

***PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY  
BOARD OF DIRECTORS MEETING  
April 3, 2024***

**ROUTINE STATUS REPORTS  
ITEM 8**

**Peace River Basin Report**



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**MEMORANDUM**

**TO:** Board Members and Mike Coates  
**FROM:** Doug Manson, Laura Donaldson, and Paria Shirzadi Heeter  
**RE:** Peace River Basin Report  
**DATE:** March 18, 2024

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**Mosaic Fertilizer, LLC—Ona Mine**

In October 2023, Mosaic Fertilizer, LLC (“Mosaic”) submitted an application to the Florida Department of Environmental Protection (“DEP”) for an environmental resource permit (“ERP”) modification (MMR\_0169281-018) for its 2023 Ona Infills and Reclamation Redesign Project (“Project”) for its Ona Mine (a phosphate mine). The application requests to modify the ERP to do the following: increase the mine boundary and Project Area by a net 130.9 acres; reclassify 2.8 acres within the Ona Mine boundary from “undisturbed” to “disturbed”; expand the surface water management (perimeter ditch and berm) system to encompass the expanded boundary area; authorize impacts to 5.02 acres of wetlands and 5.22 acres of other surface waters within the 2023 Ona Infills (which is a component of the Project), for which only 8.23 acres require mitigation; re-establish drainage patterns through mine reclamation; avoid 120.2 acres within the Hardee County Ona Rural Center setback area and place 100.5 acres of this avoided area under a conservation easement; approve a mitigation plan for the 2023 Ona Infills component of the Project to offset the functional loss attributable to the additional impacts documented above; and revise the approved



mitigation plan for the Ona Mine to reflect the mine-wide revision of the reclamation plan submitted in the corresponding Conceptual Reclamation Plan (no new wetland or surface water impacts will occur outside of the 2023 Ona Infills parcels).

The application states that mining of the 2023 Ona Infills will require less than one year to complete. The proposed activities to be conducted on the 2023 Ona Infills are identical to those currently authorized by ERP MMR\_0169281, and consist of site preparation, mining, sand and overburden backfill, and reclamation. The 2023 Ona Infills will be integrated into the existing Ona Mine's stormwater management system, including treatment and discharge pursuant to the industrial wastewater ("IW") permits issued by DEP, and the existing Ona Mine water recirculation system is already authorized by IW permits (Wingate IW Permit No. FL0032522 and Four Corners IW Permit No. FL0036412).

On December 4, 2023, DEP issued a request for additional information ("RAI") to Mosaic regarding the application. The RAI requested additional information regarding the following: the project acreage; the 2.8-acre area being reclassified from undisturbed to disturbed; the proposed mitigation; the amount of wetland, stream and other surface water disturbances/impacts proposed; and the maps submitted with the application. In addition, the RAI requested additional information on the submitted Payne Creek plan as it is substantially different from the currently approved plan and it is not clear if the proposed plan provides the same level of regional benefit; the revised stream report; the 2023 Ona Infills mitigation plan; and the clay disposal plan/schedule. On February 5, 2024, DEP approved a request from Mosaic to extend the deadline to respond to the RAI to April 1, 2024.



Ona Mine is drained by several tributaries that flow from north to south through the site: Brushy Creek, Horse Creek, West Fork of Horse Creek, Hickory Creek, Oak Creek, Troublesome Creek and the Myakka River, many of which are tributaries to the Peace River. A portion of the Ona mine area also includes Horse Creek, a tributary to the Peace River.

**Mosaic Fertilizer, LLC- South Fort Meade Mine Phosphate Management Facility Permit**

On November 17, 2022, Mosaic submitted an application for a permit modification (No. FL0037958-024) to its existing phosphate management facility permit for its South Fort Meade (“SFM”) Mine. On August 17, 2023, DEP gave notice of its preparation of the permit modification (No. FL0037958-024). The modification adds additional acreage into the SFM Mine boundary. The project includes the mining of phosphate ore within the SFM-EE Mine boundary to extend operation of the SFM Mine beneficiation plant. Additionally, the project includes the construction of necessary infrastructure such as a utility corridor and a dragline walk path to relocate draglines from the existing SFM-ER to the SFM-EE mine boundary. The SFM-EE Project Area totals approximately 3,170 acres and includes approximately 2,203 acres to be mined. With the addition of the mining and project area for SFM-EE, the total acreage of the SFM Mine will increase to approximately 36,309 acres. Mining is scheduled to begin in 2025. The permit modification explains that: proposed mining is not expected to cause any changes or issues for the existing SFM Mine outfalls; there are no proposed changes in processing nor increase production rates; no new clay settling areas or outfalls are requested as a result of this permit modification; mining and reclamation in the additional areas will not be materially different from before; and discharge water at the permitted outfalls will remain in compliance with existing permit limitations.



