutbacks and to stimulate aggressive voluntary water conservation preparations and actions, pursuant to Rule 40E-

21.231(3), Fla. Admin. Code.

11. The District will carefully monitor water usage in order to assess the effectiveness of the voluntary water conservation measures taken by the water use community. Should the voluntary water conservation efforts prove insufficient in conserving regional storage, the District will invoke mandatory water use cutbacks in order to equitably distribute the remaining water supplies and prevent serious harm to the water resources.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

12. Section 373.246, F.S., authorizes the Governing Board to adopt a water shortage plan to regulate the withdrawal and use of water so as to protect the water resources of the District. Chapter 40E-21, Fla. Admin. Code, is the water shortage plan adopted by the Governing Board.

13. Rule 40E-21.231(3), Fla. Admin. Code, authorizes the Governing Board or the Executive Director to issue a water shortage warning calling for voluntary reductions in demand within a source prior to declaring a water shortage.

14. There is a significant potential that water supplies from Lake Okeechobee over the next dry season will decline to the extent that sufficient water will not be available to meet the present and anticipated requirements of the water users within the subject area, while protecting the water resources from serious harm and meeting secondary dry season demands within the Lower East Coast region.

15. The declaration of a water shortage warning in the Lower East

Coast is considered prudent at this time in order to provide notice to users of the high potential for future water shortage cutbacks and to stimulate aggressive voluntary water conservation preparations and actions.

16. Considering the above findings of fact, it is necessary to declare a water shortage warning calling for voluntary measurable reductions in use within the Lower East Coast region pursuant to Rule 40E-21.231(3), Fla. Admin. Code

ORDER

Based upon the above Findings of Fact, Ultimate Facts and Conclusions of Law, the Governing Board orders that:

1. A water shortage warning is declared for the Lower East Coast region, which includes the specific basins depicted in the attached Exhibit A.
2. All water users in the specified basins are requested to practice efficient water use.
 - a. The most effective way to reduce unnecessary water demand is limit landscape irrigation by watering only when the plants show signs of (stress)wilt.
 - b. During the cooler winter part of the dry season (November through March) lawns only need to be watered once per week – and only if no rainfall has occurred.
 - c. Sprinkler systems should be switched to manual and rain switches (Ch. 373.62, Fla. Stat.) should be installed and operated on automatic systems.
 - d. Indoor water use should emphasize shorter showers, reduced

laundry and clothes washing of small loads and elimination of unnecessary flushing.

e. The proper conservation techniques and practices referenced in the following District Conservation publications (attached as Exhibit B) should be followed:

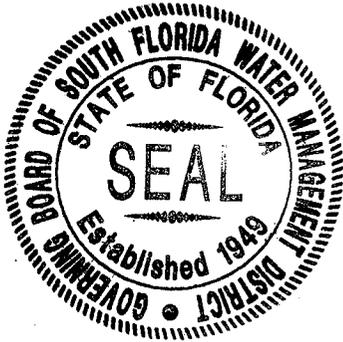
- “50 Ways To Be Water Smart” – Splash!
- “Sensible Sprinkling in South Florida” – Splash!
- “Xeriscape: How to Save Water Through Water-Smart Landscaping” – Splash!

f. All users can visit our web site at www.sfwmd.gov/conserve or call the Water Conservation Hotline at (800) 662-8876 to request more water conservation tips and information.

3. Agricultural users are encouraged to increase water conservation efforts and reduce demands where possible.
4. This water shortage warning shall remain in effect until further modification by the Governing Board or the Executive Director.
5. This Order shall become effective on November 17, 2006.
6. A Notice of Rights is attached as Exhibit C.

DONE and ORDERED this 9th day of November, 2006, at a public meeting held at the Ocean Reef Club, 35 Ocean Reef Drive, Key Largo, Florida.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT
By ITS GOVERNING BOARD



Carol Ann Wehle
CAROL ANN WEHLE
Executive Director

ATTEST:

