

SpringLake BREEZE

Florida... the way it should be!



Chairman's Message *Brian Acker*

During the past year the Board and staff of our District have been working diligently on the water control plan mandated by South Florida Water Management District. In the past year the District completed the purchase of all the lots bordering the levee along Arbuckle Creek, ensuring the integrity of the levee and providing lands to be used in conjunction with the environmental requirements of the water control plan. Our thanks go to staff and Supervisor Gary Behrendt for all their work in accomplishing this.

The District staff has worked very hard trying to obtain funding for the water control program, and I am pleased to report that the District has received approval for a \$624,000 grant from the Florida Department of Environmental Protection. This grant will be for the construction of a retention area and the creation of wetlands in the northeast part of the District to meet water quality compliance. This will be the first time that the District has been successful in obtaining outside funding which reduces the potential financial impact on District taxpayers.



Pictured left to right are: Secretary, Tim McKenna; Chairman, Brian Acker; Arlene Klingbiel; Past Chairman, Bill Lawens; and Gary Behrendt, Vice-Chairman.

On October 30th I made a presentation to the Legislative Delegation requesting an appropriation from the State Legislature to fund our water control program. I pointed out the economic and environmental benefits of the District plan as well as the significant financial contribution that has been made by the residents and landowners of the District. The District drainage system services approximately 4300 acres, 2000 acres of which are from outside the District. I firmly believe that the time has come for others who benefit from the District system to help fund the water control plan. Every resident and landowner will benefit from this legislative request.

We are faced with difficult challenges in obtaining funding for our projects regardless of the fact that the water control plan has a direct impact on the future economic development of Highlands County. The Board and I are requesting your support. We may not be successful without your help. Please contact, preferably in writing, Senator's Grimsley and Galvano, as well as Representative Pigman, expressing your support of the District appropriation request. My full statement to the Delegation, as well as contact information, has been inserted as a separate item in this Issue.

Finally, the Board and I wish you all a joyous Holiday Season and Happy New Year.

USDA State Engineer Halts Project

For the past three years and three months the District has been going thru an extensive, exhausting, bureaucratic process of trying to secure a loan from the United States Department of Agriculture. While the main purpose of this loan is to provide funding for the water control plan, as a 40 year loan it would greatly decrease the tax burden for current residents and extend the payment for improvements to include people moving into Spring Lake in the future. This briefing was an update recently sent to many people who are aware of our USDA struggles, including Senator Nelson and Congressman Rooney. As residents, you need to understand some of the constraints that we encounter trying to secure funding and support, and the amount of time it takes. Here is the story:

On Tuesday, November 19th, District Manager Joe DeCervo was accompanied by Craig A. Smith Engineers Gene Schriener and Orlando Rubio to meet with USDA State Engineer Stephen Morris. The meeting was held at the USDA Davenport, FL offices because Mr. Morris has not been willing to travel to Spring Lake from Gainesville and personally view the project he has voiced concerns about.

Morris refuses to sign off on the Preliminary Engineering Report that allows the loan to be approved because he feels the District is violating a Federal Law called CFR 363, better known as the CONACT, which is meant to preserve wetland areas. Mr. Morris is steadfast in his strict and rigid interpretation of CRF 363 in spite of the following facts that have been consistently presented to him:

- A wetlands consultant concluded that there were no adverse impacts from this project
- The project is being completed on over 100 acres of land that the District has purchased at a cost of nearly \$1 million of taxpayers money for water retention, storage, and quality.
- Prior to purchase, the lands were part of a platted subdivision that will now have no future density and will be off the tax rolls; preservation of the environment for future generations
- The lands are adjacent to the pump station, Arbuckle Creek and the Spring Lake levee. Storage on these lands will positively affect the quality of water that is discharged into the Creek, which flows into Lake Istokpoga and Lake Okeechobee. In FY '13, 1.8 Billion gallons of water were pumped into the Creek
- The site has been personally visited and praised as a model project by representatives of: South Florida Water Management District; Florida Dept. of Environmental Protection; Florida Audubon Society; Lake Istokpoga Management Committee; Highlands County Soil and Water Conservation District; Sebring Airport Authority; Florida Dept. of Transportation; Highlands County Board of County Commissioners; and numerous local groups concerned about the health of the Lake. Everyone is in agreement that we are CREATING wetlands and developing an area that will have a positive impact on the environment and water quality.

