

Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • www.loxahatcheeriver.org



D. Albrey Arrington, Ph.D., Executive Director

REVISED

AGENDA

REGULAR MEETING #18-2019

DECEMBER 19, 2019 – 7:00 PM AT DISTRICT OFFICES

ALL MEETINGS ARE OPEN TO THE PUBLIC

1. Call to Order & Pledge of Allegiance
2. Administrative Matters
 - A. Roll Call
 - B. Previous Meeting Minutes **Page 3**
 - C. Additions and Deletions to the Agenda
3. Comments from the Public
4. Status Updates
 - A. Loxahatchee River Watershed **Page 8**
 - B. Loxahatchee River District Dashboard **Page 9**
5. Consent Agenda (see next page) **Page 10**
6. Regular Agenda
 - A. Consent Agenda Items Pulled for Discussion
 - B. Final Audit **Page 16**
 - C. Busch Wildlife Sanctuary License Agreement **Page 86**
 - D. Sonoma Isles IQ Agreement **Page 87**
 - E. Rules Chapter 31-13, Regulation of Sewer Use **Page 88**
 - F. Executive Director Review **Page 145**
7. Reports (see next page) Pulled for Discussion
8. Future Business **Page 189**
9. Board Comments
10. Adjournment

“...if a person decides to appeal any decision made by the Board, with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

Submitted by:

Date: December 12, 2019

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Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

5. CONSENT AGENDA

All items listed in this portion of the agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board member or citizen; in which event, the item will be removed and considered under the regular agenda.

- A. Biosolids Hauling (Synagro) – to approve annual contract **Page 11**
- B. Fixed Asset Disposal – to approve disposal **Page 12**
- C. Change Orders – to approve modifications **Page 13**
- D. Buy Back of Excess Equivalent Connections: Jupiter Country Club – to approve buy back **Page 14**

7. REPORTS

- A. Neighborhood Sewering **Page 148**
- B. Legal Counsel's Report **Page 150**
- C. Engineer's Report **Page 152**
- D. Busch Wildlife Sanctuary **Page 155**
- E. Director's Report **Page 156**

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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: Governing Board

FROM: Recording Secretary

DATE: December 12, 2019

RE: Approval of Meeting Minutes

Attached herewith are the minutes of the Regular Meeting of November 21, 2019. As such, the following motion is presented for your consideration.

“THAT THE GOVERNING BOARD approve the minutes of the November 21, 2019 Regular Meeting as submitted.”

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Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

Ref: #17-2019

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
NOVEMBER 21, 2019

1. CALL TO ORDER

Chairman Rostock called the Regular Meeting of November 21, 2019 to order at 7:00 PM.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance.

Mr. Boggie
Mr. Rockoff
Mr. Silverman
Mr. Snyder
Dr. Rostock

Staff Members in attendance were Dr. Arrington, Mr. Dean, Mr. Howard, Ms. Fraraccio and Mr. Campbell.

Consultants in attendance were Mr. Muniz from Hazen & Sawyer, Ms. Marshall from Baxter & Woodman, Ms. Wood and Ms. Miranda from Holtz Consulting, Mr. Shenkman with Curtis Shenkman, PA and Ms. Donlon from Torcivia, Donlon, Goddeau & Ansay, PA.

B. PREVIOUS MEETING MINUTES

The minutes of the Workshops and Regular Meeting of October 2019 were presented for approval and the following motion was made.

MOTION: Made by Mr. Boggie, Seconded by Mr. Silverman,
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the October 2019 Workshops and Regular Meeting as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Items 5C, 6C and 6D were deleted. Item 6B was moved between Items 3 and 4.

3. COMMENTS FROM THE PUBLIC

No comments were received.

6B. Personnel Policies and Procedures

Dr. Arrington and Ms. Donlon of Torcivia, Donlon, Goddeau & Ansay, PA reviewed the proposed changes to the District's Personnel Policies & Procedures.

MOTION: Made by Mr. Silverman, Seconded by Mr. Snyder,
Passed unanimously.

"THAT THE DISTRICT GOVERNING BOARD ratify and approve the Loxahatchee River Environmental Control District's Personnel Policies & Procedures Section 3.13 as revised with an effective date of November 22, 2019, and authorize the District's Executive Director to update the Personnel Policies & Procedures from time to time, and periodically present it to the Governing Board for ratification and approval."

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard gave an update on the Army Corps of Engineers (USACE) and South Florida Water Management District's (SFWMD) Loxahatchee River Watershed Restoration Project.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

MOTION: Made by Mr. Boggie, Seconded by Mr. Rockoff,
Passed unanimously.

"THAT THE GOVERNING BOARD approve the Consent Agenda of November 21, 2019 with the exception of Item 5C."

The following motions were approved as a result of the Board's adoption of the Consent Agenda:

A. Fixed Asset Disposal – to approve disposal

"THAT THE GOVERNING BOARD authorize the Executive Director to dispose of tangible personal property including fixed asset number TDS0121 and the assets listed in the attached schedule."

B. Island Country Estates Construction Contract – to award contract

"THAT THE DISTRICT GOVERNING BOARD authorize the award of a contract to The Lazarus Group, Inc. for the Island Country Estates Low Pressure Force Main in the amount of

\$442,777.00 and an additional contingency amount of \$45,000.00 upon execution of a Cost Share Agreement with Island Country Estates Homeowners Association.”

and

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to negotiate and execute a Cost Sharing Agreement with Island Country Estates Homeowners Association, Inc. for reimbursement of Roadway costs.”

D. Lift Stations 57 & 58 Force Main Tie-ins – to award contract

“THAT THE DISTRICT GOVERNING BOARD authorize a purchase order to Felix Associates of Florida, Inc. in the amount of \$63,146.83 for conversion of Lift Stations 57 and 58 from cascading to direct pump to the regional transmission system.

and

“THAT THE DISTRICT GOVERNING BOARD authorize an additional contingency amount of \$6,500.00.”

E. Change Orders – to approve modifications

No change orders were presented.

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

No items were pulled for discussion.

7. REPORTS

The following reports stood as written.

A. NEIGHBORHOOD SEWERING

B. LEGAL COUNSEL’S REPORT

C. ENGINEER’S REPORTS

D. BUSCH WILDLIFE SANCTUARY

E. DIRECTOR’S REPORT

The Board commended Ms. Fraraccio and the Finance Team for the Certificate of Achievement in Financial Reporting and for receiving the Award of Financial Reporting Achievement.

Dr. Arrington reviewed the 67,500 gallon sewer spill that occurred on November 14, 2019 and the response to DEP.

8. FUTURE BUSINESS

Dr. Arrington reviewed the Future Business report.

9. COMMENTS FROM THE BOARD

Mr. Boggie stated that he and Dr. Arrington met with the Town of Jupiter and that the Town has decided to pursue alternate locations for their Floridan aquifer water supply wells.

10. ADJOURNMENT

MOTION: Made by Mr. Rockoff, Seconded by Mr. Snyder,
Passed Unanimously.

“That the regular meeting of November 21, 2019 adjourns at 8:11 PM.”

BOARD CHAIRMAN

BOARD SECRETARY

RECORDING SECRETARY

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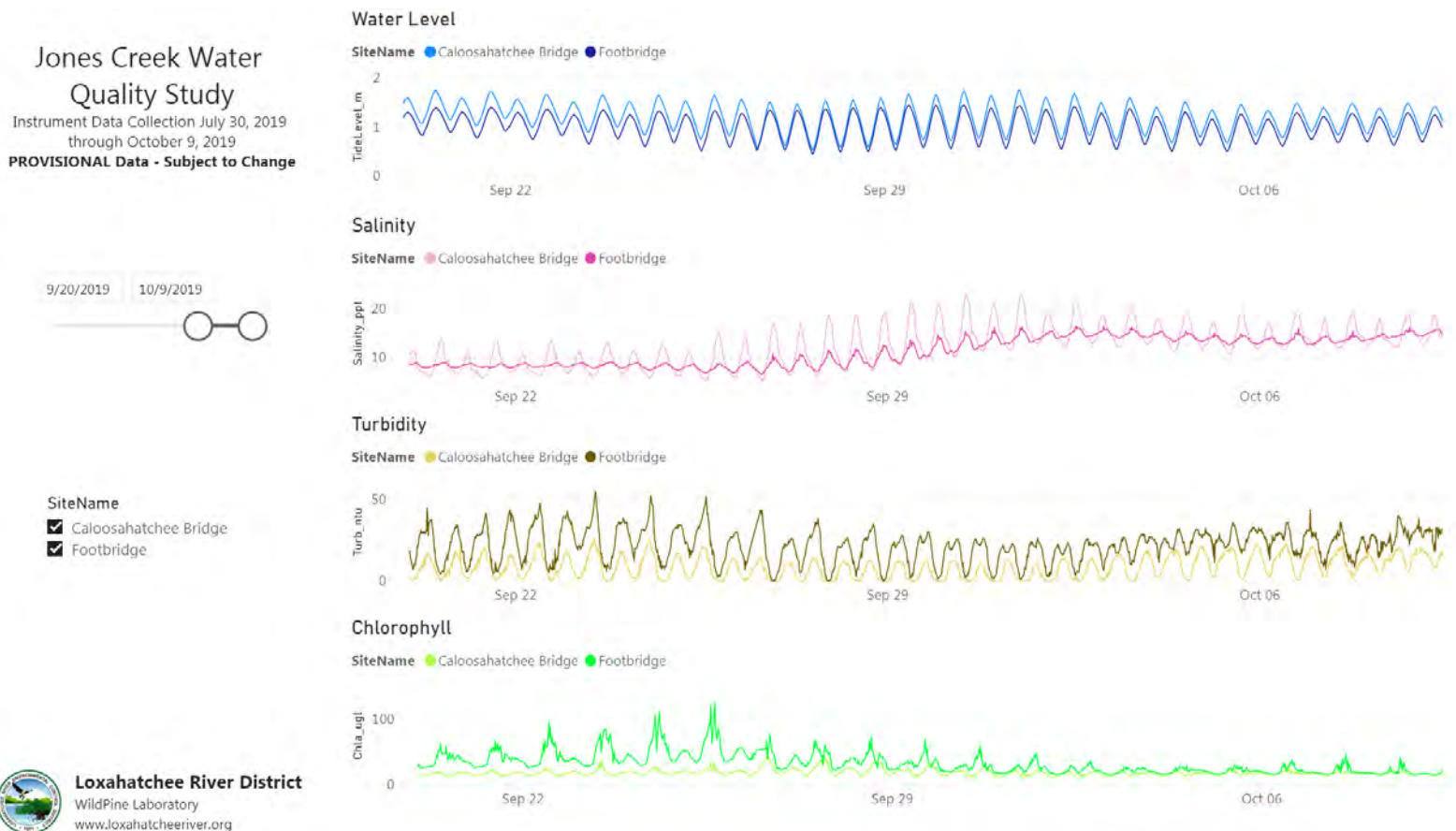


Loxahatchee River Watershed Status Report: Jones Creek Additional Monitoring Preliminary Results

This month we will update you on some of the preliminary results from our additional water quality monitoring by the Loxahatchee River District and the Florida Department of Environmental Protection (FDEP) in Jones Creek. The purpose of this work is to improve our understanding of water quality issues in Jones Creek so, collectively, we can make more informed decisions toward improvements.


Over the past few months we have performed two types of additional water quality monitoring in Jones Creek. First, we collected samples for analysis by FDEP's Laboratory for highly technical parameters such as genetic and chemical tracers for human and dog waste. Second, we rented two very sophisticated water quality instruments (called datasondes) that provided exceptional detail into a variety of water quality parameters at a 15-minute intervals.

A summary report of our findings to date, as well as the interactive data tools for the datasonde data, is now posted on our Jones Creek web page:
<https://loxahatcheeriver.org/jonescreek>



LOXAHATCHEE RIVER DISTRICT'S EXECUTIVE DASHBOARD



		Stewardship	Wastewater					Engineering	General Business					EHS	River Health			
		# People educated at RC	Mean Daily Incoming Flow	Delivery of Reclaimed Water	Customer Service	Sewer Overflow	Permit exceedance	NANO Blend to Reuse (@ 511)	Grease Interceptor Inspections	Cash Available	Revenue (excluding assessment & capital contrib.)	Operating Expenses	Capital Projects		Employee Safety	Minimum Flow Compliance	Salinity @ NB seagrass beds	River Water Quality
Benchmark / Customer Expectation		% of Target	million gallons/day	# days demand not met	# blockages with damage in home	# occurrences	# occurrences	Max Specific Conductance (umhos/cm)	% requiring pump out	\$	% of Budget	% of Budget	% within budget	% on time	# of OSHA recordable injuries	# Days MFL Violation	%	Fecal Coliform Bacteria (cfu/100ml)
Green Level		≥ 90%	< 7.7	<2	Zero	Zero	Zero	<1542	≤ 15	≥ \$9,894,657	≥ 95%	≥ 85% but ≤ 105%	≥80%	≥80%	Zero	0	min ≥ 20 ‰	90% of sites ≤ 200
Yellow		< 90%	< 8.8	≥ 2	1	1	1	≤1875	≤ 25	< \$9,894,657	≥ 90%	≥ 80%	≥60%	≥60%	-	1	min ≥ 10 ‰	2 or more sites >200 but ≤ 400
Red		<75%	≥ 8.8	≥ 9	≥ 2	≥ 2	≥ 2	>1875	> 25	< \$5,557,057	< 90%	< 80% or > 105%	< 60%	< 60%	≥ 1	≥ 2	min < 10 ‰	≥ 2 sites > 400
2016 Baseline		2,169	6.7	0	0	1	0	1,063	12	\$ 33,223,653	96%	90%	100%	85%	0	not avail	18	1 > 200
2017 Baseline		104%	6.6	1	0	2	0	1,127	9	\$ 30,425,084	95%	85%	98%	85%	0	not avail	23	1 > 200
2018 Baseline		112%	6.8	1	0	2	0	1,216	8	\$ 33,683,858	99%	85%	95%	56%	0	42	23	1 > 200
2018	Nov	120%	6.6	0	0	3	0	1,226	8	\$ 37,075,977	95%	82%	100%	100%	0	0	29.2	1 > 400
	Dec	131%	6.8	0	0	1	0	1,310	5	\$ 37,311,234	103%	84%	100%	67%	1	14	33.3	0 > 200
2019	Jan	105%	7.2	0	1	6	0	1,399	8	\$ 37,478,367	101%	84%	100%	67%	1	17	29.9	1 > 200
	Feb	106%	7.6	0	1	0	0	1,262	7	\$ 39,498,968	101%	86%	100%	83%	0	3	24.5	1 > 400
	Mar	119%	7.2	0	0	2	0	1,170	0	\$ 38,046,365	99%	88%	100%	75%	0	0	30.4	0 > 200
	Apr	79%	6.9	0	0	4	0	1,176	2	\$ 38,021,490	99%	89%	100%	73%	0	0	31.2	0 > 200
	May	113%	6.7	0	0	0	0	1,125	5	\$ 36,569,040	98%	90%	92%	50%	0	0	25.7	0 > 200
	June	98%	6.6	0	0	5	0	1,233	17	\$ 34,111,378	98%	89%	92%	42%	0	0	23.5	1 > 200
	July	85%	6.2	0	0	1	0	1,279	6	\$ 34,005,523	98%	88%	92%	42%	1	0	28.8	0 > 200
	Aug	89%	6.9	1	0	1	2	1,163	8	\$ 33,341,832	97%	89%	92%	33%	1	0	15.9	3 > 200
	Sept	74%	6.5	3	1	4	0	1,125	13	\$ 31,573,764	97%	89%	92%	33%	0	0	12.9	0 > 200
	Oct	116%	6.5	1	1	2	0	1,298	7	\$ 32,222,812	105%	103%	92%	88%	1	0	26.9	0 > 200
	Nov	113%	6.5	3	1	4	0	1,230	18	\$ 33,374,275	98%	90%	92%	83%	0	0	18.7	1 > 200
Consecutive Months at Green		2	126	0	0	0	3	111	0	125	89	0	49	2	1	9	1	3
Metric Owner		O'Neill	Campbell	Dean	Dean	Dean	Campbell	Campbell	Dean	Fraraccio	Fraraccio	Fraraccio	Dean	Dean	Campbell	Howard	Howard	Howard

Metric Delivery of IQ Water Customer Service Sewer Overflow Grease Interceptors Operating Expenses Salinity @ North Bay	Explanation The IQ Water 16" force main break that occurred in Abacoa constrained our ability to deliver IQ Water within portions of Abacoa for 2 days, plus we were not able to meet 100% of Jupiter Hills demand on one day as we were stress testing our IQ distribution system. In November, we had 1 blockage within a home that was reported to our insurance company for potential reimbursement. 1 reclaimed water spill and 3 sewage spills occurred: (1) 1,500 gallons of IQ Water leaked out of a 16" IQ force main in Abacoa near FAU when a connection failed; (2) 300 gallons of sewage was spilled when a low pressure sewer right of way service box failed along Center Street due to heavy construction traffic damaging the box and underground low pressure force main; (3) 50 gallons of sewage was spilled when a low pressure sewer service lateral piping was damaged - the homeowners reconfiguration of this piping contributed to the failure (See Kris' engineering report for more details); (4) treatment plant - miscommunications between LRD and a contractor resulted in a 67,500 gallon sewage spill adjacent to our equalization tanks (we discussed this last month, and see Tony's report for a full description). 18% of inspected grease interceptors required pump out. Our operating expenses are somewhat behind straight-line projections, and this is relatively common this early in the fiscal year (see last November). On November 6 and 8th salinities fell below optimum conditions at North Bay due to antecedent rainfall and runoff conditions.
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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: Governing Board
FROM: Administration Staff
DATE: December 12, 2019
SUBJECT: Consent Agenda

All items listed below are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board Member or citizen, in which event, the item will be removed and considered under the regular agenda.

This month's consent agenda consists of the following items:

- A. Biosolids Hauling (Synagro) – to approve annual contract
- B. Fixed Asset Disposal – to approve disposal
- C. Change Orders – to approve modifications

Should you have any questions regarding these items, I would be pleased to discuss them further with you.

The following Motion is provided for Board consideration:

“THAT THE GOVERNING BOARD approve the Consent Agenda of December 19, 2019 as presented.”

Signed,

D. Albrey Arrington, Ph.D.
Executive Director

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Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

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D. Albrey Arrington, Ph.D., Executive Director

To: Governing Board
From: Kara Fraraccio, Director of Finance and Administration
Date: December 13, 2019
Subject: Biosolids Hauling Services Contract

In August 2018, the District's Governing Board entered into an agreement with Synagro South, LLC to haul and dispose of dewatered biosolids. The term of the agreement is for an initial period of two (2) years to cover the period October 1, 2018 through September 30, 2020. The agreement also provided, by sole option of the District, the District's Governing Board may extend the agreement for up to three (3) additional one-year periods. This renewal will be the second year of the initial two-year agreement.

It is the opinion of staff that Synagro South, LLC has done a satisfactory job, and we request Board approval of the following motion to fund the second year of the initial two-year term (i.e., fiscal year 2020).