BY: *Jackie Mignoty*
Assistant Secretary

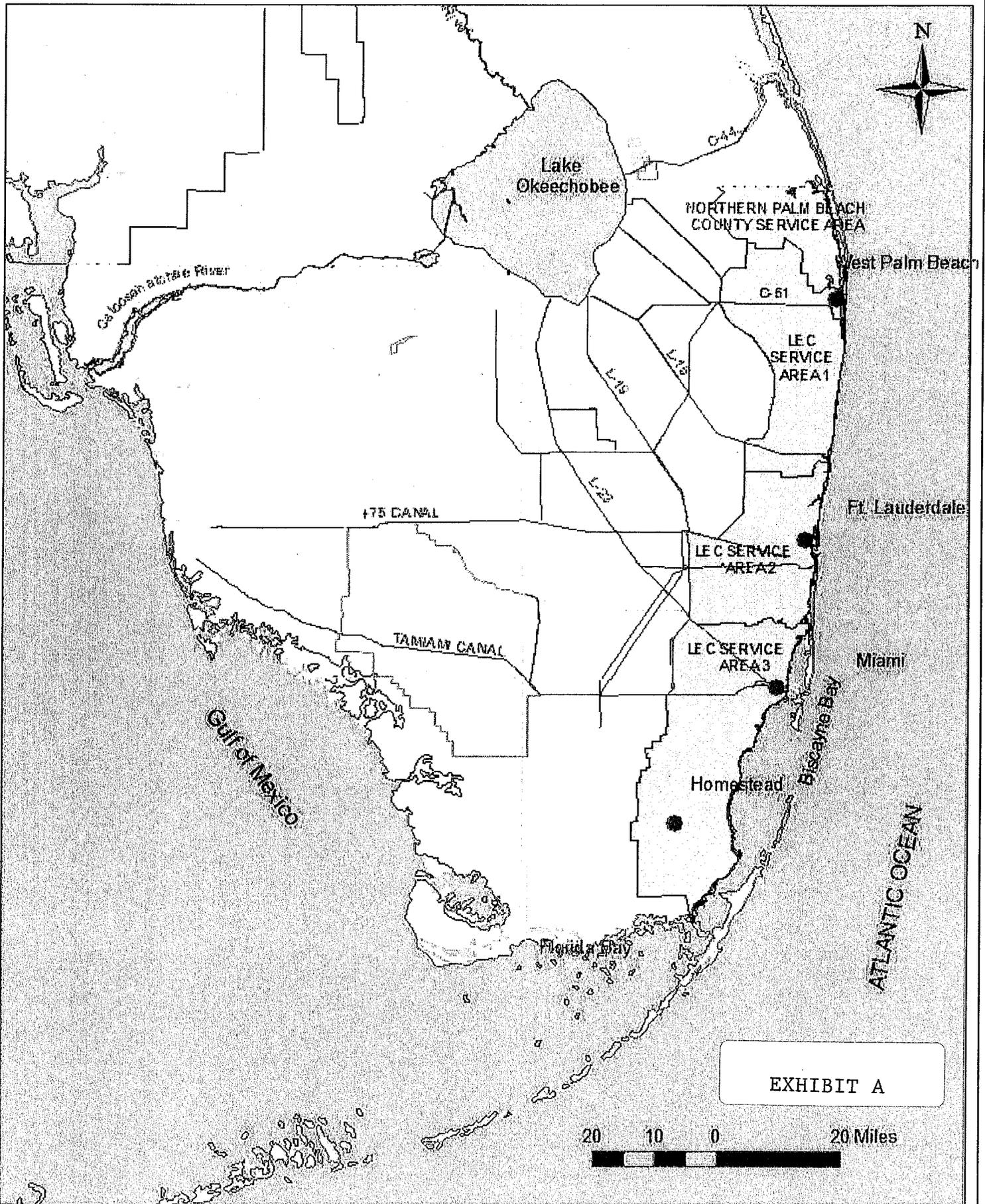
DATE: 11/13/2006

LEGAL FORM APPROVED:

BY: *Carroll Piverotto*

DATE: 11/8/06

Lower East Coast Water Shortage Warning Area



splash!

quick facts on...

50 Ways To Be Water Smart

HOW YOU CAN HELP SAVE FLORIDA'S LIMITED WATER SUPPLY

The South Florida Water Management District is a regional, governmental agency that oversees the water resources in the southern half of the state. It is the oldest and largest of the state's five water management districts.

Our Mission is to manage and protect water resources of the region by balancing and improving water quality, flood control, natural systems, and water supply.

NOTE:

Florida's lifestyle depends on a clean, ample supply of water. As you read through these 50 ways to save water, you'll notice that some are based on simple common sense, while others utilize new technology. It's important that we all do our part.