Everyone that is, except Morris and his "rigid interpretation" of CFR 363.

When the United States Congress enacted CFR 363 they were not expecting people like Mr. Morris to paint everyone with the same brush. This is no different than the FEMA levee certification program that was enacted by Congress but had people within FEMA who realized that very small communities like Spring Lake should not be put into the same category as large metropolitan areas, and that by visiting the communities and making on-site observations, one would be able to assist, rather than stamp a CFR 363 tattoo on their heads and not be willing to find a solution to the issue. Without Morris signing off on the PER our project is dead in the water! The only reason that Spring Lake was able to certify its levee and avoid huge flood insurance rates was because a FEMA engineer took an interest, visited our community, and assisted staff in accomplishing our certification. Again, Morris will not take the time to conduct an on-site visit.

Gene Schriener, President of Craig A. Smith & Associates, represents the District as its Engineer. He has a history with Mr. Richard Maychek, head of USDA for the State of Florida. On Nov. 21st they had a conversation and, as expected, Mr. Maycheck was not going to overrule one of his staff people. He agreed to speak with some people in Washington and get their opinion about CFR 363 and let us know. We are not optimistic whatsoever regarding this Washington contact overruling Morris because we believe they will simply go by the "rigid interpretation" of the law taken by Morris, paint everyone with the same brush, and not take the time to visit the project or contact any of the numerous other entities who endorse this project.

At a District Board meeting in June, as we were developing our FY '14 budget, the Manager presented a timetable on everything that had been asked of us by USDA over a three year period to secure this loan. He took every document, study, letter, map, memo, e-mail, notebooks, and data and put it on a scale. It totaled 41.2 pounds!!

Since this briefing was mailed, Senator Nelson's staff has been in contact with USDA, as well as Congressman Rooney. Numerous e-mails and letters have been sent to USDA on our behalf over the last several weeks, including to the person who caused this briefing to be written in the first place.

Mr. Stephen Morris, State Engineer
USDA Rural Development
4440 NW 25th Place, PO Box 147010
Gainesville, Florida 32614-7010
(352) 338-3448
steve.morris@fl.usda.gov

The District Board and staff are not giving up; we have too much invested in the process these past three plus years. Residents need to understand that our small District faces a huge bureaucracy that has to feed itself on a daily basis, and there are more roadblocks and obstacles than there is support and help.

Delegation Presentation

I am Brian Acker, Chairman of the Board of Supervisors for the Spring Lake Improvement District. It is well documented that the 2323 property owners of Spring Lake have demonstrated their financial commitment to our community. We are, however, at the point where we must ask for financial assistance to complete our projects so that the Spring Lake Improvement District can fulfill the State's environmental protection goals and area economic development initiatives now and into the future.

We believe that economic development is not only good for our community but also for the future of Highlands County. We support the Sebring Airport Catalyst Project for expansion of the airport infrastructure and the industrial park. We also support the expansion of Rte. 98 which provides the necessary infrastructure for future economic development. The key to the success of these projects is the ability of the District to provide necessary drainage services. Without financial assistance the District will be unable to develop the foundation necessary for those projects.

In addition, the District is committed to the environmental health of Arbuckle Creek and Lake Isktopoga, and to the goals of the Northern Everglades and Estuaries Protection Program. The Spring Lake improvement District discharged 1.85 billion gallons of water into Arbuckle Creek during fiscal year 2013. This drainage discharge serviced 4300 acres, including 2000 acres outside the District. The District provides drainage services not only to the 2323 property owners within the District, but to the Florida Department of Transportation, the Sebring Regional Airport and Industrial Park, and to Highlands County.