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Additionally, on May 31, 2023, DEP received a minor permit modification request (No. FL0037958-027) from Mosaic to allow the temporary and limited transfer of wastewater from Lake Branch Dairy (NPDES Permit No. FLA183075) into the mine boundary for the Mosaic SFM Mine. The proposed transfer of this wastewater will discharge in the north-eastern section of CSA SFM-9. On July 28, 2023, Mosaic submitted its response to DEP's June 29, 2023 RAI.

As of the date of this report, there has been no further action on this minor permit modification request or permit modification No. FL0037958-024. The SFM Mine is located at 5880 Manley Road, Fort Meade, Florida in Polk and Hardee Counties, within the Peace River watershed.

#### **Mosaic Fertilizer, LLC- Green Bay Facility**

On May 5, 2021, DEP issued a final permit to Mosaic in response to its application (NPDES FL0000752-020-IW1S/RA) for a major modification of the wastewater discharge permit for its Green Bay Facility (the "2021 Permit"). The Green Bay Facility permanently discontinued all manufacturing activities and was idled in 2006, with plant closure initiated in 2012. The 2021 Permit authorized reactivation of the then inactive lined Green Bay Lined North Gypsum Stack ("Lined North Gypstack") to re-initiate or resume its use to accommodate ongoing phosphate manufacturing. The 2021 Permit for resuming operation of the Lined North Gypstack included modifications to specific operations to incorporate the transfer of phosphogypsum from the Bartow Facility for use at the Green Bay Facility.

On January 9, 2023, Mosaic submitted an application for modification of its NPDES Permit No. FL0000752. This permit modification application is for the Green Bay Facility Phase II gypsum stack extension ("GB Phase II") (PA File No. FL0000752-024-IW1S/RA). The application explains



that the GB Phase II extension will consist of an approximately 300-acre lined addition to the existing Phase I North Gypsum Stack. On February 20, 2023, DEP issued a RAI and Mosaic responded to the RAI on March 22, 2023. DEP deemed the application complete on April 28, 2023. On May 4, 2023, notice of the application (PA File No. FL0000752-024-IW1S/RA) was published. On January 19, 2024, DEP issued a notice of draft permit modification—substantial revision. On January 25, 2024, notice was published of DEP’s preparation of the draft permit modification. On February 15, 2024, Mosaic submitted its comments on DEP’s draft permit modification.

Further, in December 2023, Mosaic submitted a renewal application to DEP for renewal of its NPDES permit for the Green Bay Facility (File No. FL0000752), which is currently set to expire on June 13, 2024. The application for the NPDES permit renewal includes information regarding: surface water monitoring; groundwater monitoring; cut-off wall monitoring; lime treatment system; remaining closure activities; the passive seismic monitoring system and real time monitoring reports; the closed gypsum stack; outfall flow information; and biological monitoring. On January 12, 2024, DEP issued a RAI regarding the renewal application, and Mosaic submitted its RAI response on February 8, 2024. On February 9, 2024, DEP deemed the renewal application complete and estimated that a draft permit would be issued in March 2024 and the final permit issued in May 2024.

The Green Bay Facility is located in Bartow, Polk County, just outside of, but near the boundary of, the Peace River watershed, and the Bartow Facility is located in Bartow, Polk County at the boundary line of the Peace River watershed. The receiving waters for some of the Bartow Facility project’s outfalls are located within the Peace River watershed. The topography within the



GB Phase II areas to the east gently slope to elevations around 140 feet (NGVD) governed by the Sweetwater Branch and Six Mile Creek flowing easterly to the Peace River.