Saving Water Outdoors

1. Don't overwater your lawn – no more than once a week in the winter or twice a week in the summer. A good rain eliminates the need for watering for up to two weeks.

Buy a rain gauge. Most of the year, lawns only need one inch of water per week.

2. Plant it smart. Xeriscape landscaping is a great way to design, install and maintain both your plants and irrigation system. It will save time, money and water.

3. Water lawns during the early morning hours when temperatures and wind speed are the lowest. This reduces evaporation and waste.

4. Position sprinklers so water lands on the lawn and shrubs and not on paved areas.

5. Install irrigation devices that are the most water efficient for each use. Micro and drip irrigation and soaker hoses are examples of efficient devices.

6. Check sprinkler systems and timing devices regularly to be sure they operate properly. Florida law now requires that "anyone who purchases and installs an automatic lawn sprinkler system MUST install a rain sensor device or switch which will override the irrigation cycle when adequate rainfall has occurred."

7. Raise the lawn mower blade to at least three inches, or to its highest level. A higher cut encourages grass roots to grow deeper, shades the root system and holds soil moisture.

8. Avoid over fertilizing your lawn. Applying fertilizer increases the need for water. Apply fertilizers which contain slow-release, water-insoluble forms of nitrogen.

9. Use mulch to retain moisture in the soil. (Help preserve native cypress forests by selecting other types of mulch such as treated melaleuca.) Mulch also helps control weeds that compete with landscape plants for water.

10. Plant native and/or drought-tolerant grasses, ground covers, shrubs and trees. Once established, they do not need water as frequently and usually will survive a dry period without watering. They also require less fertilizer or herbicides. Group plants together based on similar water needs.

11. Use a broom or blower instead of a hose to clean leaves and other debris from your driveway or sidewalk.

12. Use a shut-off nozzle on your hose which can be adjusted down to a fine spray, so that water flows only as needed. When finished, turn it off at the faucet instead of at the nozzle, to avoid leaks. Check hose connectors to make sure plastic or rubber washers are in place. Washers prevent leaks.

13. Do not leave sprinklers or hoses unattended. A garden hose can pour out 600 gallons or more in only a few hours. Use a bell timer to remind yourself to turn sprinklers off.

14. Avoid purchasing recreational water toys which require a constant stream of water.

15. Consider using a commercial car wash that recycles water. If you wash your own car, park on the grass and use a hose with an automatic shut-off nozzle.

Florida's Water
It's Worth Saving

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EXHIBIT B

16. Avoid installing ornamental water features (such as fountains) unless they use recycled water.

17. If you have a swimming pool, consider a new water-saving pool filter. A single backflushing with a traditional filter uses 180 to 250 gallons of water.

In Your Home

18. Never pour water down the drain when there may be another use for it. Use it to water your indoor plants or garden.

19. Make sure your home is leak-free. Check your water meter when you are certain that no water is being used. If the meter reading changes, you have a leak!

20. Repair dripping faucets by replacing washers. One drop per second wastes 2,700 gallons of water per year!

21. Retrofit all household faucets by installing aerators with flow restrictors.

22. Check for toilet leaks by adding food coloring to the tank. If you have a leak, the color will appear in the bowl within 30 minutes. (Flush immediately to avoid stains.)

23. If the toilet handle frequently sticks in the flush position, letting water run constantly, replace or adjust it.

24. Install a toilet displacement device to cut down on the amount of water needed for each flush. (Don't use a brick! There are devices available at most hardware and home centers.) Be sure installation does not interfere with the operating parts. Consider low-volume toilets which use less than half the water of older models. NOTE: In many areas, low-volume units are required by law.

25. Take shorter showers. Replace your showerhead with an ultra-low-flow version.

26. Place a bucket in the shower to catch excess water to water plants.

27. In the shower, turn water on to get wet; turn off to lather up; then turn the water

back on to rinse off. Repeat when washing your hair.

28. Operate automatic dishwashers and clothes washers only when they are fully loaded or set the water level for the size of load you are using.

29. When hand washing dishes, save water by filling two containers – one with soapy water, one with rinse water containing a small amount of chlorine bleach.

30. Store drinking water in the refrigerator. Don't let the tap run while you are waiting for water to cool.

31. Do not use running water to thaw meat or other frozen foods. Defrost food overnight in the refrigerator, or use the defrost setting on your microwave.

32. Kitchen sink disposals require lots of water to operate properly. Start a compost pile as an alternate method of disposing of food waste.