Staff recommends the following motion:

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute an annual purchase order to Synagro South, LLC in accordance with the contract specifications and their bid of August 6, 2018, for an amount not to exceed \$150,000.”

Fixed Asset Disposal

No Fixed Assets are presented for Disposal this month.

Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: D. Albrey Arrington, Ph.D.
Executive Director

FROM: Kris Dean, P.E.
Director of Engineering Services

DATE: December 12, 2019

SUBJECT: Alternate A1A 16 Inch Force Main Extension: Change Order 005

In November 2018 we awarded a construction contract for extension of a 16-inch force main to connect the recently installed Damon Bridge aerial crossing to the existing 24-inch force main in Old Dixie Hwy. We are nearing completion of the project except for a section of the installation through upland mangroves on the south side of the bridge. For this section of the installation we are currently working with the Consultant and Contractor for an alternate to the proposed direct bury method that reduces our impacts to the upland mangroves and exempts us from permit and mitigation requirements.

The final cost and time extension required for the alternate installation method has not been finalized; however, as soon as these items are finalized we need to proceed immediately with the work and put the 16-inch force main in service.

To that end, staff recommend the following motion.

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute a Change Order to the Alternate A1A 16-inch Force Main Extension Construction Contract in an amount up to \$50,000.00 for an alternate installation through upland mangroves.”

Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: D. Albrey Arrington, Ph.D.
Executive Director

FROM: Kris Dean, P.E.
Director of Engineering Services

DATE: December 19, 2019

SUBJECT: Buy Back of Excess Connections: Jupiter Country Club Standard Developers Agreements P578 and P655

Jupiter Country Club entered into multiple Standard Developer Agreements with the District over the course of development. Development in Jupiter Country Club is now complete and two Standard Developer Agreements have unused equivalent connections (EC's) as summarized below.

<u>Agreement</u>	<u>Excess EC's</u>	<u>12-month SAS</u>	<u>Regional Transmission System Line Charges</u>	<u>Pro-rated 4th Quarter SAS Charge</u>	
P578	3.15	\$403.07	\$1,304.10	(\$137.43)	
P655	132.1	<u>\$19,233.76</u>	<u>\$85,204.50</u>	<u>(\$4,211.79)</u>	
		\$19,636.83	\$86,508.60	(\$4,349.22)	= \$101,796.21

Staff recommend the following motion:

“THAT THE DISTRICT GOVERNING BOARD authorize buyback of 135.25 equivalent connections from Toll Brothers Inc., LLC in an amount of \$101,796.21 upon execution of an Assignment of Interest back to the District for P578 and P655.”

Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

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Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: GOVERNING BOARD

FROM: KARA PETERSON

DATE: DECEMBER 13, 2019

SUBJECT: AUDIT FOR FISCAL YEARS 2019 & 2018

The Draft Annual Financial Report for the fiscal years ended September 30, 2019 and 2018 is provided for your review.

I am proud to tell you we received an unmodified or 'clean' audit opinion with no recommendations to improve financial management from the auditors. As you read the audit, I suggest you pay particular attention to the "Management's Discussion and Analysis" (pages 4-10), this section is prepared by the District and provides an overview of the financial activities of the District for the fiscal year ended September 30, 2019, with comparative information for the prior two years.

The following reports are prepared by the auditors and are required by either Auditing Standards or Florida Statutes. These reports describe what is required by the auditors and detail any findings and conclusions.

- Independent Auditor's Report (pages 1-3)
- Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on and Audit of Finance Statements Performed in Accordance with *Government Auditing Standards* (pages 46-47)
- Independent Auditor's Management Letter Required by Chapter 10.550, Rules of the State of Florida, Office of the Auditor General (page 48-50)
- Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes (pages 51-52)

The Annual Financial Report is attached to this memo. The audit firm, represented by Mr. Terry Morton, will present the audit at our Board meeting this month, if no major concerns arise, a final report will be presented. If you have questions before the Board meeting, please feel free to call Mr. Terry Morton directly (561-659-3060) or you can contact me.

I offer the following motion for your consideration:

"THAT THE GOVERNING BOARD receive the Annual Financial Report for the fiscal years ended September 30, 2019 and 2018 as prepared and submitted Nowlen, Holt & Miner, P.A."



Loxahatchee River Environmental Control District

– Jupiter, Florida –



Comprehensive Annual Financial Report
For the Fiscal Years Ended September 30, 2019 & 2018

**LOXAHATCHEE RIVER
ENVIRONMENTAL CONTROL DISTRICT
JUPITER, FLORIDA**

COMPREHENSIVE ANNUAL FINANCIAL REPORT

**Fiscal Years Ended
September 30, 2019 and 2018**

**Prepared by:
Finance Department**

**Kara Fraraccio, CPA
Director of Finance and Administration**

**LOXAHATCHEE RIVER
ENVIRONMENTAL CONTROL DISTRICT
COMPREHENSIVE ANNUAL FINANCIAL REPORT
For the Fiscal Years Ended September 30, 2019 and 2018**

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INTRODUCTORY SECTION

Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director

December XX, 2019

Chairman and Members of
the District Governing Board
Loxahatchee River Environmental Control District
Jupiter, Florida

Florida Statutes require that government entities publish, within nine months of the close of each fiscal year, a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards accepted in the United States and government auditing standards by a firm of licensed certified public accountants. Pursuant to that requirement, we are pleased to submit this Comprehensive Annual Financial Report (CAFR) of the Loxahatchee River Environmental Control District (the District) for the fiscal years ended September 30, 2019 and 2018. District staff remains committed to reaching and maintaining the highest possible standards in financial reporting now and in the future.

This report was prepared by the District's Finance Department. Responsibility for data accuracy and completeness and fairness of the presentation, including all disclosures, rests with the District's management. We believe the data, as presented, are accurate in all material respects, that they are presented in a manner designed to fairly set forth the financial position and results of operations of the District, and that all disclosures necessary to enable readers to gain maximum understanding of the District's financial activity have been included.

Nowlen, Holt & Miner, P.A., independent auditors, have issued an unmodified opinion on the Loxahatchee River Environmental Control District's financial statements for the fiscal years ended September 30, 2019 and 2018. The independent auditor's report is presented as the first component of the financial section of this report.

Following the independent auditor's report, you will find the Management Discussion and Analysis (MD&A) where senior District staff provide a narrative introduction, overview, and analysis of the basic financial statements. The MD&A complements this letter and should be read in conjunction with it.

DISTRICT PROFILE

The Loxahatchee River Environmental Control District was created by Chapter 71-822, Special Acts of Florida, 1971, as amended, and codified pursuant to Chapter 2002-358, Laws of Florida, as a separate local agency of government to provide for the management of sewage, storm drainage, and water supply in an area of approximately 73 square miles in portions of northern Palm Beach and southern Martin Counties generally defined as the Loxahatchee River Basin. An elected five-member board governs the District.

Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

The District is dedicated to protecting public health and preserving the Loxahatchee River watershed and its natural habitats through innovative wastewater solutions, research, and environmental stewardship.

The District's wastewater treatment facility provides the following services to approximately 30,600 residential customers and 1,600 commercial customers.

Wastewater collection, treatment and disposal

The District's wastewater system is made up of more than 1,325,000 feet or 250 miles of gravity sewer pipes, over 1,500 single family residential sewage pumping units, 225 regional or neighborhood sewage pumping stations, and 584,400 feet of major force mains. This network carries wastewater from homes and businesses to our regional wastewater treatment facility, which is located at 2500 Jupiter Park Drive, Jupiter, FL. The original treatment plant became operational in 1978. In 2007, a major upgrade to our wastewater treatment facility increased its capacity from 9 to 11 million gallons per day. Excess treated wastewater, i.e., during heavy rainfall periods, is disposed of using our deep injection well, which effectively removes the water from our local hydrologic cycle. Excess microbial biomass generated in our wastewater treatment facility, also known as biosolids, is dewatered onsite and hauled in tractor trailers to the Biosolids Processing Facility (adjacent to the SWA landfill) where methane gas from the landfill is used to process the microbial biomass into energy and nutrient dense pellets and recycled as fertilizer.

Irrigation Quality Water

During normal and dry periods, 100% of the wastewater we treat is recycled to meet landscape irrigation needs. Our treated wastewater goes by many names: treated effluent, reclaimed water, reuse water, and, our favorite, Irrigation Quality (IQ) Water. In 1986 the District began recycling our treated wastewater to meet local irrigation needs as a proactive effort to offset impacts to the National Wild and Scenic Loxahatchee River being caused by saltwater intrusion. Today, our Irrigation Quality Water meets the irrigation needs at 13 local golf courses and throughout Abacoa. The District disperses IQ Water to these customers through more than 165,000 feet or 30 miles of force mains (pipes) that measure up to 24-inches in diameter.

Water Quality

The District's Wildpine Laboratory is a state-certified laboratory that provides scientific staff, equipment, and professional analysis of daily wastewater treatment facility operations, as well as an extensive river research program. Scientists conduct routine monitoring of water quality throughout the watershed on a monthly basis. Scientists also assess seagrass and oyster health within the Loxahatchee River because these species provide critical habitat to countless species and are a reliable indicator of ecosystem health.

Environmental Education

The District's River Center features live aquatic tanks, interactive exhibits, and a touch tank, all of which allow the public, especially children, to explore, experience, and connect with the diverse habitats and creatures found within the Loxahatchee River watershed. The River Center provides a fun educational opportunity for school children, adults, visitors, and long-time residents to learn about Florida's first National Wild and Scenic River. The River Center offers a variety of programs such as Seine & Snorkel, Fishing Clinics, Youth Camps, Monthly Lecture Series, Kayak Trips, and Boating Safely Classes.

FINANCIAL DATA

The District's financial accounting system is based on the full accrual basis of accounting. All District activities are accounted for within a single proprietary (enterprise) fund.

In developing and evaluating the District's accounting system, consideration is given to the adequacy of internal accounting controls which are designed to provide reasonable, but not absolute, assurance regarding: (1) the safeguarding of assets against loss from unauthorized use or disposition; and (2) the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of an internal control system should not exceed the benefits likely to be derived, and that the evaluation of cost and benefits requires estimates and judgements by management. We are confident the District's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.

The District maintains a system of budgetary controls. The objective of these controls is to ensure compliance with legal provisions embodied in the annual, appropriated budget approved by the Board. The budget process begins in March with the rate study. The operating budget incorporates the goals and objectives identified during the rate study and the strategic plan. The Board begins reviewing proposed budget figures in June and approves final budget appropriations in September; any subsequent revisions that increase the total appropriations must be approved by the Board.

The District follows its adopted investment policy when handling public funds. The investment policy is in compliance with Florida Statutes, Section 218.415 and the intent of this policy is to 1) ensure the preservation of principal, 2) maintain sufficient cash flow to enable the District to meet its obligations, and 3) maximize the return on assets for acceptably low exposure to risk.

The District currently has no outstanding debt. The intent of the Governing Board is that the cost of providing goods or services to the general public is financed primarily through user charges. Operational and maintenance costs, including minor equipment purchases, are funded from customer fees and charges. The acquisition and construction of capital assets are funded by assessment charges, grants, contributions from customers and developers, and customer revenues.

ECONOMIC OUTLOOK

Systematic, effective treatment and disposal of wastewater (sewage) is critical to the maintenance of public health and environmental health. Wastewater treatment is a public necessity; thus, revenues derived from wastewater treatment typically remain stable regardless of transient economic conditions. During the fiscal year 2019, the District had an increase in residential equivalent connections (ECs) of 476. The District expects a continued increase in equivalent connections until build out has been reached, which is anticipated to be in the fiscal year 2024. Once the District has reached build out, the District anticipates redevelopment and rate increases will sustain our future revenue needs.

The District performs an annual rate study where rates are compared to planned spending over the course of a five-year period. During the fiscal year 2019, the District did not implement a rate increase for wastewater treatment services. IQ Water rates are adjusted annually by the June Construction Cost Index.

The District remains financially sound through conservative budgeting and continuously monitoring costs compared to the budget. District staff makes a concerted effort to be frugal with expenditures, which helps keep annual rate increases minimal. Nonetheless, the District understands the critical importance of

renewal and replacement of existing assets, and each year we systematically assess our assets and invest in rehabilitation and/or renewal of degraded assets (e.g., gravity sewer pipe lining projects, rehabilitation of sewage pumping stations, cleaning and rehabilitation of aeration basins).

MAJOR INITIATIVES

The Strategic Plan sets the priorities and the direction of the District. In 2018, the Governing Board and senior management utilized a comprehensive strategic planning process to identify and prioritize key strategic objectives and improvement initiatives. The four strategies are Stakeholder Focus, Operational Excellence, Employee Learning and Growth, and Financial Stewardship. An update of the accomplishments and advancements of each strategic initiative is summarized below.

Stakeholder Focus

The Stakeholder Focus initiative is to improve Customer and Stakeholder satisfaction.

During the fiscal year the District completed the transition from outsourcing delinquent account management and lien processing. The District redesigned the delinquent account policy and workflow, and transferred all customer account information back to the District for management through our billing software. We now have a clear, consistent, and transparent approach to delinquent account management and can provide immediate answers to our customers.

Operational Excellence

The Operational Excellence initiative is to increase system reliability, optimize use of technology, improve analytical use of data, improve internal policies and procedures, improve workplace safety, and improve environmental stewardship.

Major initiatives for this strategy during fiscal year 2019 included:

- Implemented an electronic time keeping software, where timecards and leave requests are now completed and submitted 100% electronically.
- Utilizing Power BI to create interactive visualizations of our various database systems.
- Updated the District's Safety Manual and implemented monthly safety trainings of various topics relevant to the District's practices.
- The District continues to fund capital improvement projects to maintain and improve District facilities. The most notable FY 2019 capital projects are as follows:
 - Completion of the Deep Bed Filters. This project was completed to replace the existing traveling bridge effluent filters and improves filtration, pumping capacity, and emergency electricity distribution in our wastewater treatment facility.
 - Completion of the Alt. A1A Bridge Force Main. This project involves the coordination with another local government agency to install a new 16" force main on the Damon Bridge to replace the existing 24" force main subaqueous crossing under the Loxahatchee River.

- Completion of neighborhood sewerage of Turtle Creek Phase 2&3. This project was the final phase in sewerage the Turtle Creek neighborhood. The final phase converted an additional 33 homes from septic systems to part of the sewer system.

Employee Learning and Growth

The Employee Learning and Growth initiative is to maintain employee morale and satisfaction, improve employee capabilities, and enhance internal communication.

Initiatives carried out during the fiscal year included revising the District's bonus program to align with strategic goals and key performance indicators and conducting an employee survey to continue to understand employee morale, satisfaction, and engagement.

Financial Stewardship

The Financial Stewardship initiative is to ensure prudent financial stewardship to achieve the expected level of return to stakeholders.

- The District had an unmodified or 'clean' audit report for the fiscal year 2019.
- The District's operating expenses came in \$1,709,454 below the anticipated budget.
- The District has continued to operate at full capacity without the need to issue any debt.

Finally, the Strategic Plan provides a strategic direction to the District and staff for the focus of our resources and efforts over the coming years. These accomplishments over the past year are primarily the result of the efforts of the District's dedicated professional staff, who routinely and consistently deliver superior service to our customers in an efficient and respectful manner.

AWARDS AND ACKNOWLEDGEMENTS

The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the Loxahatchee River Environmental Control District for its comprehensive annual financial report for the fiscal year ended September 30, 2018. This was the first year the District has achieved this prestigious award. Requirements to receive a Certificate of Achievement include the government publishing an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

The preparation of this comprehensive annual financial report was made possible by the dedicated service of the entire staff of the District. Each participant has our sincere appreciation for the contributions made in support of this report.

We would like to thank the Governing Board and customers of the Loxahatchee River Environmental Control District for their interest and support in enabling the District to achieve its goal of providing quality service in a cost effective and responsible manner.

Respectfully submitted,

D. Albrey Arrington, Ph.D.
Executive Director

Kara Fraraccio
Director of Finance and Administration



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Loxahatchee River
Environmental Control District
Florida**

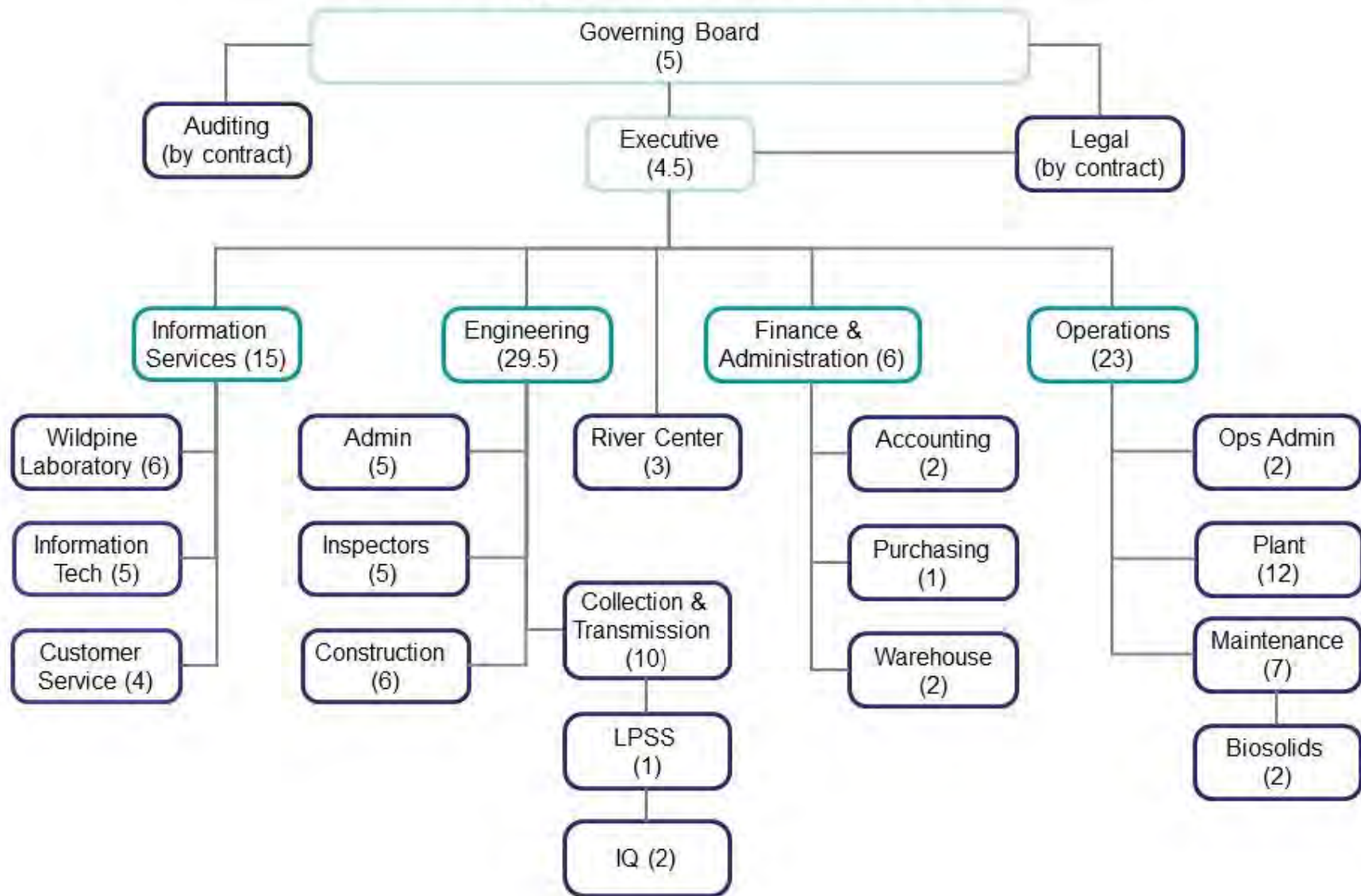
For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2018

Christopher P. Morill

Executive Director/CEO

LRD Organizational Chart



**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
LIST OF PRINCIPAL OFFICIALS
September 30, 2019**

Governing Board Members

Dr. Matt H. Rostock	Chairman
Stephen B. Rockoff	Vice-Chairman
Gordon Boggie	Treasurer
Harvey Silverman	Secretary
James D. Snyder	Assistant Secretary/Treasurer

District Staff

D. Albrey Arrington, Ph.D.	Executive Director
Kris Dean, PE	Director of Engineering
Kara D. Fraraccio, CPA	Director of Finance and Administration
Kenneth Howard	Director of Information Services
Tony Campbell	Director of Operations

Consultants

Smith, Gaskill, & Shenkman, P.A.	Legal Counsel
Hazen & Sawyer	Consulting Engineers
Nowlen, Holt & Miner, P.A.	Independent Auditors

FINANCIAL SECTION

INDEPENDENT AUDITOR'S REPORT

To the Governing Board
Loxahatchee River Environmental Control District
Jupiter, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the Loxahatchee River Environmental Control District, as of and for the years ended September 30, 2019 and 2018, and the related notes to the financial statements, which collectively comprise the Loxahatchee River Environmental Control District's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness

of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Loxahatchee River Environmental Control District, as of September 30, 2019 and 2018, and the respective changes in financial position and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4 through 10 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Loxahatchee River Environmental Control District's basic financial statements. The introductory section and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The supplemental information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December XX, 2019, on our consideration of the Loxahatchee River Environmental Control District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Loxahatchee River Environmental Control District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Loxahatchee River Environmental Control District's internal control over financial reporting and compliance.