**Mosaic Fertilizer, LLC—Bartow Facility**

On January 5, 2024, DEP sent an inspection report and compliance assistance offer (“Offer”) following a dam compliance inspection conducted at Mosaic’s Bartow Facility. The Offer documents non-compliance at the Bartow Facility with regards to the reassessment of the Fate & Transport Model (“Model”) stipulated to in a permit condition (NPDES FL0001589). In a February 2, 2024 correspondence, Mosaic explains that it has developed a proposed plan and timeline to install additional monitoring wells, conduct monitoring, and complete the reassessment of the Model.

The Model was performed in 1999 to predict the changes in water quality in the surficial aquifer system outside of the Bartow Complex soil-bentonite cut-off walls, and a review of the 1999 Model was performed in 2018 and a report on the Model review submitted to DEP in October 2018. In the October 2018 report, Mosaic’s consultant reviewed the water quality predictions outside the cut-off wall for three different directions: (i) east of the south gypsum stack; (ii) south of the south gypsum stack; and (iii) north/northeast of the south gypsum stack. Based on the review of the water quality with the Model, it was concluded that the parameters used in the Model should be re-evaluated and the model updated to provide enhanced predictions. The re-evaluation plan submitted by Mosaic in February 2024 states that it is prepared to collect water quality data from additional locations, perform field sampling and testing, prepare a fate and transport model for each of the three different directions and re-calibrate the model with field collected data to better predict the transport of contaminants with time and distance from the cut-off wall.



Additionally, on February 20, 2024, DEP deemed Mosaic's January 25, 2024 Permit Modification Application (NPDES No. FL0001589-027-IW1S) for the Bartow Facility complete. The application proposed a revision to the approved closure plan for the South Gypsum Stack at the Bartow Facility and explained that the proposed revisions are intended to expedite closure and enable earlier removal of the remaining upper slopes and top gradient area from the Bartow Facility's process watershed.

The Bartow Facility's operations include production of sulfuric acid, phosphoric acid, and ammoniated fertilizer products. The Bartow Facility is located at 3200 State Road 60 West in Polk County, at the boundary line of the Peace River watershed and over 50 miles away from the Peace River Regional Water Supply Authority Facility. However, one of the Bartow Facility's outfalls (Outfall D-002) discharges treated process wastewater, non-process wastewater, and stormwater to an unnamed ditch that flows to Six Mile Creek, which ultimately enters the Peace River.

**Mosaic Fertilizer, LLC- New Wales Facility**

On January 31, 2023, Mosaic submitted an application to DEP to renew its NPDES permit (FL0036421-023) for its New Wales Facility. The permit authorizes Mosaic to discharge stormwater, treated process wastewater, non-process wastewater, and excess groundwater from production and recovery wells via existing Outfall D-006.

The application also requests a revision of the permit for authorization to construct the Phase IV Gypsum Stack Extension in accordance with the Phosphogypsum Stack System Construction/Operation Permit Application submitted concurrent with the renewal application. The Phase III Gypsum Stack Extension was authorized as part of the revised permit issued on





October 15, 2021 as FL0036421-022 for construction of the Phase III Gypsum Stack Extension in conjunction with the 3-tiered Subsurface Activity Early Detection System (“SAEDS”). The Phase IV Extension will incorporate the same 3-tiered SAEDS as installed in the Phase III Extension. The proposed Phase IV Gypsum Stack Extension has a total area of 320 acres and abuts the south side of the Phase III portion of the South Gypsum Stack. The Phase IV Extension is comprised of: (i) a lined area of 226 acres for gypsum stacking; (ii) 23 acres of perimeter earthen containment dikes and toe roads; and (iii) 71 acres of stormwater drainage ditches and access roads. Of the total area of 320 acres, 35 acres are coincident with the existing Phase III portion of the South Gypsum Stack, resulting in a net change in area of 285 acres from the Phase IV Extension. The application states that a geophysical investigation of the Phase IV Extension identified several locations requiring further exploration with test borings and piezometer installations. The application also requests a change to the Outfall D-006 wastewater system to relocate an existing 4,100-foot-long reach of the Area A-11 to Area K-4 drainage ditch to accommodate construction of the proposed Phase IV Gypsum Stack Extension.