Since 2005, the District has been working to fulfill the regulatory requirements associated with its drainage system at a cost of nearly \$8 million. The 2323 property owners of the District have borne over \$3.6 million in costs without any financial assistance to date. We are requesting financial assistance to complete the remaining projects. The projects are:

- Construction of storm water treatment areas
- Construction of new and replacement of old storm water infrastructure
- Pump station rehabilitation
- Land acquisition for retention and storage
- Rehabilitation of the storm water conveyance system

The estimated cost of these projects is in excess of \$4.26 million in today's dollars.

The District plan is to complete all projects within five years in anticipation of the other State, County and area economic development projects. The timely completion of our projects may assist in the planning and projecting of costs for these other entities as well as minimize cost of inflation associated with our projects.

I would like to extend an invitation to each member of the delegation to visit Spring Lake to see the benefits of our proposal.

The District Board of Supervisors and the community as a whole appreciate your assistance and support of our request. Any additional information needed will be provided to you upon request. Thank you.



Recycle Properly

Submitted by: Marjorie Acker

The Highlands County Board of County Commissioners recently announced they will be negotiating a contract in the attempt to provide recycling containers to all residents. Currently, the County Recycling Program includes the local drop off location on Spring Lake Blvd. You can help keep our recycling area clean, the containers free of trash and non-recyclables, and limit the frustration and annoyance we all feel when the containers are full. Stop illegal dumping. The recycling area in Spring Lake is not a trash pick-up location! No one wants to see your left over tag sale items or construction materials dumped there. Dispose of them properly. Call 655-0005 for free pick-up of appliances, tires, furniture and electronics.

- **PLASTIC BOTTLES ONLY.** Rinse and, if possible, crush the bottles and replace the caps. Replacing the cap keeps it crushed and saves space in the recycling container. If you do not or cannot crush the bottle then discard the plastic cap or lid. Lids on non-crushed bottles act like bullets in the crusher at the recycling center. Bottle examples: Milk (plastic only), water, soda, juice, detergent, bleach, cleaning solvents, condiment bottles such as mustard, ketchup and jelly.
- **PLASTIC BAGS AND STYROFOAM are NOT recyclable.** Never put plastic bags or Styrofoam into the recycling containers. Take these items to the grocery store and deposit them in the recycling containers there.
- **CARDBOARD, PAPERBOARD, & PHONEBOOKS:** Flatten cardboard and paperboard boxes. Flattened boxes take up less space in the recycling container, such as shipping boxes, paper bags, cereal, cracker, cake mixes, pastas, and cookie boxes.
- **NEWSPAPERS, MAGAZINES, CATALOGS, ADVERTISEMENTS AND OFFICE PAPER:** excluding envelopes with plastic windows.
- **STEEL / ALUMINUM CANS:** Rinse the cans, it helps control roaches and odor. Examples: Vegetable, soup, coffee, other various food, and aerosol cans that are completely empty and spray nozzle removed.
- **GLASS:** Rinse the containers. Examples: All colors, food jars, window panes and mirrors.
- **BATTERIES:** Alkaline batteries do NOT need to be recycled. Dispose of them in your regular garbage. Other batteries are considered hazardous waste. See below.
- **HAZARDOUS AND ELECTRONIC WASTE:** Highlands County offers a program for the safe disposal of various chemicals and potentially dangerous materials. Two household hazardous waste collection days are held every year (spring and fall). Contact the Recycling office for disposal at any other time of the year. A few examples of Hazardous waste: Oil based paint; spray paint if paint remains in the container; batteries including rechargeable, hearing aid, nickel-cadmium (Ni-Cd), small sealed lead acid (SSLA/Pb) nickel metal hydride (Ni-MH) and lithium ion (Li-Ion), car, boat and truck; oil, "used oil" labels must be on the containers; gasoline; antifreeze; pesticides; pool chemicals; cleaning supplies, and unknown chemicals. Electronic waste examples: Computers, keyboards, monitors, televisions, compact disc players, i-pods, cell phones, etc. Hazardous and electronic waste regulations are complicated. For proper handling and packaging information call the office at 863-655-6400 during normal business hours Monday thru Friday 7:00 am to 3:30pm.