33. Do not waste water waiting for it to get hot. Capture it for other uses such as plant watering or heat it on the stove or in a microwave.

34. Consider installing an instant hot water heater on your sink and insulating your water pipes.

35. Think twice about installing a water-to-air heat pump or air-conditioning system. Newer air-to-air models are just as efficient and do not waste water.

36. Don't let water run while brushing your teeth, washing your face or shaving.

37. Install water softening systems only when necessary. Turn softeners off while on vacation.

38. If you have a well at home, check your pump periodically. If the pump kicks on and off while water is not being used, you have a leak.

39. Avoid flushing the toilet unnecessarily. Dispose of tissues, insects and other similar waste in the trash rather than the toilet.

General Water Saving Tips

40. Follow water conservation guidelines and ordinances in your community. Even if your water comes from a private well – you are expected to comply.

41. Report water losses (broken pipes, open hydrants, errant sprinklers, abandoned free-flowing wells, etc.) to the property owner, local authorities or your water management district.

42. Promote water conservation in community newsletters, on bulletin boards and by example. Encourage your friends, neighbors and co-workers to "be water smart."

43. Patronize businesses which practice water conservation, such as restaurants that only serve water upon request.

44. Encourage your employer to promote water conservation in the workplace.

45. Encourage your school system and local government to help develop and promote a water conservation ethic.

46. Support projects that will lead to an increased use of reclaimed waste water for irrigation and other uses.

47. Support efforts that promote water conservation among tourists.

48. Conserve water because it is the right thing to do – even when someone else is footing the bill, such as when you are staying at a hotel.

49. Participate in public water conservation meetings conducted by your local government, utility or water management district.

50. Try to do one thing each day that will result in saving water. Every drop counts!

– FOR MORE WATER CONSERVATION
INFORMATION & MATERIALS –
Please contact the SFWMD at
1-800-662-8876 or visit us on the
Web at www.sfwmd.gov.



EN11/7/06

South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406
561-686-8800 • FL WATS 800-432-2045
www.sfwmd.gov

MAILING ADDRESS: P.O. Box 24680
West Palm Beach, FL 33416-4680

SERVICE CENTERS

Big Cypress Basin
941-597-1505
Broward
954-713-3200 or 877-350-3897
Florida Keys
305-853-3219 or 800-464-5067
Fort Myers
941-338-2929 or 800-248-1201

Martin/St. Lucie
561-223-2600 or 800-250-4100
Miami/Dade
305-377-7274 or 800-250-4300
Okeechobee
863-462-5260 or 800-250-4200
Orlando
407-858-6100 or 800-250-4250
Palm Beach
561-682-6792 or 800-432-2045 ext. 6792

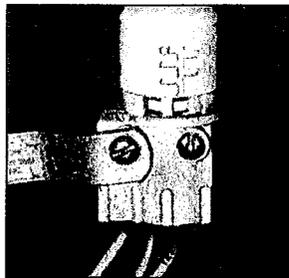
splash!

quick facts on...

Sensible Sprinkling in South Florida

The South Florida Water Management District is a regional, governmental agency that oversees the water resources in the southern half of the state. It is the oldest and largest of the state's five water management districts.

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Rain sensors make sense, plus it's the law!

Florida Statutes (Ch. 373.62) now require that "any person who purchase and installs an automatic sprinkler system shall... install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred."

While this applies to all new automatic sprinkler installations, every system should have one!

Saving a Little Saves a Lot

For home and business landscapes, many South Florida residents irrigate to keep grass green year-round and tropical plantings looking tropical. As much as 70 percent of home water use is for outdoor watering or irrigation. Whether sprinkling water comes from a municipal supply, a well, or another source, it's still ultimately drawn from one big South Florida "pool." To share the resource, South Floridians need to conserve water.

There are many ways to water your landscape – from hose "dragging" to automatic sprinkling. There are benefits to using the hose. Water can be directed to specific plants within a bed, sprinkled on seedlings, or applied deeply to planted trees or shrubs. To conserve water, always use a shut-off nozzle at the end of the hose. Using drip and soaker hoses also reduces evaporation and conserves water.

To save time and increase efficiency, many residents install automated sprinkler systems. Systems vary widely in complexity. Simple water computers costing only about \$30 can regulate home sprinklers. More complex systems may be professionally installed. Any automatic sprinkler can save water if set correctly. Saving water also saves money.