Mosaic’s April 7, 2023 response to a March 2, 2023 RAI stated that Mosaic had elected to withdraw the request to revise the existing permit to include authorization to construct the Phase IV Gypsum Stack Extension (but see the below paragraph). On May 3, 2023, DEP deemed the application complete. On November 17, 2023, DEP issued a notice of draft permit, and on February 6, 2024, DEP gave notice of its intent to issue the permit (FL0036421-023).

On February 15, 2024, Mosaic submitted an engineering report to support the New Wales Plant Phase IV Gypsum Stack Extension. The February 2024 submittal includes the



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construction/operation permit application (NPDES Permit FL0036421) and states that the Phase IV Extension will consist of an approximately 224-acre lined addition to the existing South Gypsum Stack and Phase III Extension. The report contains: an overview of the existing South Gypsum Stack and Phase III Extension; facility and area information; a description of the key features of the Phase IV Extension and compliance of the basic design with the regulatory requirements; hydrogeologic and geotechnical evaluations, including results of the geotechnical and geophysical field exploration programs and laboratory testing programs; design and construction recommendations, including seepage and slope stability analyses and stormwater conveyance; operation guidelines and a revised groundwater monitoring plan; a conceptual closure plan for the combined South Gypsum Stack and Phase III and Phase IV Extensions for conditions at the end of life of the Phase IV Extension; and technical construction specifications.

The New Wales Facility manufactures solid ammoniated phosphate fertilizers and animal feed ingredients and is located on County Road 640 West, southwest of Mulberry, Florida near the Hillsborough County line. The New Wales Facility, through the Phase III Gypsum Stack extension, encompasses 2,260 acres, and will increase to 2,545 acres with the proposed Phase IV Extension. The facility has one outfall, designated D-006, located approximately 3 miles southeast of the facility boundary on the South Prong Alafia River.

**Alico, Inc.—Orange Co Excavation ERP**

In 2023, Alico, Inc. submitted an ERP application (MMR\_332384) to DEP for its 79.82-acre Orange Co Excavation project. The application explains that the excavation project will be done in two phases and entails extracting sand and shell to be used on future development projects for



public and private development. The application states that the site will produce no offsite discharge other than the moisture in the soil leaving the site from excavation. The estimated life of the mine, including reclamation, will be ten years from the start date (which will be upon issuance of the ERP from DEP and the excavation permit from Charlotte County).

On November 2, 2023, Alico, Inc. submitted its response to a May 22, 2023 RAI from DEP, which clarifies that this site is an active mine (pursuant to the Southwest Florida Water Management District [“SWFWMD”] permit referenced below), and the RAI itself notes that there are no wetland or other surface waters impacts. On November 6, 2023, notice of the application was published in a newspaper. On January 5, 2024, Southwest Engineering and Design submitted a response to a November 28, 2023 RAI from DEP regarding the application.

The subject property is currently an active excavation site under SWFWMD ERP No. 33845. This project is located in Punta Gorda and is within the Peace River Basin, in the Shell Creek portion of the Lower Peace River.

### **Harborview Properties Neal Road LLC—Harborview Excavation**

In 2023, Harborview Properties Neal Road LLC (the “Applicant”) submitted an ERP application to DEP for its proposed Harborview Excavation project. The Harborview Excavation project consists of a project/permit area of 478.32 acres. The project will include extracting sand and shell in four phases to be used on future development projects for public and private development. The estimated life of the mine, including reclamation, will be ten years.

On October 31, 2023, the Applicant submitted its response to a May 22, 2023 RAI from DEP, which includes a Revised Technical Memorandum on the analysis of potential impacts to



environmental features due to the dewatering of the surficial aquifer system for the sand and shell excavation. On November 28, 2023, DEP issued another RAI to the Applicant requesting: revised application forms; additional engineering and hydrology information; revised and/or additional plans, maps and figures; a figure differentiating the project and property boundaries; and a clarification regarding the groundwater monitoring plan. On January 12, 2024, the Applicant submitted its response to the November 2023 RAI. Additionally, on January 18, 2024, DEP issued a Pre-Application Site Inspection Report.

The Harborview Excavation project is located southwest of the intersection of Neal Rd and Graham Rd in Charlotte County, within the Peace River Basin, specifically in the lower Peace River area.