West Palm Beach, Florida
December XX, 2019

MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of the Loxahatchee River Environmental Control District (the District), we offer the readers of the District's financial statements this narrative overview and analysis of the financial activities of the District for the fiscal year ended September 30, 2019. We encourage readers to consider the information presented in this discussion and analysis in conjunction with the basic financial statements, which begin on page 11.

FINANCIAL HIGHLIGHTS

- ✓ The District's net position increased by \$2,762,399 or 1.64%.
- ✓ Total revenues (operating and non-operating) for the year ended September 30, 2019, were \$20,626,370. This represents a decrease of \$296,674, or 1.42%, when compared with the prior year. The majority of the decrease was due to recognizing a \$456,428 loss on disposal of capital assets due to the demolition of our Traveling Bridge Filters after the construction of the new Deep Bed Filters.
- ✓ Contributed assets totaled \$28,057 and consisted of one sanitary sewer system constructed and turned over to the District by an individual developer.
- ✓ Total operating expenses, including depreciation and amortization, were \$20,567,519. Excluding depreciation and amortization, this represents an increase of \$207,941, or 1.50% when compared with the prior year.
- ✓ Operating expenses (excluding depreciation and amortization) were \$14,034,567, or 12% less than the budget adopted by the Governing Board. Equipment repairs, chemicals and personal services were less than projected and unused contingency contributed to the favorable variance.
- ✓ The components of net position as of September 30, 2019, were as follows:
 - Net investment in capital assets \$125,449,146
 - Unrestricted \$45,506,795

OVERVIEW OF THE BASIC FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the District's basic financial statements. The basic financial statements are comprised of two components: 1) proprietary fund financial statements and 2) notes to the financial statements.

Required Financial Statements

The financial statements of the District report information about the District using accounting methods similar to those used by private sector companies. These statements offer short and long-term financial information about its activities. The Statement of Net Position includes all of the District's assets and liabilities. This statement provides information about the nature and amounts of investments in resources (assets) and the obligations to District creditors (liabilities). It also provides the basis for computing rate of return, evaluating the capital structure of the District and assessing the liquidity and financial flexibility of the District. All of the current year's revenues and expenses are accounted for in the Statement of Revenues, Expenses, and Changes in Net Position. This statement measures the success of the District's operations over the past year and can be used to determine whether the District has successfully recovered all its costs through its user fees and other charges, as well as being fiscally accountable and creditworthy. The final required financial statement is the Statement of Cash Flows. The primary purpose of this statement is to provide information about the District's cash receipts and cash payments during the reporting period. This statement reports cash receipts, cash payments, and net changes in cash resulting from operating, non-capital and capital financing, and investing activities and provides answers to such questions as where did cash come from, what was cash used for, and what was the change in the cash balance during the reporting period.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the proprietary fund financial statements.

FINANCIAL ANALYSIS OF THE DISTRICT

Net position may serve over time as a useful indicator of a government's financial position. The Statement of Net Position and the Statement of Revenues, Expenses and Changes in Net Position report information about the District's activities in a way that will help determine the District's financial position at September 30, 2019. The District's net position, the difference between assets and liabilities, is one way to measure the financial health or financial position of the District. Over time, increases and decreases in the District's net position indicate whether the District's financial health is improving or deteriorating. However, other factors such as changes in economic conditions, population growth, and new or changed governmental legislation also impact the fiscal condition.

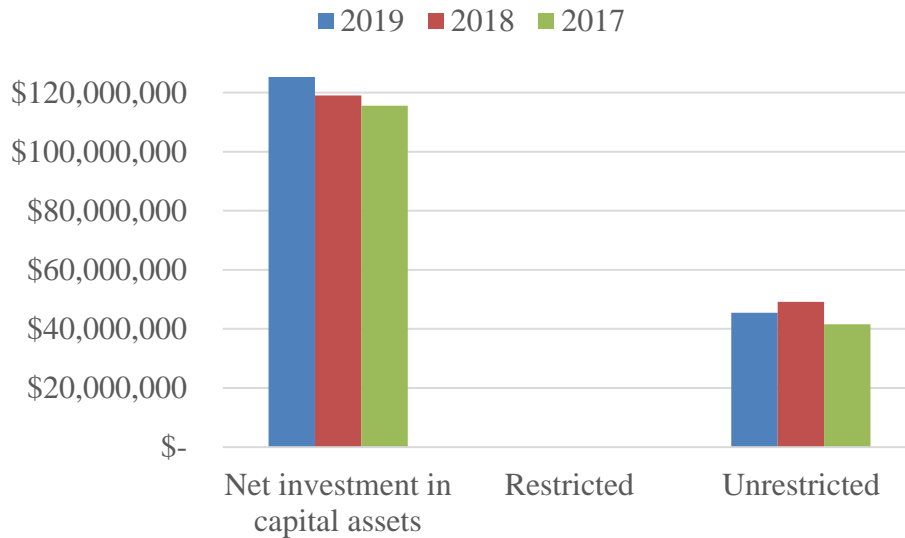
Net Position

We begin our analysis by providing a summary of the District's statements of net position for the fiscal years ended September 30, 2019, 2018, and 2017.

Condensed Statement of Net Position					
	2019	2018	% Change	2017	% Change
Current and other assets	\$ 48,716,227	\$ 52,095,557	(6)%	\$ 44,681,986	17%
Capital assets, net	127,077,692	120,005,184	6%	117,295,267	2%
Total assets	\$ 175,793,919	\$ 172,100,741	2%	\$ 161,977,253	6%
Long-term debt	\$ -	\$ -	-	\$ -	-
Other liabilities	4,837,978	3,907,199	24%	4,829,248	(19%)
Total liabilities	\$ 4,837,978	\$ 3,907,199	24%	\$ 4,829,248	(19%)
Net position:					
Net investment in capital assets	\$ 125,449,146	\$ 119,058,082	5%	\$ 115,529,222	3%
Restricted	-	-	-	-	-
Unrestricted	45,506,795	49,135,460	(7%)	41,618,783	18%
Total net position	\$ 170,955,941	\$ 168,193,542	2%	\$ 157,148,005	7%

As illustrated in the table above, the District's assets exceeded liabilities by \$170,955,941, \$168,193,542, and \$157,148,005, at September 30, 2019, 2018, and 2017, respectively. At September 30, 2019, the largest portion of the District's net position (73%) reflects its investment in capital assets (land, treatment and disposal systems, collection and transmission systems, equipment and construction in progress). The District uses capital assets to provide services to citizens; accordingly, these assets are not available for future spending. In addition, current and other assets include \$8.7 million in noncurrent special assessments receivable.

The following graph presents the components of the District's net position as of September 30, 2019, 2018, and 2017.



At the end of the current fiscal year, the District is able to report positive balances in all applicable categories of net position. The same held true for the prior two fiscal years.

The District's net position in total increased \$2,762,399 during the fiscal year ended September 30, 2019. The increase is mainly due to capital contributions (i.e., connection charges for new developments and government and developer contributed facilities).

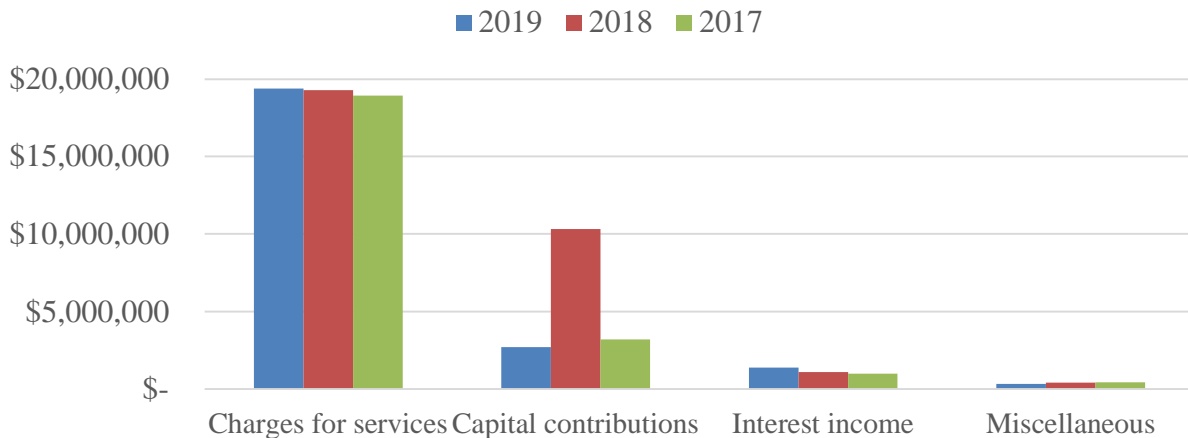
The following analysis highlights the changes in net position for the fiscal years ended September 30, 2019, 2018, and 2017.

Condensed Statements of Revenues, Expenses and Changes in Net Position

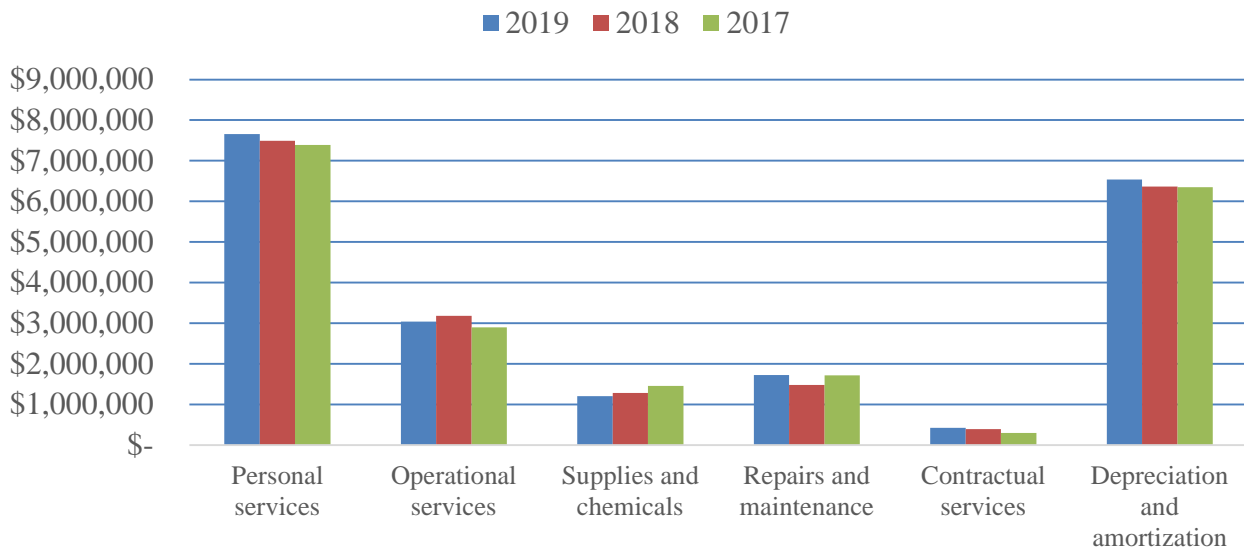
	2019	2018	% Change	2017	% Change
Operating revenues	\$ 19,701,664	\$ 19,685,604	.08%	\$ 19,365,938	2%
Non-operating revenues	1,381,134	1,270,734	9%	1,036,145	23%
Total revenues	21,082,798	20,956,338	.60%	20,402,083	3%
Depreciation and amortization expense	6,532,952	6,365,385	3%	6,348,091	.27%
Operating expense	14,034,567	13,826,626	2%	13,746,131	1%
Non-operating expense	456,428	33,294	1271%		100%
Total expenses	21,023,947	20,225,305	4%	20,094,222	1%
Income (Loss) before capital contributions	58,851	731,033	(92%)	307,861	137%
Capital contributions	2,703,548	10,314,504	(74%)	3,202,457	222%
Change in net position	2,762,399	11,045,537	(75%)	3,510,318	215%
Net position, beginning of year	168,193,542	157,148,005	7%	153,637,687	2%
Net position, end of year	\$ 170,955,941	\$ 168,193,542	2%	\$ 157,148,005	7%

While the statements of net position show the change in financial position of the District, the statements of revenues, expenses and changes in net position provide answers as to the nature and source of these changes.

The chart below shows revenues by source for the fiscal years ended September 30, 2019, 2018, and 2017, respectively. In 2018, there was a significant increase in capital contributions (i.e., development activity) compared to 2019 and 2017. This was driven by significant completed neighborhood sewerage projects, including gravity sewers at Jupiter Inlet Colony. In 2019, the capital contribution revenue went back down to be consistent with prior years.



The following chart presents operating expenses for the fiscal years ended September 30, 2019, 2018, and 2017, respectively. Personal Services increased by 2%; Operational expenses decreased by 5%. Supplies and Chemicals decreased by 7%; Repairs and Maintenance increased by 17%; and Contractual Services increased by 7%. Repairs and Maintenance costs increased due to major repairs of two emergency generators and preventative maintenance on the chlorine scrubber which takes place every three years.



BUDGETARY HIGHLIGHTS

The District adopts an Operating Budget that is approved by the Governing Board prior to the start of each fiscal year. The budget remains in effect for the entire fiscal year and the Governing Board must approve any revisions that increase total appropriations. Because proprietary fund budgets are not part of the basic financial statements or required supplementary information, the fiscal year 2019 budget is not reported on, nor shown in, the financial statement section of this report. However, the table below presents a comparison between budget and actual as of September 30, 2019.

	Budget	Actual	Favorable (Unfavorable) Variance
Charges for services	\$ 19,556,080	\$ 19,387,399	\$ (168,681)
Operating expenses less depreciation	\$ 15,744,021	\$ 14,034,567	\$1,709,454
Non-operating revenues – interest income	\$ 1,217,500	\$ 1,381,134	\$ 163,634

The favorable variance in operating expenses is primarily due to less equipment repairs, reduced need for supplies and expenses, and unused contingency.

CAPITAL ASSETS AND DEBT ADMINISTRATION***Capital Assets***

The District's investment in capital assets as of September 30, 2019, in the amount of \$127,077,692 (net of accumulated depreciation) has increased 6% over the prior year. This investment in capital assets includes land, treatment and reuse/disposal system, collection and transmission system, equipment, and construction in progress. There were \$13.90 million in capital additions, but the decrease of \$6.4 million due to normal scheduled depreciation and asset disposals kept the capital asset increase to approximately \$7.1 million.

Major capital asset events during the current year included the following:

- ✓ Construction work in progress as of the close of the fiscal year ended September 30, 2019, was \$10,540,485. Of this amount, \$4,407,826 was for Whispering Trails Neighborhood Sewering; \$2,190,755 was for the Master Lift Station Rehab; \$1,003,609 for Jupiter Farms Elementary School Force Main; \$503,312 for Service Lining; \$457,025 was for Imperial Woods Neighborhood Sewering; \$415,312 for Inlet Waters Lift Station Improvements; \$279,713 for the rehabilitation of the sludge/dewatering press control system; \$228,017 for a Generator Installation at Lift Station #70; \$227,986 for New Palm Beach Heights Neighborhood Sewering; and \$196,247 for Island Country Estates Neighborhood Sewering.
- ✓ Construction of new treatment and disposal features and renewal of existing features completed and booked during fiscal year 2019 totaled \$11,554,622.
- ✓ Construction of new collection and transmission systems and renewal of existing features completed and recorded in fiscal year 2019 totaled \$5,914,309.
- ✓ Construction of IQ system improvements completed in fiscal year 2019 totaled \$77,456.

Additional information on the District's capital assets, including projects under construction, can be found in Note 4 on pages 26 and 27 of this report.

Long-term Debt

The District has no long-term debt. Additional information on the District's long-term liabilities can be found in Note 6 on page 29 of this report.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

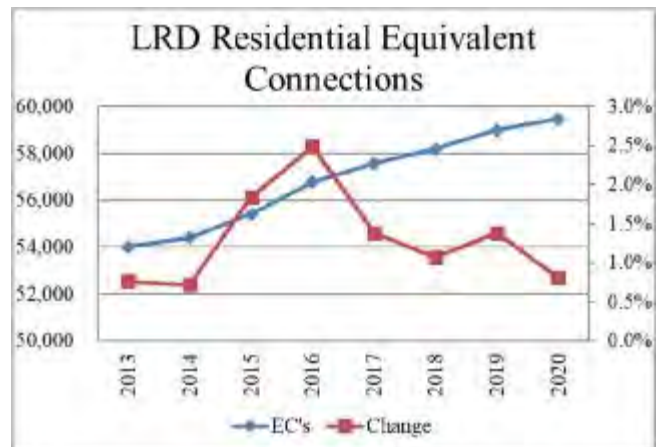
Numerous economic factors, such as increasing operating costs, the need for new or renewed facilities, the pace of growth, cost of financing, etc., are evaluated when determining the District's budget and rates. Charges for services continue to be the District's largest single source of revenue, as wastewater treatment is a public necessity. Revenue typically remains stable as long as the number of equivalent connections does not decline. A continued increase in equivalent connections is projected through build-out.