To use water most efficiently, set sprinkler timers to water in the early morning when winds are usually light and the ground is cool and receptive.



Do All Lawns Need Irrigation?

All plants need water. Rainfall provides enough water for Florida's native plants growing in the wild. During Florida's normally dry winters, these native plants thrive in the residential landscape as well. However, limited areas of turf grass, flower beds, and accent plants usually need added water at some times during the year. When watering turf grass, water thoroughly so water will reach deeper portions of the soil. Deeper grass roots will develop and grass will stay greener and healthier during droughts. Watering infrequently with the right amount of water is better than watering frequently in small amounts.

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EXHIBIT B

Florida's Water
It's Worth Saving

What Plants Make the Most Sense...and Scents?

Many plants have low irrigation requirements and, once established, need very little water even during periods of drought. Choose your plantings wisely. Seek input from your county's agricultural extension agent and other resources including the South Florida Water Management District (<http://www.sfwmd.gov>) and the Florida Native Plant Society (<http://fnps.org>) websites.

Many native drought-tolerant plants can make your landscape wildlife friendly. Plants that attract and nurture butterflies add tremendous appeal to your yard. Ideas can be found at the North American Butterfly Association's website (www.naba.org) which includes gardening suggestions for regions of the country including a plant list of South Florida plants that grow well and attract butterflies native to our area.



How Can Existing Irrigation Systems Be Improved?

Enormous amounts of water are wasted in Florida. Incorrectly adjusted automatic sprinkler systems over-water lawns, paved areas and already rain-soaked soils and plants that may already be drought-tolerant by nature. Check your system and find out how (or who to call) to put the right amount of water where it is needed. Local hardware, plumbing stores, plant nurseries, and agricultural extension offices have experts on hand to answer questions about proper irrigation of Florida yards.

The first step to greatly improve an automatic sprinkler system is to install a rain sensor (described on the front). Why water your lawn when nature is doing it for you? Home supply stores stock rain sensors for \$20-30. The rain sensor tells the system when rains have already provided adequate water. It disables the systems until drier conditions return. An effective rain sensor should do the following:

- Override automatic sprinkler systems after significant rain has fallen.
- Disable the system during and after rainfall as the area dries out.
- Reset the system to the original schedule when water is needed again.

Although different types of rain sensors are available, they all achieve the same results. They save significant amounts of water.

Maintenance Can Save Water, Too

Your irrigation system will need to be checked regularly. Are any pipes or fittings leaking? Are any spray heads clogged? Are any spray heads watering driveways, sidewalks, or other pavement? Does the rain sensor properly interrupt the irrigation cycle after rainfall? Stopping any leaks, cleaning out any clogs and directing water to spray only where it's needed can prevent hundreds of gallons from being wasted every week.

Using mulch helps save water, too. Mulches in the landscape:

- shade soils from direct sun so they stay moist longer.
- protect soils from erosion.
- limit weed growth.
- slowly decompose, adding nutrients in the process.
- provide habitat for beneficial soil organisms.
- are appealing, adding a clean and unifying appearance.

The best mulches for Florida come from non-native trees, recycled waste wood, including wooden pallets, and your own recycled yard clippings. These are regularly available from home supply stores, and should always be sought. Mulch made from native cypress trees doesn't make sense. Why remove a beneficial native tree from the environment only to grind it up and sprinkle it around your yard?

Mulch should be spread two to four inches thick with new mulch added as needed to maintain an adequate layer. New mulch should be stirred into the older matter to help maintain healthy soil conditions and prevent matting. Mulches shouldn't pile up directly against foundations of buildings since they may attract termites.

Once established, your water-conserving yard may require only moderate amounts of added fertilizer. Over-fertilizing aggravates pest problems and stimulates excessive growth, which may induce a need for more frequent watering. Also, fertilizers shouldn't be spread onto slopes and drainage areas where polluting runoff could flow into waterways. Slow-release fertilizers make sense since they don't need to be applied frequently and any resultant runoff will only contain small amounts of dissolved nutrients.

For more maintenance information, visit the University of Florida's web site: <http://hort.ifas.ufl.edu/turf/residential/residential.htm>

Be a Watchdog for Water Conservation

Whether irrigating a home lot or a large commercial property, everyone needs to closely monitor outdoor water use. Watering less frequently but thoroughly will help lighten the load on both pocketbooks and the shared regional pool of water. When developing landscape designs, keep water conservation in mind. Only constant water awareness will help maintain a constant water supply!