**Estech, L.L.C—Agricola Closed Phosphogypsum Stack**

On October 30, 2023, Estech, L.L.C. (“Estech”) submitted a NPDES permit renewal application (No. FL0160083- 005-IW1S/NR) for its Agricola Closed Phosphogypsum Stack facility (“Facility”). On December 5, 2023, DEP issued a RAI requesting additional information regarding: the conductivity study provided; the mixing zone calculations (for the mixing zone between Hookers Prairie and the Estech NPDES outfall); sampling results; groundwater quality review; explanation of the exceedances in Radium shown by one of the well’s sampling results; flow measurements; and nitrogen loading levels. Estech submitted its response to the RAI on January 3, 2024. On January 31, 2024, DEP staff in the Water Quality Standards Program provided comments on specific issues with the mixing zone calculations in Estech’s mixing zone study and a potential alternative to the mixing zone.



The application explains the nature of the business as “closed phosphogypsum stack monitoring and maintenance, citrus farming and cattle production.” The Facility is located in Agricola, FL in Polk County and is within (or near the border of) the Peace River Basin.

**New Florida Ventures, Inc. Mine Expansion**

On November 21, 2022, New Florida Ventures, Inc. submitted an application to modify its existing ERP (MMR 261889-006) to expand its current mine boundary. On March 4, 2024, New Florida Ventures submitted a response package to a RAI issued by DEP.

In 2006, the ERP was first issued to New Florida Ventures for a surface water management system for a sand mine on a 92.52-acre property, with a project area of 58.5 acres. The site is currently permitted to excavate 1,800,000 cubic yards (“CY”) of sand fill material. Through this proposed expansion, New Florida Ventures proposes to excavate, process and haul an approximately additional 1,106,819 CY of fill (for a total of 2,906,819 CY of sand and fill material) and to expand the mine boundary (it is not clear from the application how many acres the boundary will be expanded but the application does state that the project site is a 231 acre parcel). The application proposed to excavate a borrow pit in a single phase, with a total combined lake area of 54.1 acres. The borrow pit will expand the existing cells 2 and 3 at the site and combine them with cell 1.

The mine is located on the west side of County Road 769, approximately half a mile southwest of the intersection with County Road 760 in DeSoto County. The site drains south towards wetlands located at the south end of the property, then to Horse Creek. The site appears to



be located just a few miles from the Peace River and less than half a mile from the Peace River State Forest.

### **Three Suns Ranch LLC—Florida Shell and Fill Mine Expansion**

On March 6, 2024, Three Suns Ranch LLC submitted an application (MMR 232489-005) to DEP for an expansion of a sand and fill mine in Punta Gorda. The application proposes to excavate, process, and haul approximately 1,212,000 CY of sand and fill material in 10 years. The application states that excavated material will be excavated and stockpiled and de-saturated on site, and upon completion, the lake banks will be restored to a four to one side slope and stabilized.

The application states that the entire 53.59-acre expansion area will be treated as one cell to be bermed and excavated, and that it will use the cells in the existing mine to serve as water storage for the dewatered expansion area. The engineering report submitted with the application states the mining activities as well as the stormwater management system which will meet or exceed current regulatory requirements during mining operations. In addition, the report outlines the process necessary to protect the wetland areas located on the property. The project site is a 53.59 acre parcel located in Punta Gorda, near the Peace River.

### **HarborView Properties Neal Road, LLC —Water Use Permit**

On January 30, 2024, HarborView Properties Neal Road, LLC submitted a water use permit (“WUP”) modification application (no. 13096.004) to SWFWMD. The modification requests to increase the annual average quantity from 0.4393 million gallons per day (“mgd”) to 2.565 mgd and the peak month quantity from of 2.769 mgd to 2.822 mgd. The existing permit authorizes withdrawals from the Upper Floridan Aquifer (“UFA”) from two withdrawal points. The application



states these two withdrawal points will be plugged and abandoned and all quantities will be coming from the Surficial Aquifer, forfeiting all existing UFA quantities.

The permit is for mining/dewatering uses in Charlotte County and is located in the Peace River basin.