The following information summarizes the financial conditions anticipated over the next few years and the core assumptions that produced these conditions. Excluding private roads, neighborhood sewerage east of I-95 should practically be completed in 2021.

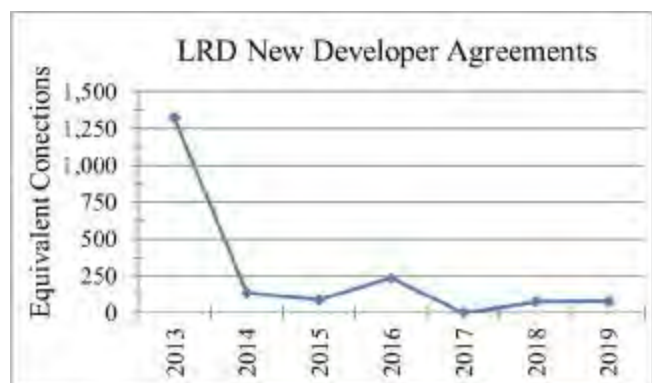
Revenues

In March, 2019, the District approved the revised District Rule 31-10 which included an annual rate increase of 2% from 2020 through 2022 and 3% in 2023 for Quarterly Services Charges, Plant Connection Charges, Regional Transmission System Line Charges, and Administrative Charges. These rate increases were implemented in an effort to provide funding for anticipated future expenses while balancing a desire to reduce the unrestricted cash balance.

Revenue from quarterly service charges to residential and commercial customers is projected to increase at a rate of 1% to 4% for the next several years based on adopted District Rule 31-10 scheduled rate increases and growth within the customer base. The figure on the right shows the change in residential equivalent connections over the last 7 years (based on October billing). Once the remaining developable land is consumed this growth rate is anticipated to fall to near zero. However, significant re-development projects (e.g., Love Street, Suni Sands, etc.) or a systematic effort to sewer the remainder of the District could extend this pattern for several additional years.



Revenue from Plant and Line Charges is anticipated to increase at a rate of 1% to 4% for the next five years based on adopted District Rule 31-10 scheduled rate increases and the rate at which new developer agreements are executed (see chart to right). While the rate of increase in new connections is positive (see chart at right), many of these new connections are derived from developer agreements that were executed in 2012 and 2013. In fact, new developer agreements in 2019 only accounted for 79.62 equivalent connections. Once the remaining developable land is developed or preserved developer agreements are expected to abruptly decline.



Significant neighborhood sewerage projects have been ongoing for over 20 years, so we are starting to experience a decline in assessment revenues. However, gravity sewers were completed in Turtle Creek SubSystem 2&3 during fiscal year 2019, for a total assessment of \$672,002. Other ongoing neighborhood sewerage projects include Whispering Trails, Imperial Woods, Island Country Estates, and New Palm Beach Heights.

Expenses

The District adopted a budget of \$29,323,128, which represents a decrease of \$5,012,893 or 14.60%, from fiscal year 2019. The budget decrease is related to capital improvements.

The District's capital improvements will be funded primarily through existing cash reserves, grants, and rate revenue. No additional debt is expected to be issued. Approved capital improvements include:

- ✓ Neighborhood sewerage programs, including the construction of the Whispering Trails Neighborhood Sewerage project for approximately \$4.3 million. The project began in June, 2018 and is expected to be completed in 2020. Other fiscal year 2020 neighborhood sewerage projects include Imperial Woods, Island Country Estates, and New Palm Beach Heights. The District will continue to pay 10% of associated neighborhood sewerage costs.
- ✓ Rehabilitation of the Master Lift Station.
- ✓ Construction of a new force main to connect Jupiter Farms Elementary School.

CONTACTING THE DISTRICT'S FINANCIAL MANAGER

This financial report is designed to provide our citizens, customers, investors, and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the District at 2500 Jupiter Park Drive, Jupiter, Florida 33458.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

Statements of Net Position
September 30, 2019 and 2018

	<u>2019</u>	<u>2018</u>
Assets		
Current assets		
Cash and cash equivalents - unrestricted	\$ 23,315,588	\$ 20,557,799
Cash and cash equivalents - restricted	74,398	65,621
Investments	8,170,564	14,868,543
Receivables		
Accounts	995,535	712,055
Special assessments	808,467	751,166
Accrued interest	608,906	606,700
Due from other governments	1,105,382	599,714
Inventories	2,387,283	1,999,449
Prepaid expenses	368,468	363,595
Total current assets	<u>37,834,591</u>	<u>40,524,642</u>
Noncurrent assets		
Receivables		
Accounts	561,988	531,778
Accounts - allowance	(132,078)	(123,857)
Special assessments	8,726,742	9,262,821
Investment in joint venture	1,724,984	1,900,173
Capital assets		
Non-depreciable	11,394,919	16,048,309
Depreciable (net of depreciation)	115,682,773	103,956,875
Total noncurrent assets	<u>137,959,328</u>	<u>131,576,099</u>
Total assets	<u>\$ 175,793,919</u>	<u>\$ 172,100,741</u>

Continued on the following page.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
Statements of Net Position (Continued)
September 30, 2019 and 2018

	<u>2019</u>	<u>2018</u>
Liabilities		
Current liabilities		
Accounts payable	\$ 927,736	\$ 644,981
Construction contracts payable	1,628,546	947,102
Accrued liabilities		
Wages and payroll taxes	192,925	159,794
Pension	17,709	20,908
Compensated absences	68,231	66,906
Unearned revenue	1,033,407	1,128,174
Total current liabilities (payable from current assets)	<u>3,868,554</u>	<u>2,967,865</u>
Payable from restricted assets		
Customer deposits	74,398	65,621
Total current liabilities (payable from restricted assets)	<u>74,398</u>	<u>65,621</u>
Total current liabilities	<u>3,942,952</u>	<u>3,033,486</u>
Noncurrent liabilities		
Compensated absences	895,026	873,713
Total noncurrent liabilities	<u>895,026</u>	<u>873,713</u>
Total liabilities	<u>4,837,978</u>	<u>3,907,199</u>
Net Position		
Net investment in capital assets	125,449,146	119,058,082
Unrestricted	45,506,795	49,135,460
Total net position	<u>\$ 170,955,941</u>	<u>\$ 168,193,542</u>

See notes to the financial statement.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
Statements of Revenues, Expenses and Changes in Net Position
For the Fiscal Years Ended September 30, 2019 and 2018

	<u>2019</u>	<u>2018</u>
Operating revenues		
Charges for services	\$ 19,387,399	\$ 19,269,413
Miscellaneous	314,265	416,191
Total operating revenues	<u>19,701,664</u>	<u>19,685,604</u>
Operating expenses		
Personal services	7,652,362	7,486,707
Operational	3,037,405	3,182,510
Supplies and chemicals	1,199,984	1,285,931
Repairs and maintenance	1,723,423	1,479,091
Contractual services	421,393	392,387
Depreciation and amortization	6,532,952	6,365,385
Total operating expenses	<u>20,567,519</u>	<u>20,192,011</u>
Operating (loss)	<u>(865,855)</u>	<u>(506,407)</u>
Nonoperating revenues (expenses)		
Grants		190,980
Interest income	1,381,134	1,079,754
Gain (loss) on disposal of capital assets	(456,428)	(33,294)
Total nonoperating revenues (expenses)	<u>924,706</u>	<u>1,237,440</u>
Income before capital contributions	58,851	731,033
Capital contributions	2,703,548	10,314,504
Change in net position	2,762,399	11,045,537
Total net position, beginning of year	<u>168,193,542</u>	<u>157,148,005</u>
Total net position, end of year	<u><u>\$ 170,955,941</u></u>	<u><u>\$ 168,193,542</u></u>

See notes to the financial statement.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
Statements of Cash Flows
For the Fiscal Years Ended September 30, 2019 and 2018

	2019	2018
Cash flows from operating activities:		
Receipts from customers	\$ 19,090,707	\$ 19,418,509
Payments to employees	(7,599,792)	(7,452,831)
Payments for goods and services	(6,492,157)	(6,293,424)
Cash (payments) receipts	(286,170)	(24,020)
Net cash provided (used) by operating activities	<u>4,712,588</u>	<u>5,648,234</u>
Cash flows from non-capital financing activities:		
Grants		190,980
Net cash provided (used) by non-capital financing activities		<u>190,980</u>
Cash flows from capital and related financing activities:		
Contributed capital	1,965,069	7,754,736
Acquisition and construction of capital assets	(13,187,960)	(8,497,872)
Cash received from the sale of capital assets	10,762	35,442
Proceeds from collections of special assessments	1,189,200	913,597
Net cash provided (used) by capital and related financing activities	<u>(10,022,929)</u>	<u>205,903</u>
Cash flows from investing activities:		
Purchase of investments	(9,170,564)	(12,368,543)
Proceeds from sales of investments	15,868,543	9,518,567
Interest and dividends on investments	1,378,928	1,116,243
Net cash provided (used) by investing activities	<u>8,076,907</u>	<u>(1,733,733)</u>
Net increase (decrease) in cash and cash equivalents	2,766,566	4,311,384
Cash and cash equivalents at beginning of year	<u>20,632,420</u>	<u>16,312,036</u>
Cash and cash equivalents at end of year	<u><u>\$ 23,398,986</u></u>	<u><u>\$ 20,623,420</u></u>

Continued on the following page.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
Statements of Cash Flows (Continued)
For the Fiscal Years Ended September 30, 2019 and 2018

	<u>2019</u>	<u>2018</u>
Reconciliation of operating income (loss) to net cash provided (used) by operating activities:		
Operating loss	\$ (865,855)	\$ (506,407)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation and amortization	6,532,952	6,365,385
(Increase) decrease in assets:		
Accounts receivable	(305,469)	188,289
Due from other governments	(505,668)	(233,041)
Inventory	(387,834)	(42,958)
Prepaid expenses	(4,873)	(19,928)
Increase (decrease) in liabilities:		
Accounts payable and accrued liabilities	335,325	143,257
Developer deposits	8,777	(39,193)
Unearned revenue	(94,767)	(207,170)
Net cash provided by operating activities	<u>\$ 4,712,588</u>	<u>\$ 5,648,234</u>
Noncash investing, capital and financing activities		
Contributions of lift stations, lines and equipment	\$ 28,057	\$ 1,381,801
Book value of assets disposed	472,695	61,264
Book value of construction work-in-process reclassified to inventory and other nominal accounts	5,505	7,472

See notes to the financial statements.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT NOTES TO FINANCIAL STATEMENTS SEPTEMBER 30, 2019 AND 2018

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Loxahatchee River Environmental Control District (the District) was created by Chapter 71-822, Special Acts of Florida, 1971, as amended, and codified pursuant to Chapter 2002-358, Laws of Florida, as a separate local agency of government to provide for the management of sewage, storm drainage, and water supply in portions of Palm Beach and Martin Counties generally defined as the Loxahatchee River Basin. The District is governed by an elected five-member board. The following is a summary of the more significant accounting principles and policies used in the preparation of these financial statements.

Reporting Entity

As required by generally accepted accounting principles, these financial statements present the government and its component units. Component units are legally separate entities for which the primary government is considered to be financially accountable and for which the nature and significance of their relationship with the primary government are such that exclusion would cause the District's financial statements to be misleading or incomplete. The primary government is considered financially accountable if it appoints a voting majority of an organization's governing body and imposes its will on that organization. The primary government may also be financially accountable if an organization is fiscally dependent on the primary government, regardless of the authority of the organization's governing board. Blended component units, although legally separate entities, are, in substance, part of the primary government's operations and are included as part of the primary government.

Based on the application of the criteria set forth by the Governmental Accounting Standards Board (GASB), the District has determined that there are no legally separate entities to consider as potential component units.

Basis of Presentation and Accounting

On October 1, 2002, the District adopted the provisions of Statement No. 34 ("Statement 34") of the Governmental Accounting Standards Board "*Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments.*" Statement 34 established standards for external financial reporting for all state and local governmental entities which includes a statement of net position, a statement of revenues, expenses, and changes in net position and a statement of cash flows. It requires the classification of net position into three components – net investment in capital assets, restricted and unrestricted. These classifications are defined as follows:

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Presentation and Accounting (Continued)

- Net investment in capital assets – This component of net position consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets. If there are significant unspent related debt proceeds at year-end, the portion of the debt attributable to the unspent proceeds are not included in the calculation of net investment in capital assets. Rather, that portion of the debt is included in the same net position component as the unspent proceeds.
- Restricted net position – This component of net position consists of constraints placed on net position use through external constraints imposed by creditors (such as through debt covenants), grantors, contributors or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.
- Unrestricted net position – This component of net position consists of net position that does not meet the definition of “restricted” or “net investment in capital assets.”

The District’s financial statements are presented on the full accrual basis. All activities of the District are accounted for within a single proprietary (enterprise) fund. Proprietary funds are used to account for operations that are: (a) financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the cost (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund’s principal ongoing operations. The principal operating revenues of the District’s wastewater treatment enterprise fund are charges for the operation of the plant facilities. Operating expenses for the enterprise fund include the cost of the operation of the plant facilities, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Presentation and Accounting (Continued)

The accounting and financial reporting treatment applied to the District is determined by its measurement focus. The transactions of the District are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets and all liabilities associated with the operations are included on the Statement of Net Position.

Budgetary Accounting

The District's procedures for establishing budgetary data are as follows:

- The District's Executive Director submits a proposed operating budget to the governing board for the fiscal year commencing the following October 1.
- Public meetings and a public hearing are conducted to obtain comments.
- Formal budget integration is employed as a management control device during the year. The accounting principles applied for the purpose of developing data on a budgetary basis differ from those used to present financial statements in conformity with generally accepted accounting principles in that the District does not provide for depreciation expense in its budget.
- The Governing Board approves the budget appropriations. Any revisions that increase the total appropriations must be approved by the Governing Board.
- Unused appropriations for budgeted funds lapse at the end of the fiscal year.

Reclassifications

Certain accounts in the prior year information have been reclassified for comparative purposes to conform with the presentation in the current-year financial statements.

Other Post Employment Benefits (OPEB)

The District was required to implement Governmental Accounting Standards Board Statement 75 (GASB 75), *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions* for the fiscal year ending September 30, 2018. The District has determined that they do not provide any benefits that qualify as other postemployment benefits under GASB 75.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Estimates

The financial statements and related disclosures are prepared in conformity with accounting principles generally accepted in the United States. Management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and revenue and expenses during the period reported. These estimates include assessing the collectability of accounts receivable, the use and recoverability of inventory, and useful lives and impairment of tangible assets. Accordingly, actual results could differ from those estimates.

Cash and Cash Equivalents

The District's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

Investments

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value is a market-based measurement, not an entity-specific measurement. For some assets and liabilities, observable market transactions or market information might be available; for others, it might not be available. However, the objective of fair value measurement in both cases is the same, that is, to determine the price at which an orderly transaction to sell the asset or to transfer the liability would take place between market participants at the measurement date under current market conditions. Fair value is an exit price at the measurement date from the perspective of a market participant that controls the asset or is obligated for the liability. The District categorizes investments reported at fair value in accordance with the fair value hierarchy established by GASB Statement No. 72, *Fair Value Measurement and Application*. Investments are stated at fair value except for non-negotiable certificates of deposit which are stated at cost, which should also be considered the fair value of the investment. The investments held by the District consist of non-negotiable certificates of deposit with original maturities ranging from one year to two years.

Inventory and Prepaid Items

Inventories are valued at cost (as determined by the first-in/first-out method).

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepayments on the statement of net position.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Capital Assets

Property, plant and equipment in service and construction in progress are recorded at cost, if purchased or constructed. Assets acquired through contributions from developers or other customers are capitalized at acquisition value. All assets greater than \$5,000 are capitalized. Expenditures for maintenance and repairs are expensed as incurred, while expenditures for renewals and improvements are capitalized. Construction costs of new collection and transmission facilities that are reimbursed by users or financed by developers and property owners are capitalized and recorded as revenues.

Net interest cost is capitalized on capital projects during the construction period.

Depreciation has been provided over the useful lives using the straight line method. The estimated useful lives are as follows:

Lakes and retention ponds	50-100 years
Buildings	10-40 years
Improvements other than buildings	20-60 years
Equipment	3-10 years

Accumulated Compensated Absences

It is the District's policy to permit employees to accumulate a limited amount of earned but unused vacation and sick leave, which will be paid upon separation from the District's service. The District uses the vesting method in accruing vacation and sick leave as the benefits are earned by the employee if it is probable that the employee will be compensated for the benefits through payments conditioned on termination or retirement.

Restricted Assets

As of September 30, 2019 and 2018, the District has \$74,398 and \$65,621, respectively of cash and investments restricted for customer deposits. When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

Special Assessments

The District levies special assessments against benefited property owners for design, construction and other expenses necessary to complete wastewater and sewerage system improvements constructed in their assessment area. The property owners have an option to pay the assessment in full at the time of connection or have installment payments added to their real estate taxes over a period of 20 years with rates ranging from 5.75% to 6.875%.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Unearned Revenues

Unearned revenues primarily represent capital connection and inspection fees and service payments that are paid in advance by customers. These fees will be recognized as income in subsequent years as the services are performed.

Capital Contributions

Capital contributions are recognized in the statement of revenues, expenses, and changes in net position when earned and include capital grants or contributions from developers, customers, or other governmental agencies.

Allowance for Doubtful Accounts

The District's enabling legislation gives the District the authority to place liens on properties in the event that fees or charges are not paid when due. An allowance for uncollectible accounts is maintained at a level the District believes is sufficient to cover potential losses. A portion of the accounts receivable is classified as a noncurrent asset. These represent accounts that currently have liens or are anticipated to have liens placed on them in the future.

Recent Accounting Pronouncements

- GASB Statement No. 87, *Leases*. This Statement will increase the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting that is based on the foundational principle that leases are financings of the right to use an underlying asset. This Statement is effective for the fiscal year ending September 30, 2021.
- GASB Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. This Statement requires that interest cost incurred before the end of a construction period be recognized as an expense in the period in which the cost is incurred. As a result, interest cost incurred before the end of a construction period will not be included in the historical cost of a capital asset. This Statement is effective for the fiscal year ending September 30, 2021.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 2 – DEPOSITS AND INVESTMENTS

Deposits

At September 30, 2019 and 2018, the carrying amount of cash on hand and on deposit with banks, including interest-bearing deposits, was \$23,389,986 and \$20,623,420, respectively. Investments at September 30, 2019 and 2018, are comprised of non-negotiable certificates of deposits with financial institutions with original maturities greater than three months in the amount of \$8,170,564 and \$14,868,543. The weighted average days to maturity for the non-negotiable certificates of deposits at September 30, 2019 and 2018 were 276 days and 190 days, respectively. All deposits and investments are insured by federal deposit insurance or collateralized pursuant to Florida Statutes Chapter 280, *Florida Security for Public Deposits Act*.