SERVICE CENTERS

Big Cypress Basin/Naples
239-597-1505
Broward
954-713-3200
Florida Keys (Plantation Key)
305-853-3219 or 800-464-5067
Lower West Coast
239-338-2929 or 800-248-1201

Martin/St. Lucie
772-223-2600 or 800-250-4100
Miami-Dade
305-377-7274 or 800-250-4300
Okeechobee
863-462-5260 or 800-250-4200
Orlando
407-858-6100 or 800-250-4250
Palm Beach County
561-682-2283 or 800-432-2045



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www.sfwmd.gov

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West Palm Beach, FL 33416-4680



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quick facts on...

Xeriscape: How to Save Water Through Water-smart Landscaping

MARCH 12, 2001

The South Florida Water Management District

is a regional, governmental agency that oversees the water resources in the southern half of the state. It is the oldest and largest of the state's five water management districts.

Our Mission is to manage and protect water resources of the region by balancing and improving water quality, flood control, natural systems, and water supply.



Sea grape

Did you know that half of residential water is used for outdoor irrigation? You can cut your outdoor water use substantially with water-conserving plants and use of Xeriscape principles.

Xeriscape is water conservation through creative landscaping. The term Xeriscaping means water-conserving, drought-tolerant landscaping, or simply the use of the right plant in the right place—with proper maintenance and water-wise watering.

Follow the seven fundamentals of Xeriscape systematically and you'll be well on your way to saving water!

1. Design your landscape. Careful planning is crucial to the long-term success of a Xeriscape landscape. You can minimize your initial investment by installing your Xeriscape in phases. First, make a simple site plan drawing of your property. Note slopes, drainage problems and existing plants and trees. Also note shaded and sunny areas. Determine the areas that will be irrigated when you select plants.

2. Select the right plant for the right area. Select and group plants according to their water needs to eliminate unnecessary watering. You should have three zones in your site plan:

Natural zones: Plants in this area can live on rainfall. They can be native plants or cultivated plants that have adapted to Florida.

Low water or "drought-tolerant" zones: Plants in these areas can survive mostly on rainfall.

Moderate or "oasis" water zones: These areas require regular watering and should be limited as accents in your Xeriscape. Keep these zones functional, such as entryways, turf areas and fruit or vegetable gardens.

3. Analyze the soil. Determine the acid and alkaline levels (pH) of your soil before

planting. You can mix organic matter such as compost, peat, manure or topsoil into sandy soils for enrichment and to retain moisture.

4. Have limited turf areas. Turf is the single largest consumer of water in a landscape. Always look for drought-tolerant turf varieties. Consider mulch as an alternative to turf. Avoid long, narrow turf areas because they are difficult to water efficiently.

5. Water wisely. Drought-tolerant plants can survive mostly on rainfall. If watering is necessary, do it only in the early morning, and in accordance with any water restrictions, to reduce evaporation. Remember, Florida Statutes require that all new automatic lawn sprinkler systems must have a rain sensor device or shut-off switch which overrides the system cycle following adequate rainfall. Water trees, shrubs, flowers and ground covers with low-volume drip or spray heads. These low-volume methods include "soaker hoses" in which water escapes through tiny holes in the hose. Apply the "soaker hose" to the root zone of the plant so that the water does not run off the root area.

6. Use mulches. Mulches limit weed growth and retain moisture. Two to three inches of mulch on garden beds and walkways also reduces weed growth and slows erosion. Avoid cypress mulch. Use other organic mulches such as recycled mulch, bark chips, wood shavings or pine straw/needles.

7. Properly maintain your landscape. Overwatering increases the risk of plant disease. To encourage deep rooting and more drought-resistance, water plants thoroughly without over-watering.

Fertilize properly: excessive fertilizer promotes fast, but weak growth and actually increases a plant's water needs, as does over-pruning.

EXHIBIT B

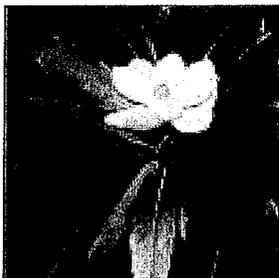
Plants for Your Xeriscape

Some people think of a desert scene when they hear "Xeriscape," but this is not the look of a typical Xeriscape. Some of the "Florida Favorites" you can use for your Xeriscape landscape are listed here. Several of them are lush and tropical-looking. They will add to the beauty of your landscape while conserving water.