**Joshua Water Control District—Water Use Permit**

On January 17, 2024, SWFWMD issued a WUP modification (no. 2386.025) to Joshua Water Control District that authorizes the construction of two withdrawals for crop protection to increase the freeze protection pump capacity. The annual average quantity remains 14.1322 mgd, the peak month quantity remains 83.8243 mgd, and the crop protection quantity increases from 1.7318 mgd to 1.8182 mgd. The permit is for agricultural uses in Desoto County and is located in the Southern Water Use Caution Area and Peace River basin.

**Lennar Homes LLC—Water Use Permit**

On January 12, 2024, SWFWMD issued a WUP modification (no. 12586.006) to Lennar Homes LLC that increases the annual average quantity from 0.4446 mgd to 0.6246 mgd, with the peak month quantity remaining at 1.7279 mgd. The permit is for landscape/recreation uses in Charlotte County and is located in the Southern Water Use Caution Area and Peace River basin.

**Polk County BOCC—Water Use Permit**

On February 13, 2024, SWFWMD issued a WUP modification (no. 12800.009) to Polk County BOCC that authorizes an increase in annual average quantity from 0.4147 mgd to 0.8579 mgd and an increase in the authorized peak month quantity from 1.6588 mgd to 4.3648 mgd. The increase in quantities is from the transfer of quantities from WUP No. 20012734.002 and WUP No.



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2002220.004. The permit states that those water use permits will be canceled and there is no overall increase in withdrawals. The permit is for public supply uses in Polk County and is located in the Peace River and Green Swamp basins.

### **SRQ Land LLC—Water Use Permit**

On February 27, 2024, SWFWMD issued a WUP modification (no. 20192.001) to SRQ Land LLC that authorizes an increase in annual average quantity from 0.7239 mgd to 1.4478 mgd and an increase in the authorized peak month quantity from 1.9157 mgd to 3.8314 mgd. The increase in quantities is due to the loss of alternative water supplies and activation of previously permitted standby groundwater quantities. The permit is for agricultural uses in Sarasota County and is located in the Southern Water Use Caution Area and Manasota basin.

### **Schroeder-Manatee Ranch, Inc.—Water Use Permit**

On December 19, 2023, Schroeder-Manatee Ranch, Inc. submitted a WUP modification application (no. 7846.032) to SWFWMD that requests the combination of WUPs 20007846.031 and 20011019.011 and the modification of the water use type associated with new planned residential developments within the current WUP 20011019.031 boundary. The modification requests to increase the annual average quantity from 18.237 mgd to 19.696 mgd and the peak month quantity from 55.731 mgd to 60.057 mgd. The change in allocation is for supplemental irrigation quantities to irrigate an additional 675.27 acres of lawn/landscape and golf courses area associated with the three proposed developments. The irrigation demand will be supplied using a combination of reclaimed water, surface water and groundwater with a total annual average and peak month quantity of 1.458 mgd and 4.325 mgd, respectively. On December 12, 2023, SWFWMD issued a RAI





requesting, among other things, that the applicant complete and submit a Net Benefit Supplemental Form, as required by all permit applications that are requesting new quantities within the SWUCA. On March 8, 2024, Schroeder-Manatee Ranch, Inc. submitted its response to the RAI.

The permit is for landscape/recreation and agricultural uses in Manatee and Sarasota Counties and is located in the Most Impacted Area (“MIA”) of the Southern Water Use Caution Area and Manasota basin.

#### **Charlotte Harbor Water Association—Water Use Permit**

On October 31, 2023, SWFWMD received a WUP modification application (no. 1512.016) from Charlotte Harbor Water Association that requests to add three raw water supply production wells to meet the required wellfield production and rotational capacity, and to increase the annual average quantity from 0.91 mgd to 1.8 mgd and the peak month quantity from 1.028 mgd to 2.0 mgd. The WUP modification explains that the change in quantities is required to meet its upgraded plant capacity. On November 8, 2023, SWFWMD issued a RAI requesting additional information regarding the proposed demand, population projections, and per capita rates, among other things. On February 13, 2024, SWFWMD granted a time extension request, extending the deadline to respond to the RAI through May 6, 2024.

The permit is for public supply uses in Charlotte County and is located in the Southern Water Use Caution Area and Peace River basin.