We Need Your Help...

If you are willing to support our Water Control Plan, which has substantial benefits for our community, we ask that you contact our Legislators and urge them to approve our appropriation request.

The District is seeking financial assistance for upgrading and renovating the pump station; new control structures; excavation of land for retention and storage; and desilting our waterways. While we are realistic and do not expect to receive the full \$4.2 million request, we are hopeful the Legislature will provide some portion of that request.

On the reverse side of this page you can read the statement that was given at the Legislative Delegation meeting in late October. If you feel led to voice your support, here is how to contact our Representatives:

**Denise Grimsley,
State Senator**
205 S. Commerce Ave., Suite A
Sebring, Florida 33870
(863) 386-6016 phone
(888) 263-3869 fax
grimsley.denise@flsenate.gov

**Cary Pigman,
State Representative**
205 S. Commerce Ave., Suite B
Sebring, Florida 33870
(863) 386-6000 phone
(863) 386-6002 fax
cary.pigman@myfloridahouse.gov

**Bill Galvano,
State Senator**
1023 Manatee Ave., W. Suite 201
Bradenton, Florida 34205
(941) 741-3401 phone
(941) 741-3402 fax
galvano.bill@flsenate.gov

Thank You For Your Help!

- The Board of Supervisors revisited the issue of fishing in District waterways and affirmed a Resolution passed in 1994 prohibiting fishing, boating, and swimming. No trespassing signs have been ordered and will be installed in 24 areas. Residents may call the sheriff department if they wish to file a trespass report. District liability and resident safety fueled this decision.
- Resolution 2013-09 established a formal procedure providing the Public a reasonable opportunity to be heard on an issue before the Board of Supervisors. A new State Statute required all governmental Boards to have a policy in place. Our District Board has always been open and allowed input, whether a Statute required it or not; that process will continue.
- Effective February 1, 2014, the District will no longer accept credit card payments over the phone. You can pay your water bill by credit card at www.springlakefl.com
- Fiscal Year '14 meeting dates have been established by the Board of Supervisors, and they will be on the second Wednesday of every month, 10:00 a.m., at the District Office. Any special meetings or public hearings will be published in the News-Sun and on our web-site.
- Sebring Airport has gained inland port designation, which should speed up the process for runway expansion and the development of distribution and manufacturing facilities at the Airport. Spring Lake benefits from the Airport plans as people coming into the area need a place to live.....and what better place than a community next door to where they will be working
- The Florida Department of Transportation held an open house at the Chateau Elan on October 29th, from 6-8 p.m. for a formal presentation on the widening of Rt. 98. The Breeze has kept residents up to date on the project, and further information can be secured at the FDOT web site, www.us98Highlands.com You may also contact Project Manager, Aaron Kaster, at his e-mail, Aaron.Kaster@dot.state.fl.us or call him at 863-519-2495
- We have installed homemade sound barriers in the Community Center to help with the echo, and it has made a difference. The savings were substantial compared to commercial choices.
- Leak Finder: pour a packet of grape Kool-Aid in the tank of your toilet. If the water in the toilet bowl turns purple without flushing, your toilet is slowing leaking water... and money... down the drain!!! Installing a new flap or seal usually fixes it.

Keeping My Head Above The Alphabet Soup

Joe DeCerbo, District Manager

Most meetings that I attend are coordinated by an agency bringing together a group of people for any one of a variety of reasons. The participants are mostly career government employees who are in the mainstream of regulations, policies, procedures, rules, and enforcement. More often than not, the people who are addressing the group forget that not all of us are seasoned, hard core, governmental, bureaucratic personnel; we prefer a language we can understand.

Let me give you an example from a recent two hour meeting I attended in early November. Most of what I am going to describe is written from memory a few days after the meeting, and it may not have been stated exactly as I describe; however, you will get the point. Here is what the group leader said to open the meeting.