Consult your nursery professional for information on which of these plants are appropriate for your region.

Trees

Bald cypress (*Taxodium distichum*)
 Dahoon holly (*Ilex cassine*)
 Geiger tree (*Cordia sebestena*)
 Gumbo Limbo (*Bursera simaruba*)
 Ironwood (*Krugiodendron ferreum*)
 Live oak (*Quercus virginiana*)
 Magnolia, southern
 (*Magnolia grandiflora*)
 Magnolia, sweet bay
 (*Magnolia virginiana*)
 Myrsine (*Rapanea guianensis*)
 Paradise tree (*Simarouba glauca*)
 Pigeon plum (*Coccoloba diversifolia*)
 Red bay (*Persea borbonia*)
 Red maple (*Acer rubrum*)
 Sea grape (*Coccoloba uvifera*)
 Silver buttonwood (*Conocarpus erectus* var. *sericeus*)
 Simpson's stopper (*Myricanthes fragrans*)
 Slash pine (*Pinus elliotii*)
 Southern red cedar (*Juniperus silicicola*)
 Trumpet tree (*Tabebuia* spp.)



Sweet bay magnolia

Shrubs

Beautyberry (*Callicarpa americana*)
 Cocoplum (*Chrysobalanus icaco*)
 Coral bean (*Erythrina herbacea*)
 Crinum lily (*Crinum asiaticum*)
 Firebush (*Hamelia patens*)
 Florida privet (*Forestiera segregata*)
 Holly, Stokes dwarf (*Ilex vomitoria*)
 Jamaica caper (*Capparis cyanophallophora*)
 Marlberrry (*Ardisia escallonioides*)
 Necklace pod (*Sophora tomentosa*)
 Walter's viburnum (*Viburnum obovatum*)
 Wax myrtle (*Myrica cerifera*)
 White indigo berry (*Randia aculeata*)
 White stopper (*Eugenia axillaris*)
 Wild coffee (*Psychotria nervosa*)
 Wild coffee, dwarf (*Psychotria ligustrifolia*)

Palms and Cycads

Buccaneer or Sargent's palm
 (*Pseudophoenix sargentii*)
 Cabbage palm (*Sabal palmetto*)
 Coontie (*Zamia pumila*)
 Paurotis/Everglades palm
 (*Acoelorrhaphe wrightii*)
 Queen sago (*Cycas circinalis*)
 Royal palm (*Roystonea elata*)
 Saw palmetto (*Serenoa repens*)
 Thatch palm (*Thrinax* spp.)



A successfully Xeriscaped yard

Ferns

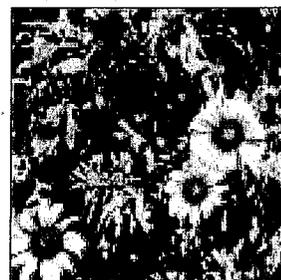
Boston fern (*Nephrolepis exaltata*)
 Leather fern (*Acrostichum danaeifolium*)
 Swamp fern (*Blechnum serrulatum*)

Accent Grasses, Vines and Groundcovers

Bougainvillea (*Bougainvillea spectabilis*)
 Coral honeysuckle (*Lonicera sempervirens*)
 Cordgrass (*Spartina bakeri*)
 Corky-stemmed passion-flower (*Passiflora suberosa*)
 Fakahatchee grass (*Tripsacum dactyloides*)
 Florida gama grass (*Tripsacum floridanum*)
 Lantana, trailing (*Lantana montevidensis*)
 Liriope (*Liriope muscari*)
 Mondo grass (*Ophiopogon japonicus*)
 Purple love grass (*Eragrostis spectabilis*)
 Railroad vine (*Ipomoea pes-caprae*)
 Sea oats (*Uniola paniculata*)

Annuals/Perennials/Wildflowers

Beach sunflower (*Helianthus debilis*)
 Black-eyed Susan (*Rudbeckia hirta*)
 Blanket flower (*Gaillardia pulchella*)
 Lantana, pineland
 (*Lantana depressa*)
 Lantana, wild (*Lantana involucrata*)
 Pentas (*Pentas lanceolata*)
 Porter weed
 (*Stachytarpheta jamaicensis*)
 Sea oxeye daisy
 (*Borrchia frutescens*)
 Spider lily (*Hymenocallis latifolia*)
 Tickseed (*Coreopsis leavenworthii*)



Blanket flower

Xeriscape and save time, money and water! For more information, go to sfwmd.gov.