#### **Manatee County BOCC—Water Use Permit**

On February 21, 2023, Manatee County BOCC submitted a WUP modification application (no. 13343.005) for the implementation of Groundwater Replacement Credits at East County Field



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("ECWF") and Buffalo Creek Well Field ("BCWF"). The application included an Impact Analysis Report prepared to support the requested implementation of Groundwater Replacement Credits ("GWRC"). It explains that the SWFWMD rules require that if a WUP is requesting new groundwater withdrawals that causes impact in the UFA within the MIA, it must utilize a Net Benefit strategy. Both well fields, ECWF and BCWF, will utilize the Mitigation Plus Recovery Net Benefit strategy, which requires that new drawdown in the UFA within the MIA boundary be offset plus an additional 10% of the drawdown impact provided as recovery in the MIA by use of a mitigation method. The application states that both well fields will utilize recharge of the UFA via GWRC and quantity retirement as mitigation. The GWRC and quantity retirement are earned by Manatee County supplying reclaim water to WUPs to offset groundwater withdrawals that cause impact in the UFA within the MIA. Both well field sites are under the management of the Manatee County Utilities.

The Manatee County permit is a consolidated WUP including all their groundwater and surface water sources. The current total annual average quantity and peak month quantity for the entire permit is 54.836 mgd and 70.734 mgd. The current permitted quantity allotted to the ECWF is 15.986 mgd with 3.1 mgd of groundwater flexibility available, bringing the total allotted quantity to 19.086 mgd. The current permitted quantity allotted to BCWF is 3.95 mgd. The flexibility quantity associated with ECWF and the total allotted quantity at BCWF are available due to the net benefit provided by previously calculated GWRC and retirement quantities. A GWRC quantity of 4,976,083 gallons per day ("gpd") and retirement quantity of 380,500 gpd was used to calculate the new total annual average quantity associated with the BCWF. The report states that the flex quantity at the



ECWF and total quantity at the BCWF is feasible due to recharge of the UFA within the MIA from GWRC and retirement quantities.

On March 15, 2023, SWFWMD issued a RAI and on February 21, 2024, Manatee County submitted a response to the RAI. On March 18, 2024, SWFWMD issued a clarification letter requesting: updated groundwater modeling files, supporting documentation regarding the recharge well and net benefit requirements, and updated calculations of reclaimed water quantities that are associated with groundwater replacement credits.

The permit is for public supply uses and is located in Manatee County within the MIA of the Southern Water Use Caution Area and Manasota Basin.

### **Taylor Woodrow Communities at Artisan Lakes LLC —Water Use Permit**

On June 28, 2023, Taylor Woodrow Communities at Artisan Lakes LLC (“Taylor Woodrow”) submitted a WUP modification application (no. 3744.013) to SWFWMD that requests to increase the irrigated acreage from 227.6-acres to 472.4-acres and explains that the additional irrigated acreage allocation will be met with the same irrigation methodology currently employed at the development. The application also requests a “temporary 5-year permit” increasing the annual average quantity from 0.452 mgd to 0.9209 mgd, and a peak month quantity of 3.0166 mgd. A change to the allocation from the UFA is also requested—to 0.459 mgd annual average quantity (currently permitted for 0.3861 mgd). The application explains that after 5 years or sooner, the development will be permanently on reclaimed water and the backup to the reclaimed use will be the surface water quantities only. It also states that “hydrogeologic evaluation of the requested



allocations indicates there are negligible, temporary impacts to existing legal uses or environmental receptors.” On July 19, 2023, SWFWMD issued an RAI which included the following request:

The submitted application states that the applicant is requesting that the allocation from the Upper Floridan aquifer be reverted to revision 20003744.008 which would increase Upper Floridan aquifer quantities. As you may be aware, the District has implemented regulations regarding water use in the Southern Water Use Caution Area (SWUCA).....Applications for New Quantities that impact an MFL will not be approved unless a Net Benefit is provided that offsets the impact. Please indicate if you would like to apply for additional quantities through a Net Benefit. If you would like to obtain new quantities using a Net Benefit, please provide the donor permit number, associated quantities, and all appropriate forms....

SWFWMD has granted extensions of time to respond to the RAI through May 14, 2024. The WUP is for agricultural uses in Manatee County and is located within the MIA in the Southern Water Use Caution Area and Manasota basin.