In addition to insurance provided by the Federal Depository Insurance Corporation, deposits are held in banking institutions approved by the State Treasurer of the State of Florida to hold public funds. Under Florida Statutes Chapter 280, the State Treasurer requires all Florida qualified depositories to deposit with the Treasurer or banking institution eligible collateral. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The investment of surplus public funds is governed by an investment policy approved by the Board. The policy limits investments to the following securities:

- A. The Local Government Surplus Funds Trust Fund or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act as provided in Florida Statutes s. 163.01.
- B. Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
- C. Interest-bearing time deposits, savings accounts, or money market accounts in qualified public depositories as defined in Florida Statutes s. 280.02.
- D. Direct obligations of the United States Treasury.
- E. Federal agencies and instrumentalities.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 2 – DEPOSITS AND INVESTMENTS (Continued)

Investments (Continued)

- F. Securities of, or other interests in, any open-end or closed-end management-type investment company or investment trust registered under the Investment Company Act of 1940, 15 U.S.C. ss. 80a-1 et seq., as amended from time to time, provided that the portfolio of such investment company or investment trust is limited to obligations of the United States Government or any agency or instrumentality thereof and to repurchase agreements fully collateralized by such United States Government obligations, and provided that such investment company or investment trust takes delivery of such collateral either directly or through an authorized custodian.
- G. Repurchase agreements collateralized by obligations of the United States Government.
- H. Authorized Deposits up to the amount guaranteed by the U.S. Government under Federal Deposit Insurance Corporation (FDIC) limits where
 - 1. Funds are initially deposited in a qualified public depository, as defined in Florida Statutes, 280.02 selected by the District;
 - 2. The selected depository arranges for depositing the funds in financial deposit instruments insured by the FDIC in one or more federally insured banks or savings and loan associations, wherever located, for the account of the unit of local government;
 - 3. The full amount of the principal and accrued interest of each financial deposit instrument is insured by the FDIC; and
 - 4. The selected depository acts as custodian for the unit of local government with respect to each financial deposit instrument issued for its account.
- I. Other investments authorized by law or by resolution of the Governing Board.

The Florida Prime Fund is administered by the State Board of Administration and is governed by Chapter 19-7 of the Florida Administrative Code. These rules provide guidance and establish the general operating procedures for the administration of the Florida Prime. Florida Prime currently meets all of the necessary criteria to measure all of the investments in Florida Prime at amortized cost, which should also be considered the fair value of the investment.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 2 – DEPOSITS AND INVESTMENTS (Continued)

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Cash equivalents have a weighted average maturity of less than one year, resulting in minimal interest rate risk. The District's investment policy does not specifically limit the maturity of investments.

Credit Risk

Credit risk is the risk that an issuer will not fulfill its obligations. The District's investment policy addresses credit risk by limiting allowable investments to the Local Government Surplus Funds Trust Fund, deposits with a financial institution meeting the requirements of a Florida qualified public depository, securities guaranteed by the U.S. government, or investments that are otherwise fully collateralized or secured. The security rating by a Nationally Recognized Statistical Rating Organization (NRSRO) is also an indication of credit risk.

Custodial Credit Risk

Custodial credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The District's investment policy limits its investments to high quality investments to control custodial credit risk.

NOTE 3 – INVESTMENT IN JOINT VENTURE

Biosolids Processing and Recycling Facility

On June 7, 2005, the District entered into an interlocal agreement (Agreement) with the Solid Waste Authority (SWA) to fund a portion of the cost to design, build, and operate a Biosolids Processing and Recycling Facility (BPF). There have been three amendments to the original agreement. The first amendment dated June 15, 2006 adjusted the original capital costs of the BPF, and the second amendment dated June 21, 2012 set forth the total net capital costs for the BPF. On July 18, 2013, the District sold 1.54% of its share of the original capacity to another government agency, thereby reducing the District's share of the total capacity to 8.96%. Proceeds from the sale were \$448,282, which reduced the District's original capital cost to \$3,311,772. Additional capital costs were incurred in the fiscal year ended September 30, 2014 in the amount of \$68,944 and in the fiscal year ended September 30, 2018 in the amount of \$84,224, increasing its portion of the capital cost to \$3,464,940. There were no capital costs incurred during the fiscal year ended September 30, 2019.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 3 – INVESTMENT IN JOINT VENTURE (Continued)

Biosolids Processing and Recycling Facility (Continued)

The BPF processes certain wastewater treatment residuals (biosolids) which is necessary to comply with increasingly stringent environmental regulations that have significantly decreased the number of land application sites available. Prior to August 2009, bulk land application was the primary method of disposing of the biosolids.

The Agreement is for a period of 20 years beginning with the August 1, 2009 operations commencement. Upon the conclusion of the term of the agreement, the BPF will remain the property of SWA with each participating entity owning its share of the BPF, in perpetuity, for the life of the plant. Under accounting principles generally accepted in the United States of America, the District is required to account for this arrangement as a joint venture. Therefore, an asset is reported on the District's financial statements under the caption "Investment in joint venture." Since the BPF agreement does not state that the participants are to share in the profits and losses of the joint venture, the investment in joint venture account will not be adjusted to reflect the joint venture's results of operations. Rather the investment in joint venture will be amortized using the straight-line method over the 20-year life of the agreement. The District's total operating costs were \$547,602, and \$447,584 for the years ended September 30, 2019 and 2018. The District's pro rata share of the construction costs is shown as an asset – investment in joint venture – on the statements of net position.

The SWA is responsible for the design, construction, operation, and maintenance of the BPF. On April 12, 2005, the SWA approved a contract with a private company, NEFCO, to design/build/operate the BPF. The District, along with the other participating entities, are in turn responsible for delivering wastewater biosolids to the BPF and for paying their pro rata share of the capital and net operating costs. This provision helps to ensure that the BPF venture does not accumulate assets that may result in a financial benefit to the District or cause the District to experience fiscal stress from the BPF.

No separate financial statements are prepared for the BPF, which is reported as part of the SWA operations. Financial statements for the SWA may be obtained at the following address:

Solid Waste Authority
7501 North Jog Road
West Palm Beach, Florida 33412

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018

NOTE 4 – CAPITAL ASSETS

A summary of the District's property, plant, and equipment at September 30, 2019 and 2018 is as follows:

	September 30, 2019			
	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets not being depreciated				
Land and land rights	\$ 854,434	\$	\$	\$ 854,434
Construction in progress	15,193,875	12,386,547	(17,039,937)	10,540,485
Total capital assets not being depreciated	16,048,309	12,386,547	(17,039,937)	11,394,919
Capital assets being depreciated				
Treatment and disposal system				
Plant	60,263,737	11,554,622	(2,237,828)	69,580,531
Lakes	1,211,079			1,211,079
Lines	105,318,802	5,242,102	(203,750)	110,357,154
Lift stations	25,438,200	777,720	(385,994)	25,829,926
Equipment	8,317,548	981,913	(114,045)	9,185,416
Total capital assets being depreciated	200,549,366	18,556,357	(2,941,617)	216,164,106
Less accumulated depreciation				
Treatment and disposal system				
Plant	(33,434,130)	(2,265,627)	1,796,037	(33,903,720)
Lakes	(490,898)	(12,121)		(503,019)
Lines	(38,809,016)	(2,573,794)	188,421	(41,194,389)
Lift stations	(17,221,308)	(981,249)	370,418	(17,832,139)
Equipment	(6,637,139)	(524,972)	114,045	(7,048,066)
Total accumulated depreciation	(96,592,491)	(6,357,763)	2,468,921	(100,481,333)
Total capital assets being depreciated, net	103,956,875	12,198,594	(472,696)	115,682,773
Capital assets, net	\$ 120,005,184	\$ 24,585,141	\$ (17,512,633)	\$ 127,077,692

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018

NOTE 4 – CAPITAL ASSETS (Continued)

	September 30, 2018			
	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Capital assets not being depreciated				
Land and land rights	\$ 854,434	\$	\$	\$ 854,434
Construction in progress	<u>16,670,578</u>	<u>6,231,808</u>	<u>(7,708,511)</u>	<u>15,193,875</u>
Total capital assets not being depreciated	<u>17,525,012</u>	<u>6,231,808</u>	<u>(7,708,511)</u>	<u>16,048,309</u>
Capital assets being depreciated				
Treatment and disposal system				
Plant	59,877,926	655,915	(270,104)	60,263,737
Lakes	1,211,079			1,211,079
Lines	96,917,011	8,401,791		105,318,802
Lift stations	24,544,542	1,117,665	(224,007)	25,438,200
Equipment	<u>8,215,373</u>	<u>394,177</u>	<u>(292,002)</u>	<u>8,317,548</u>
Total capital assets being depreciated	190,765,931	10,569,548	(786,113)	200,549,366
Less accumulated depreciation				
Treatment and disposal system				
Plant	(31,339,034)	(2,331,864)	236,768	(33,434,130)
Lakes	(478,777)	(12,121)		(490,898)
Lines	(36,504,760)	(2,304,256)		(38,809,016)
Lift stations	(16,461,393)	(942,762)	182,847	(17,221,308)
Equipment	<u>(6,211,712)</u>	<u>(606,850)</u>	<u>181,423</u>	<u>(6,637,139)</u>
Total accumulated depreciation	<u>(90,995,676)</u>	<u>(6,197,853)</u>	<u>601,038</u>	<u>(96,592,491)</u>
Total capital assets being depreciated, net	<u>99,770,255</u>	<u>4,371,695</u>	<u>(185,075)</u>	<u>103,956,875</u>
Capital assets, net	<u>\$ 117,295,267</u>	<u>\$ 10,603,503</u>	<u>\$ (7,893,586)</u>	<u>\$ 120,005,184</u>

Depreciation expense was \$6,357,763 and \$6,197,853 for the years ended September 30, 2019 and 2018, respectively.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018

NOTE 5 – CONTRACTS PAYABLE

Construction contracts of the District at September 30, 2019 and 2018 are as follows:

	September 30, 2019			
	<u>Total Project Authorization</u>	<u>Total Expended</u>	<u>Contracts Payable</u>	<u>Balance to Complete</u>
Deep Bed Filters	\$ 10,528,212	\$ 10,361,134	\$ 167,078	\$
Lift Station Rehabilitations	2,636,522	2,412,591	154,613	69,318
Alt A1A Bridge Forcemain Expansion	1,604,015	1,087,887	108,613	407,515
Imperial Woods	90,896	85,417	1,532	3,947
Whispering Trails	5,015,864	3,876,232	463,065	676,567
Sewering Line Lining	1,744,046	1,280,203	391,994	71,849
Jupiter Farms Elementary	1,308,421	1,070,568	74,218	163,635
New Palm Beach Heights LPSS	104,167		104,167	
Island Country Estates	109,451	70,286	675	38,490
Coast Guard/BLM	14,710	8,912	4,798	1,000
Jupiter Ocean Racquet Club	259,500	228,926	30,574	
Other Construction Contracts	970,768	726,445	127,219	117,104
Total:	<u>\$ 25,041,028</u>	<u>\$ 21,863,057</u>	<u>\$ 1,628,546</u>	<u>\$ 1,549,425</u>

	September 30, 2018			
	<u>Total Project Authorization</u>	<u>Total Expended</u>	<u>Contracts Payable</u>	<u>Balance to Complete</u>
Deep Bed Filters	\$ 10,164,729	\$ 9,607,546	\$ 454,636	\$ 102,547
Turtle Creek	1,079,553	984,900	65,446	29,207
Lift Station Rehabilitations	2,498,922	322,796	190,159	1,985,967
Alt A1A Bridge Forcemain Expansion	1,020,390	958,850	1,185	60,355
Imperial Woods	88,481	43,615	6,951	37,915
Whispering Trails	502,677	206,109	12,128	284,440
Sewering Line Lining	464,624	361,219	103,405	
Jupiter Farms Elementary	209,944	140,353	2,595	66,996
Other Construction Contracts	901,755	659,864	110,597	131,294
Total:	<u>\$ 16,931,075</u>	<u>\$ 13,285,252</u>	<u>\$ 947,102</u>	<u>\$ 2,698,721</u>

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018

NOTE 6 – LONG-TERM LIABILITIES

Changes in long-term liabilities for the years ended September 30, 2019 were as follows:

	September 30, 2019				Due Within One year
	Balance October 1, 2018	Additions	Reductions	Balance September 30, 2019	
Compensated absences	\$ 940,619	\$ 120,805	\$ 98,167	\$ 963,257	\$ 68,231
	<u>\$ 940,619</u>	<u>\$ 120,805</u>	<u>\$ 98,167</u>	<u>\$ 963,257</u>	<u>\$ 68,231</u>

Changes in long-term liabilities for the years ended September 30, 2018 were as follows:

	September 30, 2018				Due Within One year
	Balance October 1, 2017	Additions	Reductions	Balance September 30, 2018	
Compensated absences	\$ 888,476	\$ 71,278	\$ 19,135	\$ 940,619	\$ 66,906
	<u>\$ 888,476</u>	<u>\$ 71,278</u>	<u>\$ 19,135</u>	<u>\$ 940,619</u>	<u>\$ 66,906</u>

NOTE 7 – RESTRICTED ASSETS, LIABILITIES AND RESERVES

Restricted assets and liabilities at September 30, 2019 and 2018 consist of customer deposits. Assets restricted for these purposes represent cash and investments totaling \$74,398 and \$65,621 for the years ended September 30, 2019 and 2018, respectively.

The following is a summary of restricted assets, related liabilities, and restricted net position at September 30, 2019 and 2018:

September 30, 2019	Restricted Assets	Liabilities Payable from Restricted Assets	Restricted Net Position
Customer Deposits	<u>\$ 74,398</u>	<u>\$ 74,398</u>	<u>\$</u>

September 30, 2018	Restricted Assets	Liabilities Payable from Restricted Assets	Restricted Net Position
Customer Deposits	<u>\$ 65,621</u>	<u>\$ 65,621</u>	<u>\$</u>

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 8 – DEFINED CONTRIBUTION PLAN

The District contributes to the Loxahatchee River Environmental Control District Money Purchase Plan and Trust, a defined contribution pension plan, for its full-time employees. The Plan is administered by an Administrative Committee that reports to the Governing Board. Benefit terms, including contribution requirements, for the Plan are established and may be amended by the Governing Board. The District is required to contribute 12% of annual salary to individual employee accounts for each participating employee. Employees contribute 4% of their eligible compensation. For the years ended September 30, 2019 and 2018, employee contributions totaled \$188,912 and \$186,172 and the District's recognized pension expense was \$774,185 and \$775,324, respectively.

Employees are required to participate in the District's mandatory plan after attainment of 18 years of age and completion of one year of continuous service. Employees are fully vested after two years of plan participation. Nonvested contributions are forfeited upon termination of employment and such forfeitures are used to reduce employer contributions. There were forfeitures in the amount of \$18,858 for the year ended September 30, 2019 and there were no forfeitures for the year ended September 30, 2018.

The District had a liability to the Plan at September 30, 2019 and 2018 in the amount of \$17,709 and \$20,908, respectively.

NOTE 9 – COMMITMENTS

Service Agreement

The District entered into an agreement with H&H Liquid Sludge Disposal on October 1, 2013 for the hauling and disposal of wastewater sludge to the SWA Pelletization Facility that expired September 30, 2018. The contract provided for a fixed rate of \$13.03 per ton with a price adjustment of \$13.24 per ton effective October 1, 2017. For the year ended September 30, 2018, the District paid H&H Liquid Sludge Disposal \$157,278. The District entered into an agreement with Synagro South, LLC for the hauling and disposal of wastewater sludge to the SWA Pelletization Facility for a 24-month period starting October 1, 2018. The contract provided for the hauling and disposal of wastewater sludge from the District's facility to the SWA Pelletization Facility at an agreed upon distance of 16 miles at a rate of \$9.01 per mile. The contract also provided for the hauling and disposal of wastewater sludge from the District's facility to an undesignated site within a 60-mile radius at a rate of \$5.61 per mile. For the year ended September 30, 2019, the District paid Synagro South, LLC \$142,718.

Purchase Commitments

The District had outstanding purchase orders totaling approximately \$1,376,622 and \$4,827,003 for the fiscal years ended September 30, 2019 and 2018, respectively.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2019 AND 2018**

NOTE 10 – RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the District carries commercial insurance. Specifically, the District purchases commercial insurance for property, medical benefits, worker's compensation, general liability, automobile liability, errors and omissions, and directors and officers liability. The District is also covered by Florida Statutes under the Doctrine of Sovereign Immunity, which effectively limits the amount of liability of government agencies to individual claims of \$200,000/\$300,000 for all claims relating to the same accident. There were no changes in insurance coverage from the prior year and there were no settlements that exceeded insurance coverage in the last three years.

STATISTICAL SECTION

STATISTICAL SECTION

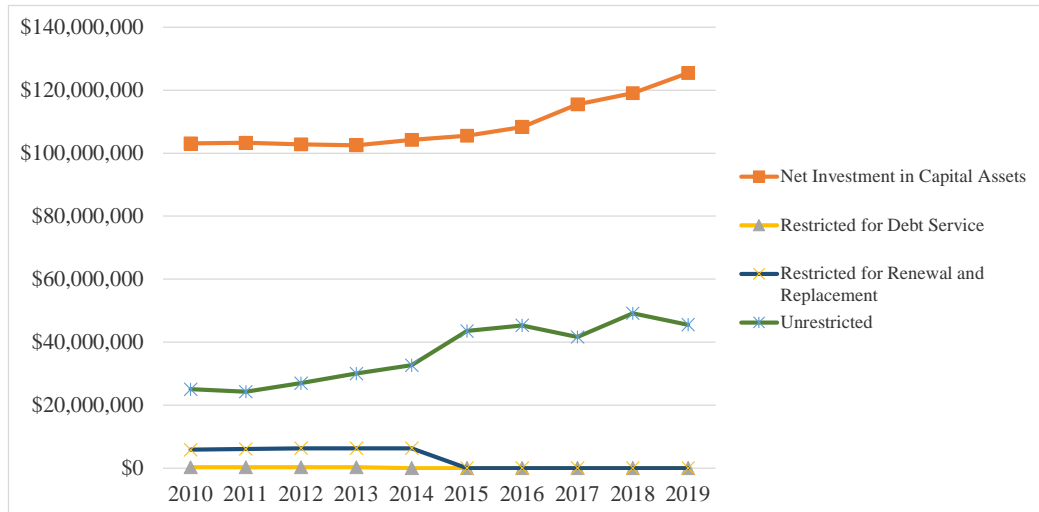
This part of the District's Comprehensive Annual Financial Report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the government's overall financial health.