"I want to thank all of you for being able to attend our B-Map presentation today, with an emphasis on TDML's and their impact on BMP's. I see we have ample representation from both Swiftmud and Softmud and our friends from FDOT. You will notice that many of our staff at DEP, FDEP, and EPA is here as well to help us discuss this important issue. In addition to this meeting there will be a follow up gathering tomorrow in Orlando. An NOI was sent to all of you for that meeting and a major discussion on MAPS will be reviewed there, and not at this meeting today."

"As you know, LOPP has been around for close to seven years now, and TP and TN levels are still negatively affecting the Lake. In spite of DWS we are still struggling to correct the Lake issues. For those of you willing to submit maps for this initiative please do so with either a GIS or CAD file."

Alphabet Soup Definitions:

BMAP	Basin Management Action Plan	EPA	Environmental Protection Agency
TDML	Total Daily Maximum Load	NOI	Notice of Intent
BMP	Basin Management Plan	MAPS	Managed Aquatic Plant Systems
SWIFTMUD	Southwest Florida Water Management District	LOPP	Lake Okeechobee Protection Plan
SOFTMUD	South Florida Water Management District	TP	Total Phosphorous
FDOT	Florida Department of Transportation	TN	Total Nitrogen
DEP	Department of Environmental Protection	DWS	Dispersed Water Systems
FDEP	Florida Department of Environmental Protection	GIS	Geographic Information System
		CAD	Computer Aided Design

SPRING LAKE

IMPROVEMENT DISTRICT

115 Spring Lake Blvd.
Sebring, FL 33876
863.655.1715 phone
863.655.4430 fax



FDEP Awards \$624,000 to District

In February, 2013 District staff participated in a meeting held in Okeechobee by the Florida Department of Environmental Protection. The gathering of more than 50 people was for the Department to outline the plans and projects relating to enhanced retention, storage, and quality of storm water that impacts the Everglades. All storm water from Spring Lake, the airport, and Rt. 98 discharges thru our pump station to Arbuckle Creek, flows to Lake Isktopoga, and southward into Lake Okeechobee; which collectively impacts water quality in the Everglades.

At the end of the meeting several staff from FDEP mentioned the possibility of Spring Lake acquiring what is referred to as a 319 grant. These are 60%-40% matching grant awards for projects that have been planned and ready to go except for the lack of funding. The District, thru its engineer, filled out a very comprehensive application that totaled over a million dollars. The project is for what FDEP calls a wet detention system; lands that will retain, store, and improve water quality. The recently purchased land along the levee, including the 69

acres the District already owned, is the site for this project.

The District Manager met with FDEP in their Tallahassee offices in mid-August to review the application, discuss other water control projects planned for Spring Lake, and to better understand the grant conditions. Right after that visit the District was informed that our \$1,040,000 application was approved and FDEP would be providing \$624,000 of the total project, with a \$416,000 match from the District. The Board does not want to use any current reserves as the match, and are working with both the State Legislature and USDA for funding. The insert in this issue outlines how you can help influence our Legislators. The article on USDA outlines the problem we are having with that Federal Agency.

Since the District's creation in 1972 this is the FIRST TIME we have been able to secure outside funding, and we are optimistic that our efforts to acquire additional financial resources will become a reality.

Staff Certification

The District is a member of the Florida Storm Water Association and they conduct Storm Water certification programs for three Levels. Spring Lake hosted a Level One training program held at the Sebring Airport Board room. This two day State event was attended by all of our Field Staff, and every person passed the final test and secured Level One Storm Water Certification. By hosting the event the District saved money on travel, food, and hotel; as well as receiving discounted rates on registration fees. We plan on hosting similar events for Level II and III Certification in the years ahead.

From Left to Right (Back Row) Tyler Sapp, Tony Plyley, John Laiosa, Brian Patrick, Clay Shrum, Brian Acker. (Front Row) Arlene Klingbiel, Randy Nelson, Matt Thompson, Robert Hill.