KR 4/18/01

South Florida Water Management District
 3301 Gun Club Road
 West Palm Beach, Florida 33406
 561-686-8800 • FL WATS 800-432-2045
www.sfwmd.gov

MAILING ADDRESS: P.O. Box 24680
 West Palm Beach, FL 33416-4680

SERVICE CENTERS

Big Cypress Basin
 941-597-1505
 Broward
 954-713-3200
 Fort Myers
 941-338-2929 or 800-248-1201
 Florida Keys
 305-289-2739 or 800-464-5067

Martin/St. Lucie
 561-223-2600 or 800-250-4100
 Miami/Dade
 305-377-7274 or 800-250-4300
 Okeechobee
 863-462-5260 or 800-250-4200
 Orlando
 407-858-6100 or 800-250-4250
 Palm Beach
 561-682-6302 or 800-432-2045 ext. 6302

NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing and/or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Right to Request Administrative Hearing

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569, 120.57, and 120.60(3), Fla. Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision in accordance with Rule 28-106.111, Fla. Admin. Code. Any person who receives written notice of a District decision and fails to file a written request for hearing within 21 days waives the right to request a hearing on that decision as provided by Subsection 28-106.111(4), Fla. Admin. Code.

The Petition must be filed at the Office of the District Clerk of the SFWMD, 3301 Gun Club Road, P.O. Box 24680, West Palm Beach, Florida, 33416, and must comply with the requirements of Rule 28-106.104, Fla. Admin. Code. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. **Filings by e-mail will not be accepted.** A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Pursuant to Rule 28-106.104, Fla. Admin. Code, any document received by the office of the District Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day.

- Filings made by mail must include the original and one copy and must be addressed to the Office of the District Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must also include the original and one copy of the petition. **Delivery of a petition to the District's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the District's security officer to contact the Clerk's office.** An employee of the District's Clerk's office will file the petition and return the extra copy reflecting the date and time of filing.
- Filings by facsimile must be transmitted to the District Clerk's Office at (561) 682-6010. Pursuant to Subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the District Clerk receives the complete document.

The following provisions may be applicable to SFWMD actions in combination with the applicable Uniform Rules of Procedure (Subsections 40E-0.109(1)(a) and 40E-1.511(1)(a), Fla. Admin. Code):

- (1)(a) "Receipt of written notice of agency decision" as set forth in Rule 28-106.111, Fla. Admin. Code, means receipt of either written notice through mail or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.
- (b) If notice is published pursuant to Chapter 40E-1, F.A.C., publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.
- (2) If the District's Governing Board takes action which substantially differs from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law. The District Governing Board's action is considered to substantially differ from the notice of intended agency decision when the potential impact on water resources has changed.
- (3) Notwithstanding the timeline in Rule 28-106.111, Fla. Admin. Code, intended agency decisions or agency decisions regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands pursuant to Section 373.427, Fla. Stat., shall provide a 14 day point of entry to file petitions for administrative hearing.

Hearings Involving Disputed Issues of Material Fact

The procedure for hearings involving disputed issues of material fact is set forth in Subsection 120.57(1), Fla. Stat., and Rules 28-106.201-.217, Fla. Admin. Code. Petitions involving disputed issues of material fact shall be filed in accordance with Rule 28-106.104, Fla. Admin. Code, and must comply with the requirements set forth in Rule 28-106.201, Fla. Admin. Code.

Hearings Not Involving Disputed Issues of Material Fact

The procedure for hearings not involving disputed issues of material fact is set forth in Subsection 120.57(2), Fla. Stat., and Rules 28-106.301-.307, Fla. Admin. Code. Petitions not involving disputed issues of material fact shall be filed in accordance with Rule 28-106.104, Fla. Admin. Code, and must comply with the requirements set forth in Rule 28-106.301, Fla. Admin. Code.

Mediation

As an alternative remedy under Sections 120.569 and 120.57, Fla. Stat., any person whose substantial interests are or may be affected by the SFWMD's action may choose to pursue mediation. The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. Choosing mediation will not adversely affect the rights to a hearing if mediation does not result in a settlement.

DISTRICT COURT OF APPEAL

Pursuant to Sections 120/60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.