Contents	Page
Financial Trends	
<i>These schedules contain trend information to help the reader understand how the District's financial performance and well-being have changed over time.</i>	
Schedule of Net Position by Component	32
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<i>These schedules contain service and infrastructure data to help the reader understand how information in the government's financial report relates to the services the government provides and the activities it performs.</i>	
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Wastewater Treated	38
Debt Capacity	
<i>These schedules present information to help the reader assess the affordability of the District's current levels of outstanding debt, as well as the District ability to issue debt in the future.</i>	
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Demographic and Economic Information	
<i>These schedules offer demographic and economic indicators to help the reader understand the environment within which the District's financial activities take place.</i>	
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Sources: Unless otherwise noted, the information in these schedules were obtained from the District's records.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
SCHEDULE OF NET POSITION BY COMPONENT
For the Last Ten Fiscal Years**

Fiscal Year Ended September 30,	Net Investment in Capital Assets	Restricted for Debt Service	Restricted for Renewal and Replacement	Unrestricted	Total Net Position	Change from Prior Year
2010	\$ 103,076,355	\$ 254,972	\$ 5,800,000	\$ 25,048,103	\$ 134,179,430	0.21%
2011	103,274,062	275,676	6,050,000	24,257,839	133,857,577	-0.24%
2012	102,752,953	276,823	6,300,000	26,921,891	136,251,667	1.79%
2013	102,544,712	278,024	6,300,000	29,974,212	139,096,948	2.09%
2014	104,210,176		6,300,000	32,666,737	143,176,913	2.93%
2015	105,523,262			43,503,660	149,026,922	4.09%
2016	108,348,576			45,289,111	153,637,687	3.09%
2017	115,529,222			41,618,783	157,148,005	2.28%
2018	119,058,082			49,135,460	168,193,542	7.03%
2019	125,449,146			45,506,795	170,955,941	1.64%



Source: Loxahatchee River Environmental Control District

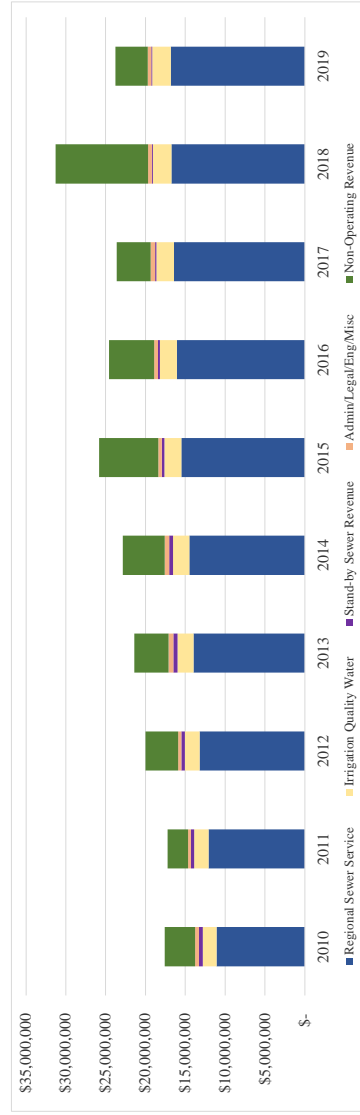
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
SCHEDULE OF CHANGES IN NET POSITION
For the Last Ten Fiscal Years

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
OPERATING REVENUES:										
Charges for services	\$ 13,340,593	\$ 14,337,671	\$ 15,544,204	\$ 16,558,320	\$ 17,068,443	\$ 17,955,155	\$ 18,439,733	\$ 18,929,914	\$ 19,269,413	\$ 19,387,399
Operating grants	182,500									
Miscellaneous	237,631	305,644	372,358	534,846	500,866	420,734	472,844	436,024	416,191	314,265
Total operating revenues	13,760,724	14,643,315	15,916,562	17,093,166	17,569,309	18,375,889	18,912,577	19,365,938	19,685,604	19,701,664
OPERATING EXPENSES:										
Personal services	5,601,498	5,812,896	5,957,973	6,079,828	6,322,100	6,933,959	7,183,021	7,382,421	7,486,707	7,652,362
Operational	2,224,518	2,543,941	2,615,226	2,615,615	2,688,221	2,700,888	2,751,449	2,895,600	3,182,510	3,037,405
Supplies and chemicals	1,247,970	1,118,311	1,055,884	1,287,386	1,404,409	1,350,463	1,538,706	1,454,776	1,285,931	1,199,984
Repairs and maintenance	1,376,050	1,556,464	1,423,087	1,959,972	2,030,502	2,051,192	1,731,117	1,719,023	1,479,091	1,723,423
Contractual services	279,242	296,485	202,747	275,639	353,989	228,673	209,288	294,311	392,387	421,393
Depreciation and amortization	5,885,491	5,876,477	5,953,184	5,867,335	5,885,015	6,067,532	6,221,487	6,348,091	6,365,385	6,532,952
Total operating expenses	16,614,769	17,204,574	17,208,101	18,085,775	18,684,236	19,332,707	19,635,068	20,094,222	20,192,011	20,567,519
OPERATING INCOME (DEFICIT)	(2,854,045)	(2,561,259)	(1,291,539)	(992,609)	(1,114,927)	(956,818)	(722,491)	(728,284)	(506,407)	(865,855)
NONOPERATING REVENUES (EXPENSES)										
Grants		68,909	19,041	11,336	10,000	62,060	33,329	13,550	190,980	
Interest income	1,040,468	832,981	770,137	757,045	784,574	871,896	936,584	988,965	1,079,754	1,381,134
Interest expense	(367,996)	(239,883)	(165,250)	(137,397)	(5,834)					
Net gain (loss) on fair value of investments	53,959	18,580	29,737	13,594	(7,386)					
Loss on extinguishment of debt						(419,797)				
Gain (loss) on disposal of capital assets	(51,107)	(98,604)	(241,086)	(339,020)	(83,934)	(198,364)	(318,769)	33,630	(33,294)	(456,428)
Total nonoperating revenue (expenses)	675,324	581,983	412,579	305,558	697,420	315,795	651,144	1,036,145	1,237,440	924,706
INCOME (DEFICIT) BEFORE CAPITAL CONTRIBUTIONS	(2,178,721)	(1,979,276)	(878,960)	(687,051)	(417,507)	(641,023)	(71,347)	307,861	731,033	58,851
CAPITAL CONTRIBUTIONS	2,738,273	1,657,423	3,273,050	3,532,332	4,497,472	6,491,032	4,682,112	3,202,457	10,314,504	2,703,548
Extraordinary item										
Escrow shortage for refunded bonds	(273,663)									
INCREASE (DECREASE) IN NET POSITION	285,889	(321,853)	2,394,090	2,845,281	4,079,965	5,850,009	4,610,765	3,510,318	11,045,537	2,762,399
NET POSITION, BEGINNING OF PERIOD	133,893,541	134,179,430	133,857,577	136,251,667	139,096,948	143,176,913	149,026,922	153,637,687	157,148,005	168,193,542
NET POSITION, END OF PERIOD	\$ 134,179,430	\$ 133,857,577	\$ 136,251,667	\$ 139,096,948	\$ 143,176,913	\$ 149,026,922	\$ 153,637,687	\$ 157,148,005	\$ 168,193,542	\$ 170,955,941

Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
SCHEDULE OF REVENUE BY SOURCE
For the Last Ten Fiscal Years

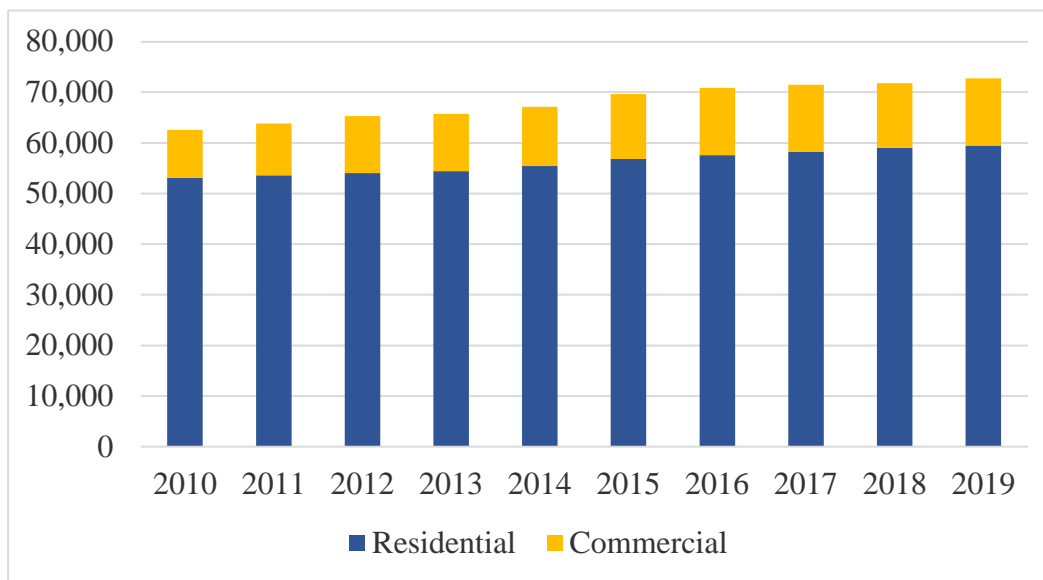
Fiscal Year Ended September 30,	Operating Revenues				Non-Operating Revenues							Total Revenues	
	Regional Sewer Service	Irrigation Quality Water	Stand-by Sewer Revenue	Admin/Legal Engineering Fees and Miscellaneous	Total Operating Revenues	Assessment Revenue	Connection Charges	Line Charges	Investment Income	Grants/ Contributed Capital	Other		Total Non-Operating Revenues
2010	\$ 11,098,540	\$ 1,719,139	\$ 456,460	486,585	\$ 13,760,724	\$ 1,143,789	\$ 975,329	\$ 219,518	\$ 1,040,468	\$ 399,637	\$ 53,959	\$ 3,832,700	\$ 17,593,424
2011	12,105,726	1,774,294	406,626	356,669	14,643,315	451,342	685,315	275,161	832,980	314,515	18,580	2,577,893	17,221,208
2012	13,196,560	1,870,462	421,274	428,266	15,916,562	428,266	1,39,373	1,408,116	632,541	770,137	29,737	4,091,965	20,008,527
2013	13,971,883	2,001,583	526,409	593,291	17,093,166	277,518	1,345,534	863,959	757,045	1,056,657	13,594	4,314,307	21,407,473
2014	14,478,093	2,059,339	496,829	535,048	17,569,309	327,432	2,569,441	670,857	784,574	939,742		5,292,046	22,861,355
2015	15,502,465	2,131,578	305,107	436,739	18,375,889	2,571,005	2,455,424	279,076	871,896	1,247,587		7,424,988	25,800,877
2016	16,051,221	2,154,339	221,965	485,052	18,912,577	2,035,390	1,073,180	369,122	936,584	1,237,749		5,652,025	24,564,602
2017	16,408,048	2,221,586	175,916	560,388	19,365,938	388,857	854,526	286,500	988,965	1,686,124	33,630	4,238,602	23,604,540
2018	16,751,205	2,307,946	120,034	506,419	19,685,604	6,508,665	1,409,475	547,129	1,079,754	1,849,235	190,980	11,585,238	31,270,842
2019	16,806,144	2,361,783	99,294	434,443	19,701,664	733,072	573,255	241,047	1,381,134	1,156,174		4,084,682	23,786,346



Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT TOTAL SEWER UNITS BY CATEGORY For the Last Ten Fiscal Years

Fiscal Year	Residential		Commercial		Total
	Equivalent Connections	% of Annual Total	Equivalent Connections	% of Annual Total	
2010	53,055	85%	9,493	15%	62,548
2011	53,616	84%	10,219	16%	63,835
2012	54,026	83%	11,277	17%	65,302
2013	54,414	83%	11,335	17%	65,749
2014	55,417	83%	11,675	17%	67,092
2015	56,794	82%	12,836	18%	69,630
2016	57,579	81%	13,276	19%	70,855
2017	58,196	81%	13,269	19%	71,465
2018	59,002	82%	12,784	18%	71,786
2019	59,478	82%	13,276	18%	72,754

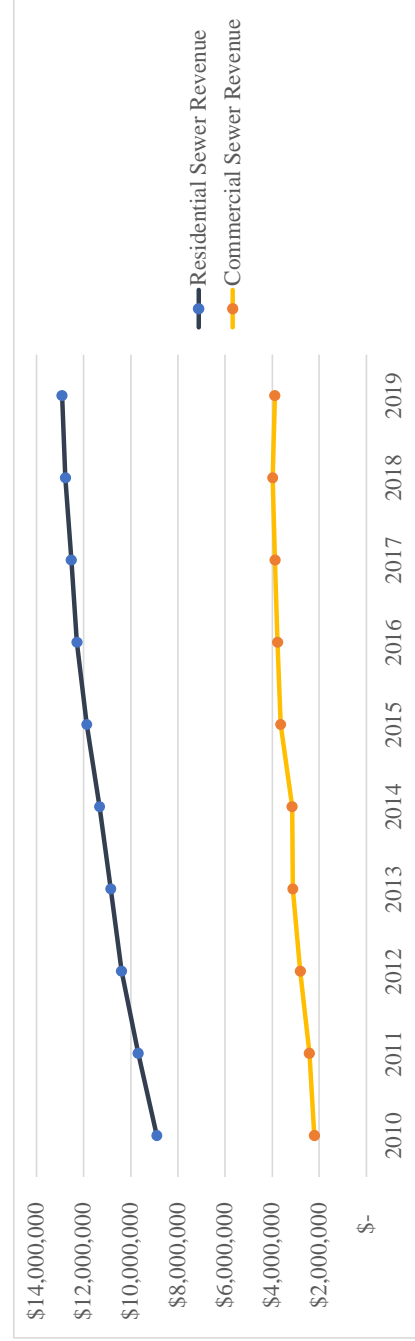


Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
TOTAL SEWER REVENUE BY CATEGORY
For the Last Ten Fiscal Years

Fiscal Year	Residential					Commercial				
	Regional Sewer Service Revenue	% of Annual Total	Number of Equivalent Connections	Rate per Equivalent Connection	Regional Sewer Service Revenue	% of Annual Total	Number of Equivalent Connections	Rate per Equivalent Connection	Total	
2010	\$ 8,893,075	80%	52,689	\$ 168.78	\$ 2,205,466	20%	9,545	\$ 231.07	\$	\$ 11,098,540
2011	9,686,644	80%	53,260	181.87	2,419,082	20%	9,710	249.13		12,105,726
2012	10,392,270	79%	53,774	193.26	2,804,290	21%	10,592	264.74		13,196,560
2013	10,843,903	78%	54,208	200.04	3,127,980	22%	11,431	273.64		13,971,883
2014	11,325,317	78%	54,864	206.43	3,152,776	22%	11,156	282.61		14,478,093
2015	11,864,990	77%	55,931	212.14	3,637,475	23%	12,450	292.17		15,502,465
2016	12,284,659	77%	57,199	214.77	3,766,562	23%	12,850	293.12		16,051,221
2017	12,527,978	76%	57,853	216.55	3,880,070	24%	13,180	294.39		16,408,048
2018	12,776,079	76%	58,533	218.27	3,975,126	24%	13,319	298.46		16,751,205
2019	12,919,575	77%	59,201	218.23	3,886,569	23%	13,015	298.62		16,806,144

Note: The Schedule of Principal Payors is not presented. The District bills residential customers by Equivalent Connection, therefore all residential customers pay approximately the same amount.



Source: Loxahatchee River Environmental Control District

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
SCHEDULE OF SEWER RATES
As of September 30, 2019**

Quarterly Service Charge

Residential		Non-Residential
Equivalent Connection	Rate	
1.00	\$ 54.60	\$6.23 / 1,000 gallons or minimum of \$74.72/quarter
1.25	68.25	
1.50	81.90	
1.75	95.55	
2.00	109.20	
2.25	122.85	
2.50	136.50	
2.75	150.15	

Quarterly Stand-by Sewer Revenue Charge

Residential	\$ 37.13 \per Equivalent Connection
Non-Residential	50.81 \per Equivalent Connection

Connection Charges

Equivalent Connection	Rate
1.00	\$ 2,837.98
1.25	3,547.48
1.50	4,256.97
1.75	4,966.47
0.25	709.50

Rates effective April 1, 2019

Source: Loxahatchee River Environmental Control District

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
WASTEWATER TREATED
For the Last Ten Fiscal Years**

Fiscal Year Ended September 30,	Annual Influent Treated (MGD)	Regional Sewer Service Revenue	Total Direct Sewer Rates (1)
2010	2,456	\$ 11,098,540	\$ 4,519
2011	2,387	12,105,726	5,072
2012	2,475	13,196,560	5,332
2013	2,498	13,971,883	5,593
2014	2,479	14,478,093	5,840
2015	2,474	15,502,465	6,266
2016	2,453	16,051,221	6,544
2017	2,386	16,408,048	6,877
2018	2,493	16,751,205	6,719
2019	2,476	16,806,144	6,788

(1) per million gallons influent treated.

MGD = Millions of gallons per day.

Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
RATIO OF OUTSTANDING DEBT
For the Last Ten Fiscal Years

Fiscal Year Ended September 30,	1997B		1997C		2003		2009		2010		Total Debt Outstanding	Debt Per Equivalent Connection
	Revenue	Bonds	Revenue	Bonds	Revenue	Bonds	Revenue	Bonds	Revenue	Bonds		
2010	\$ 1,058,356	\$	\$ 1,142,365	\$	\$	\$	\$ 3,420,579	\$	\$ 3,512,287	\$	\$ 9,133,587	\$ 143.08
2011	916,712		985,403				3,240,290		2,431,567		7,573,972	115.98
2012	768,057		822,117				3,052,931		1,324,897		5,968,002	90.77
2013	611,772		652,035				2,855,025		191,518		4,310,350	64.25
2014							2,648,163				2,648,163	38.03
2015												
2016												
2017												
2018												
2019												

Note: Bonds were paid off during fiscal year 2015.

Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
SCHEDULE OF PLEDGED REVENUE COVERAGE
For the Last Ten Fiscal Years

Fiscal Year Ended September 30,	Total Debt Service Requirement	Operating Expenses		Net Revenue Available (1)	Debt Service Coverage (2)	Capital Charges	Net Revenue Available	Debt Service Coverage (3)
		Gross Revenues	Before Depreciation					
2010	\$ 1,894,246	\$ 14,804,044	\$ 10,729,278	\$ 4,074,766	2.15	\$ 2,738,273	\$ 6,813,039	3.6
2011	1,876,244	15,465,181	11,328,097	4,137,084	2.2	1,657,423	5,794,507	3.09
2012	1,876,244	16,494,391	11,254,917	5,239,474	2.79	3,273,050	8,512,524	4.54
2013	1,876,057	17,536,121	12,218,440	5,317,681	2.83	3,532,332	8,850,013	4.72
2014	915,791	18,272,563	12,799,221	5,473,342	5.98	4,497,472	9,970,814	10.89
2015	331,540	18,691,684	13,265,175	5,426,509	16.37	6,491,032	11,917,541	35.95
2016								
2017								
2018								
2019								

(1) Net revenue available before capital charges

(2) In accordance with the Bond Resolutions, required debt service coverage is 1.10 times

(3) In accordance with the Bond Resolutions, required debt service coverage is 1.25 times

Note: Bonds were paid off during fiscal year 2015.

Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
DEMOGRAPHIC AND ECONOMIC STATISTICS
For the Last Ten Fiscal Years

Fiscal Year	Population (1)			Personal Income (2)		Per Capita Personal Income (2)		Unemployment Rate (3)		
	Town of Jupiter	Village of Tequesta	Town of Juno Beach	Town of Jupiter Inlet Colony	Palm Beach County	Martin County	Palm Beach County	Martin County	Palm Beach County	Martin County
2010	55,156	5,629	3,656	N/A	72,364,755	7,982,685	54,666	54,335	11.3%	11.0%
2011	55,542	5,629	3,181	400	77,585,354	8,562,148	58,027	57,901	10.2%	10.0%
2012	56,337	5,646	3,233	398	84,703,787	9,842,408	62,454	66,044	8.5%	8.3%
2013	56,577	5,652	3,191	401	83,679,890	9,371,873	60,704	61,975	7.1%	7.2%
2014	57,263	5,629	3,194	396	92,842,100	10,666,979	66,218	69,607	5.9%	6.1%
2015	59,108	5,665	3,240	396	100,579,513	11,397,001	70,415	73,189	5.3%	5.3%
2016	60,615	5,699	3,351	411	104,108,093	12,078,164	71,613	76,211	5.0%	5.0%
2017	61,388	5,731	3,400	407	109,973,732	12,650,502	74,754	79,104	4.1%	4.0%
2018	62,100	5,857	3,427	409	118,519,249	13,496,101	79,760	83,873	3.1%	3.0%
2019	62,497	5,850	3,442	406	N/A	N/A	N/A	N/A	3.2%	2.9%

Data Sources:

(1) University of Florida, Bureau of Economic and Business Research.

(2) U.S. Department of Commerce, Bureau of Economic Analysis, Regional Economic Information System.

(3) U.S. Department of Labor Statistics - based on not seasonally adjusted September rates.

N/A - Data not available

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
PRINCIPAL EMPLOYERS
Current Year and Nine Years Ago**

Employer	2019			2010		
	Employees	Rank	Percentage of Total County Employment	Employees	Rank	Percentage of Total County Employment
Palm Beach County						
Palm Beach County School District	21,466	1	2.98%	21,718	1	N/A
Palm Beach County - BOCC	5,952	2	0.83%	11,381	2	N/A
Tenet Coastal Division of Palm Beach County	5,939	3	0.83%	5,127	3	N/A
NextEra Energy/Florida Power & Light	4,404	4	0.61%	3,658	5	N/A
Hospital Corporation of America - HCA	3,550	5	0.49%	4,150	4	N/A
Boca Raton Regional Hospital	2,800	6	0.39%			
Florida Atlantic University	2,644	7	0.37%	2,776	7	N/A
Veterans Health Administration	2,535	8	0.35%	2,205	9	N/A
Bethesda Health, Inc.	2,282	9	0.32%	2,300	8	N/A
Office Depot (Headquarters)	2,034	10	0.28%	-		
Wackenhut Corporation				3,000	6	N/A
Boca Raton Resort & Club				2,200	10	N/A
Totals	<u>53,606</u>			<u>58,515</u>		
Martin County						
Cleveland Clinic Martin County Health System	2,700	1	3.46%			
Martin County School District	2,441	2	3.12%	2,456	2	3.91%
Martin County Government	1,048	3	1.34%	1,575	3	2.51%
Seacoast Banking Corporation of Florida	805	4	1.03%			
Publix Supermarkets	708	5	0.91%	1,168	4	1.86%
NuCo2	700	6	0.90%			
GL Staffing Services	700	7	0.90%			
Armellini Industries	650	8	0.83%			
Visiting Nurses Association of Florida	600	9	0.77%			
Treasure Coast Hospices	500	10	0.64%			
Martin Memorial Health Systems				2,700	1	4.29%
State of Florida				653	5	1.04%
Old Cell Phone				450	6	0.72%
Home Depot				400	7	0.64%
Walmart Super Center				390	8	0.62%
Winn-Dixie Stores				382	9	0.61%
Turbocombustor Technology, Inc.				374	10	0.59%
Totals	<u>10,852</u>			<u>10,548</u>		

Source: Palm Beach County data from Business Development Board of Palm Beach County. Data is for Palm Beach County. Martin County 2019 employer data is from the Business Development Board of Martin County. Martin County 2010 data is from Martin County.

N/A: Data is not available.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
FULL-TIME EQUIVALENT EMPLOYEES BY FUNCTION
For the Last Ten Fiscal Years

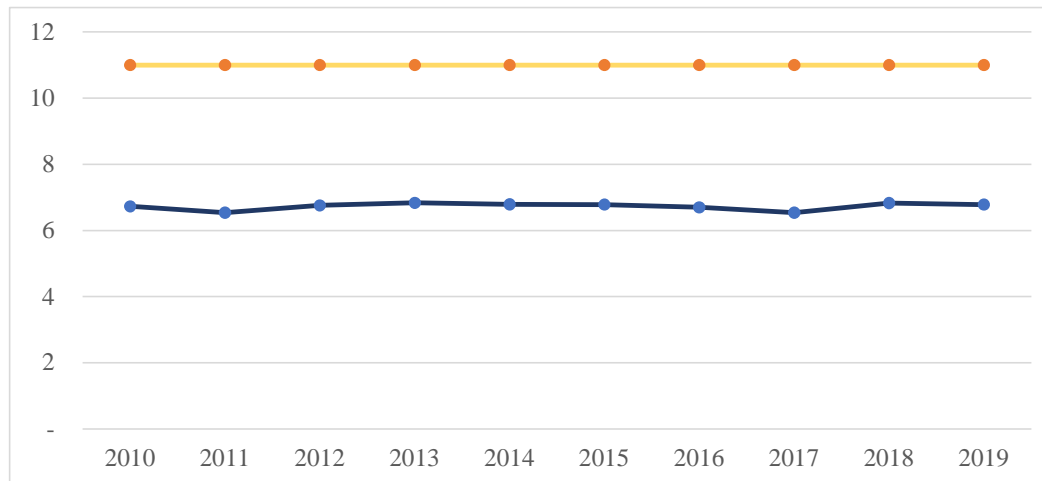
Function	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Executive	3	3		3	3	3	4	4	4	4
Finance	8	8		8	8	8	7	7	7	6
Public Education	2	2		2	3	3	3	3	3	3
WildPine Lab	7	7		7	7	7	7	7	7	7
Customer Service						4	4	4	4	4
Information Technology						4	4	4	4	4
Engineering and Inspection	8	8		9	9	8	8	9	9	10
Construction	5	5		6	6	7	7	6	6	6
Operations Administration	8	8		9	9	3	4	4	3	3
Collection and Transmission	12	12		12	13	13	11	11	11	11
Treatment and Disposal	18	17		16	16	16	17	18	19	19
Reuse	2	2		2	2	2	2	2	2	2
Bio-Solid	2	2		2	2	2	2	2	2	2
Total	75	74	74	76	78	80	80	81	81	81

Source: Loxahatchee River Environmental Control District

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT SCHEDULE OF WASTEWATER TREATMENT CAPACITY For the Last Ten Fiscal Years

Fiscal Year Ended September 30,	Permitted Plant Treatment Capacity (MGD)	Average Daily Flow (MGD)	Max Daily Flow (MGD)	Annual Influent Treated (MGD)	Percent Capacity
2010	11	6.73	8.35	2,456.22	61%
2011	11	6.54	7.80	2,388.66	59%
2012	11	6.76	11.15	2,474.64	62%
2013	11	6.84	10.21	2,497.59	62%
2014	11	6.79	8.55	2,479.42	62%
2015	11	6.78	8.76	2,473.96	62%
2016	11	6.70	9.89	2,453.35	61%
2017	11	6.54	8.30	2,386.16	59%
2018	11	6.83	9.35	2,492.55	62%
2019	11	6.78	8.70	2,475.53	62%

MGD = Millions of gallons per day.



Source: Loxahatchee River Environmental Control District

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
CAPITAL AND INFRASTRUCTURE STATISTICS
For the Last Ten Fiscal Years**

Fiscal Year Ended September 30,	Low Pressure Main (miles)	Force Main (miles)	Gravity Sewer (miles)	Irrigation Quality (miles)	Number of Lift Stations	Number of Manholes
2010						
2011						
2012						
2013						
2014						
2015						
2016						
2017						
2018	27.00	102.50	294.00	26.70	227	7,954
2019	27.00	102.50	294.00	26.70	227	7,954

Infrastructure information is provided by the District's Geographical Information System.

* Information is not available for prior years.

COMPLIANCE SECTION

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND
OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS

To the Governing Board
Loxahatchee River Environmental Control District
Jupiter, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Loxahatchee River Environmental Control District, as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the Loxahatchee River Environmental Control District's basic financial statements, and have issued our report thereon dated December XX, 2019.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Loxahatchee River Environmental Control District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Loxahatchee River Environmental Control District's internal control. Accordingly, we do not express an opinion on the effectiveness of the Loxahatchee River Environmental Control District's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Loxahatchee River Environmental Control District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

West Palm Beach, Florida
December XX, 2019

INDEPENDENT AUDITOR’S MANAGEMENT LETTER
REQUIRED BY CHAPTER 10.550, RULES OF THE STATE OF
FLORIDA, OFFICE OF THE AUDITOR GENERAL

To the Governing Board
Loxahatchee River Environmental Control District
Jupiter, Florida

Report on the Financial Statements

We have audited the financial statements of the Loxahatchee River Environmental Control District (the “District”), as of and for the fiscal year ended September 30, 2019, and have issued our report thereon dated December XX, 2019.

Auditor’s Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor’s Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* and Independent Accountant’s Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated March 15, 2019, should be considered in conjunction with this Management Letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding financial audit report. There were no findings or recommendations in the prior year that required corrective actions.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this Management Letter, unless disclosed in the notes to the financial statements. This information is disclosed in Note 1 to the financial statements.

Financial Condition and Management

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and communicate the results of our determination as to whether or not the District met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the District did not meet any of the conditions described in Section 218.503(1), Florida Statutes, as of and for the year ended September 30, 2018.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the District. It is management's responsibility to monitor the District's financial condition, and our financial condition assessment was based in part on representations made by management and review of financial information provided by same. Our assessment was done as of the fiscal year end. The results of our procedures did not disclose any matters that are required to be reported.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Special District Component Units

Section 10.554(1)(i)5.c, Rules of the Auditor General, requires, if appropriate, that we communicate the failure of a special district that is a component unit of a county, municipality, or special district, to provide the financial information necessary for proper reporting of the component unit, within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. In connection with our audit, we did not note any special district component units that failed to provide the necessary information for proper reporting in accordance with Section 218.39(3)(b), Florida Statutes.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

Single Audits

The District expended less than \$750,000 of federal awards and less than \$750,000 of state financial assistance for the year ended September 30, 2019, and was not required to have a federal single audit or a state single audit.

Purpose of this Letter

Our Management Letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Governing Board, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

West Palm Beach, Florida
December XX, 2019

INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH SECTION 218.415, FLORIDA STATUTES

To the Governing Board
Loxahatchee River Environmental Control District
Jupiter, Florida

We have examined the Loxahatchee River Environmental Control District's compliance with Section 218.415, Florida Statutes during the year ended September 30, 2019. Management of the Loxahatchee River Environmental Control District is responsible for the Loxahatchee River Environmental Control District's compliance with the specified requirements. Our responsibility is to express an opinion on the Loxahatchee River Environmental Control District's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Loxahatchee River Environmental Control District complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Loxahatchee River Environmental Control District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgement, including an assessment of the risk of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Our examination does not provide a legal determination on the Loxahatchee River Environmental Control District's compliance with the specified requirements.

In our opinion, the Loxahatchee River Environmental Control District complied, in all material respects, with Section 218.415, Florida Statutes for the year ended September 30, 2019.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and Florida House of Representatives, the Florida Auditor General, applicable management, and the Governing Board, and is not intended to be and should not be used by anyone other than these specified parties.

West Palm Beach, Florida
December XX, 2019

Item 6C

The Busch Wildlife Sanctuary License Agreement will be presented at a later Board Meeting.

Item 6D

The Sonoma Isles IQ Agreement will be presented at a later Board Meeting.

Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

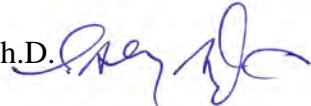
2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • www.loxahatcheeriver.org



D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: GOVERNING BOARD
FROM: D. ALBREY ARRINGTON, Ph.D. 
DATE: DECEMBER 12, 2019
SUBJECT: PROPOSED REVISIONS TO CHAPTER 31-13 REGULATION OF SEWER USE

The District's Chapter 31-13 Regulation of Sewer Use Rule is commonly referred to as our "Sewer Use Ordinance" and/or our "Industrial Pretreatment Ordinance" by regulatory agencies such as EPA and DEP. We last revised Chapter 31-13 in 2011. At that time, we carefully revised our Chapter 31-13 to conform to the EPA Model Pretreatment Ordinance. This month, we are bringing a comprehensive revision of Chapter 31-13 Regulation of Sewer Use for your review.

The two most substantive revisions to Chapter 13-13 are incorporation of

1. EPA's Resource Conservation and Recovery Act Hazardous Waste Pharmaceuticals Final Rule (40 CFR section 266.505; effective February 22, 2019) that prohibits flushing or pouring down the drain of hazardous waste pharmaceuticals by healthcare facilities and reverse distributors; and
2. EPA's Dental Amalgam Rule (i.e., The Effluent Limitations Guidelines and Standards for the Dental Category; 40 CFR Part 441). This EPA rule was incorporation into state statute by reference (i.e., 62-625.110(3) FAC) on May 23, 2018.

While these Federal statutes have not yet been incorporated into the State of Florida Model Pretreatment Ordinance, given the timing and importance of these new regulations, we have revised Chapter 31-13 to comport with these Federal Statutes promulgated by EPA. Prohibitions of flushing hazardous waste pharmaceuticals are addressed in Section 1.4 Definitions and Section 2.1 Prohibited Discharge Standards. The Dental Amalgam Rule requirements are addressed in Section 1.4 Definitions and Section 3.3 Dental Facilities that Remove or Place Amalgam Fillings. Additional sections were revised to improve overall clarity, to provide reference to Chapter 119 F.S. (public records requirements), and to improve conformity with the State of Florida Model Pretreatment Ordinance.

Deveyand Dave, LRD's Industrial Pretreatment Coordinator, has spent a considerable amount of time communicating with DEP regarding our proposed revisions of Chapter 31-13. Over the next month, we will seek DEP review and approval our draft revised rule.

No Board action is being sought this month. Rather, this month we wanted to provide the DRAFT revised rule for review by you and the public. Staff anticipate bringing a final draft of Chapter 31-13 Regulation of Sewer Use to the Board for approval in January 2020.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

CHAPTER 31-13 REGULATION OF SEWER USE



2500 Jupiter Park Drive
Jupiter, Florida 33458
Palm Beach County
Latitude: 26° 55' 27.32" N Longitude: 80° 08' 22.91" W

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SECTION 1 - GENERAL PROVISIONS

1.1. Purpose and Policy

This Rule sets forth uniform requirements for Users of the Publicly Owned Treatment Works (POTW) for the area serviced by the Loxahatchee River Environmental Control District (DISTRICT, the District) and enables the District to comply with all applicable State and Federal laws, including (33 United States Code [U.S.C.] section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403 and Chapter 62-625 Florida Administrative Code [F.A.C.]. The objectives of this Rule are:

- A. To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW, including interference with its use or disposal of municipal biosolids [40 CFR 403.2(a)];
- B. To prevent the introduction of pollutants into the POTW which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
- C. To ensure that the quality of the wastewater treatment plant biosolids is maintained at a level that allows its use and disposal in compliance with applicable statutes and regulations;
- D. To protect POTW personnel who may be affected by wastewater and biosolids in the course of their employment and to protect the general public; and
- E. To improve the opportunity to recycle and reclaim wastewater and biosolids from the POTW.
- F. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- G. To enable the District to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, biosolids use, and disposal requirements, and any other Federal or State laws to which the wastewater treatment plant is subject.

This Rule shall apply to all Users of the POTW, and requires compliance with Chapter 62-625, F.A.C. of all such Users. The Rule authorizes the issuance of wastewater discharge permits; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the District Executive Director shall administer, implement, and enforce the provisions of this Rule. Any powers granted to or duties imposed upon the Executive Director may be delegated to other duly authorized District personnel. Whenever the Executive Director is authorized to take any action or make any decisions pursuant to the District's Rules, the District's duly

authorized representatives, agents and employee shall have similar authority in the Executive Director's stead.

It is anticipated this document will need periodic review and updating to keep current with changing regulations. However, the basic procedural information and methods of implementation should remain valid.

1.3 Abbreviations

The following abbreviations shall have the designated meanings:

- ASPP - Accidental Spill Prevention Plan
- BOD - Biochemical Oxygen Demand
- BMP – Baseline Monitoring Practice
- BMR – Baseline Monitoring Report
- CFR - Code of Federal Regulations
- CIU – Categorical Industrial User
- COD - Chemical Oxygen Demand
- DISTRICT - Loxahatchee River Environmental Control District
- EPA - U.S. Environmental Protection Agency
- F.A.C. – Florida Administrative Code
- FDEP – Florida Department of Environmental Protection
- F.S. – Florida Statutes
- GPD - gallons per day
- IU – Industrial User
- MDL – Method Detection Limit
- mg/l - milligrams per liter
- NPDES - National Pollutant Discharge Elimination System
- NSCIU – Non-Significant Categorical Industrial User
- O&M - Operation and Maintenance
- POTW - Publicly Owned Treatment Works
- RCRA - Resource Conservation and Recovery Act
- SIC - Standard Industrial Classifications
- SIU – Significant Industrial User
- SWDA - Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)
- TRC – Technical Review Criteria
- TSS - Total Suspended Solids
- USC or U.S.C. - United States Code
- WWF – Wastewater Facility

1.4 Definitions

Except as discussed below, the general definitions set forth in the enabling legislation of the District, Chapter 71-822, Laws of Florida, as amended, and as set forth in chapter 31, Florida Administrative Code shall apply to this Rule. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Rule, shall have the meanings hereinafter designated.

1. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

2. Amalgam separator. a device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.

3. Amalgam waste. Non-contact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices; used amalgam capsules; and leaking or unusable amalgam capsules.

4. ANSI/ADA Standard No. 108. The American National Standards Institute and American Dentistry association standard for amalgam separators.

5. Applicable Pretreatment Standards. For any specified pollutant, District prohibitive standards, District specific pretreatment standards (local limits), State of Florida pretreatment standards, or EPA's Categorical Pretreatment Standards (when effective), whichever standard is appropriate or most stringent.

63. Approval Authority. Designated as the State of Florida (due to Florida having an EPA approved pretreatment program)

74. Authorized Representative of the User.

(1) If the User is a corporation:

(a) A president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively;

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

(4) The individuals described in paragraphs 1 through 3 above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

85. Best Management Practices (BMPs). means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in subsections 62-625.400(1)(a) and (2), F.A.C. BMP's include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

96. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° degrees Celsius, usually expressed as a concentration [milligrams per liter (mg/l)].

107. Bypass. The intentional diversion of wastewater streams from any portion of a User's treatment facility.

118. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

129. Chemical Oxygen Demand (COD). A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

1340. Categorical User (CU) or Categorical Industrial User (CIU). A User regulated by one of EPA's Categorical Pretreatment Standards

1444. Color. The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

1542. Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

1643. Control Authority: The Loxahatchee River Environmental Control District (District).

1744. Cooling Water/Non-Contact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

1845. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

1946. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

2047. Discharge. The introduction of pollutants or other material or substance into the POTW from any from any nondomestic source regulated under Chapter 403, F.S.

21. Domestic User (Residential User). Any person who contributes, causes, or allows the contribution of wastewater into the District POTW that is of a similar volume and/or chemical make-up to that of a residential dwelling unit. Discharges from a residential dwelling unit typically include up to 100 gallons per capita per day, 0.17 pounds of BOD per capita per day, and 0.2 pounds of TSS per capita per day.

2248. Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency.

2349. Existing Source. Any source of discharge that is not a “New Source.”

2420. Existing User. Any non-categorical User which was discharging wastewater prior to the effective date of this Rule.

2524. Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

2622. Hazardous Waste Pharmaceutical. A pharmaceutical that is a solid waste, as defined in Title 40 of the Code of Federal Regulations (40 CFR) section 261.2, and exhibits one or more characteristics identified in 40 CFR part 261 subpart C or is listed in 40 CFR part 261 subpart D.

27. Healthcare Facility. Any person that is lawfully authorized to:

(1) Provide preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, service, assessment or procedure with respect to the physical or mental condition, or functional status, of a human or animal or that affects the structure or function of the human or animal body; or

(2) Distribute, sell, or dispense pharmaceuticals. This definition includes, but is not limited to, wholesale distributors, third-party logistics providers that serve as forward distributors, military medical logistics facilities, hospitals, psychiatric hospitals, ambulatory surgical centers, health

clinics, physicians' offices, optical and dental providers, chiropractors, long-term care facilities, ambulance services, pharmacies, long-term care pharmacies, mail-order pharmacies, retailers of pharmaceuticals, veterinary clinics, and veterinary hospitals.

Healthcare facility does not include pharmaceutical manufacturers.

28. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source.

~~23. Wastewater Discharge Permit. An authorization or equivalent control document issued by the District to Users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this Rule.~~

2924. Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

3025. Interference. A discharge which alone or in conjunction with a discharge or discharges from other sources, either:

(1) Inhibits or disrupts the POTW, its treatment processes or operations;

(2) Inhibits or disrupts its biosolids processes, use or disposal; or

(3) Is a cause of a violation of the District's NPDES permit or of the prevention of sewage biosolids use or disposal in compliance with any of the following statutory/ regulatory provisions or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource

Conservation and Recovery Act (RCRA); any State regulations contained in any State biosolids management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

31. ISO 11143. The International Organization for Standardization's standard for amalgam separators.

3226. Local Limit(s). Specific discharge limit(s) developed and enforced by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in subsections 62-625.400(1)(a) and (2), F.A.C. Refer to Sections 2.1 A and B for a list of prohibitions.

3327. Medical Wastes. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

3428. Method Detection Limit. An estimate of the minimum amount of a substance that an analyte process can reliably detect. An MDL is analyte-specific and matrix-specific and is laboratory dependent.

35. Monthly Average. The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

3629. Monthly Average Limit. The highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

3730. New Source.

(1) Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed categorical pretreatment standards under Section 307 of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin as part of a continuous on-site construction program

(i) Any placement, assembly, or installation of facilities or equipment; or

(ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and

contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

3834. New User. A "new User" is a User that is not regulated under federal categorical pretreatment standards but that applies to the District for a new building permit or occupies an existing building and plans to commence discharge of wastewater to the District's collection system after the effective date of this Rule. Any person that buys an existing facility that is discharging non-domestic wastewater will be considered an "existing User" if no significant changes are made in the manufacturing operation.

3932. Non-contact Cooling Water. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

40.- Non-significant categorical industrial User (NSCIU). Means an industrial User that discharges 100 gallons per day (gpd) or less of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and:

- (a) Has consistently complied with all applicable categorical pretreatment standards and requirements;
- (b) Annually submits the certification statement required in subsection 62-625.600(17), F.A.C., together with any additional information necessary to support the certification statement; and
- (c) Never discharges any untreated categorical process wastewater.

4133. North American Industry Classification System (NAICS). Groups together and identifies establishments that use the same or similar processes to produce goods or services. Developed jointly by the U.S., Canada, and Mexico to provide comparable statistics about business activity across North America. NAICS has replaced and supersedes the U.S. Standard Industrial Classification (SIC) system.

NAICS		SIC	
2-digit	Sector	Division	Letter
3-digit	Subsector	Major Group	2-digit
4-digit	Industry Group	Industry Group	3-digit
5-digit	NAICS Industry	Industry	4-digit
6-digit	National	N/A	N/A

NAICS vs. SIC: Structure and Nomenclature

4234. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a

cause of a violation of any requirement of the District's NPDES permit (including an increase in the magnitude or duration of a violation).

4335. Permittee. A person or User issued a wastewater discharge permit.

4436. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, or local governmental entities.

4537. pH. A measure of the acidity or alkalinity of a substance, expressed in standard units.

4638. Pharmaceutical. Any drug or dietary supplement for use by humans or other animals; any electronic nicotine delivery system (e.g., electronic cigarette or vaping pen); or any liquid nicotine (e-liquid) packaged for retail sale for use in electronic nicotine delivery systems (e.g., pre-filled cartridges or vials). This definition includes, but is not limited to, dietary supplements, as defined by the Federal Food, Drug and Cosmetic Act; prescription drugs, as defined by Title 21 of the Code of Federal Regulations part 203.3(y); over-the-counter drugs; homeopathic drugs; compounded drugs; investigational new drugs; pharmaceuticals remaining in non-empty containers; personal protective equipment contaminated with pharmaceuticals; and clean-up material from spills of pharmaceuticals. Pharmaceutical does not include dental amalgam or sharps.

47. Plant Superintendent. The person designated by the District to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Rule. The term also means a Duly Authorized Representative of the District.

4839. Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage biosolids, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and the characteristics of the wastewater [i.e., pH, temperature, TSS, turbidity, color, BOD, Chemical Oxygen Demand (COD), toxicity, or odor].

4940. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means (except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard).

5041. Pretreatment Requirement. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a pretreatment standard.

5142. Pretreatment Standards or Standards. Prohibited discharge standards, categorical pretreatment standards, and local limits and/or BMPs established by the District/POTW.

5243. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances, which appear in Sections 2.1 (A) and (B) of this Rule.

5344. Publicly Owned Treatment Works (POTW). A "treatment works," as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the District. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant. The term also means the District.

5445. Removal. A reduction in the amount of a pollutant in the POTW's effluent or alteration of the nature of a pollutant during treatment at the POTW. The reduction or alteration can be obtained by physical, chemical, or biological means and may be the result of specifically designed POTW capabilities or may be incidental to the dilution of a pollutant in the POTW.

5546. Reverse Distributor. Any person that receives and accumulates prescription pharmaceuticals that are potentially creditable hazardous waste pharmaceuticals for the purpose of facilitating or verifying manufacturer credit. Any person, including forward distributors, third-party logistics providers, and pharmaceutical manufacturers, that processes prescription pharmaceuticals for the facilitation or verification of manufacturer credit is considered a reverse distributor.

56. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

5747. Severe Property Damage. Substantial physical damage to property that causes the property to become inoperable, or substantial and permanent loss of natural resources. Severe property damage does not mean economic loss caused by delays in production.

58. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.)

5948. Sewer. Any pipe, conduit ditch, or other device used to collect and transport sewage from the generating source.

6049. Shall, May. "Shall" is mandatory, "may" is permissive.

6150. Significant Industrial User (SIU).

(1) A User subject to categorical pretreatment standards; or

(2) A User that:

(a) Discharges an average of 25,000 GPD or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater); or

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(3) Upon a finding that a User meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any applicable pretreatment standard or requirement, the District may at any time, on its own initiative or in response to a petition received from a User and in accordance with procedures in paragraph 62-625.500(2)(e), F.A.C. determine that such User should not be considered a significant industrial User.

~~6254.~~ Significant Non-Compliance ("SNC"). For the purposes of this provision, a User is in significant non-compliance if its violation meets the criteria specified in Section 9 of this Rule.

~~6352.~~ Slug Load. Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in Section 2.1 through 2.4 of this Rule or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

~~6453.~~ Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

~~6554.~~ State. The State of Florida or an agency within the state government having relevant jurisdiction.

~~66.~~ Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

~~6755.~~ Total Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

~~6856.~~ Treatment Plant Effluent. The discharge from the POTW into waters of the United States.

~~6957.~~ Upset. An exceptional incident in which there is unintentional and temporary non-compliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the User.

~~70.~~ User or Industrial User (IU). A source of ~~indirect~~ discharge.

~~7158.~~ Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

~~7223.~~ Wastewater Discharge Permit. An authorization or equivalent control document issued by the District to Users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this Rule.

~~7359.~~ Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste. The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

SECTION 2 - GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards

A. General Prohibitions: No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

B. Specific Prohibitions: No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flash point of less than 140° F (60° C) using the test methods specified in 62-730, F.A.C;
- (2) Wastewater having a pH less than 5.0 or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment;
- (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference; such as, but not limited to, ashes, bones, cinders, sand, mud, grass clippings, straw, spent grains, spent lime, stone or marble dusts, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, hide or fleshings, entrails and paper dishes, cups, milk containers, either whole or ground garbage grinders, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, or glass grinding or polishing wastes.
- (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Pass Through or Interference with the POTW;
- (5) Wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° F (40° C);
- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (8) Any trucked or hauled pollutants, except at discharge points designated by the District in accordance with section 3.4 of this Rule. All industrial or septic waste haulers shall

have a discharge permit issued by the Palm Beach County Health Unit or Martin County Health Unit. No hauled load may be discharged without prior written consent from the District. Samples may be collected from each load to ensure compliance with applicable standards. The hauler may be required to provide waste analysis of any load prior to discharge. The hauler must provide a waste tracking form for every load. The form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, volume and characteristics of waste. This form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are Resource Conservation and Recovery Act (RCRA) hazardous wastes.

(9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life or health, or to prevent entry into the sewers for maintenance or repair;

(10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;

(11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;

(12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the District;

(13) Any sludge, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes;

(14) Medical wastes, except as specifically authorized by the District;

(15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

(16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;

(17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100.0 mg/l;

(18) Any substance which will cause the POTW to violate its NPDES and/or other disposal system permits.

(19) Any hazardous wastes as defined in rules published by the State of Florida or in 62-730, F.A.C.

(20) Any hazardous waste pharmaceutical from a healthcare facility or reverse distributor.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 National Categorical Pretreatment Standards

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

A. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the District may impose equivalent concentration or mass limits in accordance with requirements specified in subsection 62-625.410(4), F.A.C..

B. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the District may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Users, in accordance with requirements specified in subsection 62-625.410(4), F.A.C..

C. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the District shall impose an alternate limit in accordance with 62-625.410(6), F.A.C.

2.3 State Requirements

State requirements and limitations on discharges to the POTW shall be met by all Users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this Rule or in other applicable Rules, regulations or ordinances.

2.4 Local Limits

A. The District is authorized to establish Local Limits pursuant to 62-625.411(3) F.A.C.

(1) No person shall discharge wastewater containing pollutants in excess of the local limits for those pollutants which have been established for the Loxahatchee River District's POTW using standard procedures, calculations and methods acceptable to FDEP to protect against pass through, interference, protection of POTW employees, and adverse effects on wastewater residuals disposal. No User shall discharge process waste streams, unregulated waste streams, or dilute waste streams in excess of the concentrations set forth by the District. Local limits shall be included as permit conditions and attached to each SIU wastewater permit issued.

(2) Established local limits are subject to change and shall be modified as needed based on regulatory requirements and standards, POTW operation, performance and processes, the User base, potable water quality and domestic wastewater characteristics. Modifications to the established local limits must be reviewed and approved by FDEP prior to implementation. Implementation shall be effective 30 days from notice of acceptance of the modified limits by FDEP. Permitted SIUs shall also be issued an addendum to their wastewater discharge permit containing the new local limits.

B. The following pollutant limits are established to protect against Pass Through and Interference. No User shall discharge wastewater containing in excess of the following Instantaneous Limits:

0.24 mg/l arsenic
400 mg/l BOD5
0.18 mg/l cadmium
2.67 mg/l chromium
16.3 mg/l copper
0.64 mg/l cyanide
3.30 mg/l lead
0.41 mg/l mercury
0.27 mg/l molybdenum
1.94 mg/l nickel
0.34 mg/l selenium
4.44 mg/l silver
1.66 mg/l zinc
400 mg/l total suspended solids
100 mg/l Fats, oils and grease
< 5.5 pH
> 9.5 pH
150° F Temperature

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The District may impose mass limitations in addition to the concentration--based limitations above. Where a User is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment standard shall apply.

C. The District may develop Best Management Practices (BMPs), by rule or in individual wastewater discharge permits, to implement Local Limits and the requirements of Section 2.1.

2.5 District's Right of Revision

The District reserves the right to establish, by Rule or in industrial wastewater discharge permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this Rule.

2.6 Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with an applicable pretreatment standard or requirement unless expressly authorized by an applicable pretreatment standard or requirement. The District may impose mass limitations on Users which it believes may be using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate.

SECTION 3—PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide necessary wastewater treatment as necessary to comply with this Rule and shall achieve compliance with all applicable Pretreatment Standards, Local Limits, and the prohibitions set out in Section 2.1 of this Rule within the time limitations specified by the EPA, the State of Florida, or the District, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying such facilities as necessary to produce discharge acceptable to the District under the provisions of this Rule.

3.2 Additional Pretreatment Measures

A. Whenever deemed necessary, the District may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Rule.

B. The District may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.

C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand, except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the District Engineer and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the User at the User's expense. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of

disposal which are subject to review by the District. Any removal and hauling of the collected materials not performed by the owner must be performed by licensed waste disposal firms.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

E. When a property's discharge may be injurious to the District's systems or may violate the Rules of the District, the owner of any property serviced by a building sewer carrying wastes shall, at the request of the District, install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the District. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

F. The District may require a User or an owner of sewer services to provide access for inspection of the User's or owner's records and making copies thereof, and to provide information needed to determine compliance with this Rule. These requirements may include:

- (1~~a~~) Wastewaters discharge peak rate and volume over a specified time period;
- (b~~2~~) Chemical analyses of Wastewaters;
- (e~~3~~) Information on raw materials, processes, and products affecting wastewater volume and quality;
- (4~~d~~) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
- (5~~e~~) A plot plan of sewers on the User's or owner's property showing sewer and pretreatment facility location;
- (6~~f~~) Details of wastewater pretreatment facilities;
- (7~~g~~) Details of systems to prevent and control the losses of materials through spills to any District sewer.

3.3 Dental Facilities that Remove or Place Amalgam Fillings

A. All owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following reporting and waste management practices:

- (1) For dental facilities whose first discharge to the POTW occurred on or before January 16, 2020 the One-Time Compliance Report is due no later than October 12, 2020 or no later than 90 days after transfer of ownership.
- (2) For dental facilities whose first discharge to the POTW occurred after January 16, 2020, the One-Time Compliance Report is due within 90 days of the start of discharge to the sewer collection system.
- (3) No person shall rinse chairside traps, vacuum screens, or amalgam separators equipment in a sink or other connection to the sanitary sewer.
- (4) Owners and operators of dental facilities shall ensure that all staff members who handle amalgam waste are trained in the proper handling, management and disposal of mercury-containing material and fixer-containing solutions and shall maintain training records that shall be available for inspection by the District during normal business hours.

- (5) Amalgam waste shall be stored and managed in accordance with the instructions of the recycler or hauler of such materials.
- (6) Bleach and other chlorine-containing disinfectants shall not be used to disinfect the vacuum line system.
- (7) The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is permitted.

B. All owners and operators of dental vacuum suction systems, except as set forth in subsections (d) and (e) of this section, shall comply with the following:

- (1) An ISO 11143 or ANSI/ADA Standard No. 108 certified amalgam separator or equivalent device shall be installed for each dental vacuum suction system on or before July 14, 2020; provided, however, that all dental facilities that are newly constructed on and after the effective date of this Rule shall include an installed ISO 11143 or ANSI/ADA Standard No. 108 certified amalgam separator device. The installed device must be ISO 11143 or ANSI/ADA Standard No. 108 certified as capable of removing a minimum of 95 percent of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.
- (2) Proof of certification and installation records shall be submitted to the District within 30 days of installation.
- (3) Amalgam separators shall be maintained in accordance with manufacturer recommendations. Installation, certification, and maintenance records shall be available for immediate inspection upon request therefor by the District during normal business hours. Records shall be maintained for a minimum of three years.

C. Facilities with vacuum suction systems that meet all the following conditions may apply to the District for an exemption to the requirements of subsection (c) of this section:

- (1) The system is a dry vacuum pump system with an air-water separator.
- (2) The sedimentation tank is non-bottom draining, with the drain above the anticipated maximum level of accumulated sludge.
- (3) Evidence of regular pump outs by a licensed hauler (a minimum of once a year, or more often if either directed by the manufacturer or necessary to keep solids from exiting through the drain) is maintained and open to inspection by the District during normal business hours.
- (4) The system has no direct discharge pipe to the sewer on the bottom of the sedimentation tank.

An owner or operator whose facility meets conditions (1) through (4) may apply for this exemption by written letter to the District. The District will review the system and, if the exemption is approved, shall provide a written letter of exemption.

An exemption obtained pursuant to this subsection (d) shall expire upon installation of a new vacuum system. Upon expiration of the exemption, the facility shall comply with subsection (c) of this section before commencing further operation.

D. Dental dischargers that exclusively practice one or more of the following specialties are not subject to the requirements of this section: (1) Orthodontics; (2) Periodontics; (3) Oral and maxillofacial surgery; (4) Radiology; (5) Oral pathology or oral medicine; (6) Endodontistry and prosthodontistry.

E. Dental practices that do not place dental amalgam, and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, are exempt from the requirements of this part, provided the dental practice:

(1) Submits the following statement to the District, signed by a responsible corporate officer, general partner, proprietor, or a duly authorized representative by the applicable compliance deadline identified in Section 3.3A:

“This facility is a dental discharger subject to this rule and does not place or remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances. I am a responsible corporate officer, a general partner or proprietor (if the facility is a partnership or sole proprietorship), or a duly authorized representative in accordance with the requirements of § 403.12(l) of the above named dental facility, and certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

(2) Removes dental amalgam for limited emergency or unplanned, unanticipated circumstances, less than 48 times per year and as no more than 5% of dental procedures; and

(3) The dental practice notifies the District of any changes affecting the applicability of this certification.

F. Disposal of hauled wastewater from dental facilities to the sanitary sewer must be in accordance with Section 2 General Sewer Use Requirements and Section 3.4 Hauled Wastewater and may be subject to industrial Pretreatment Requirements.

G. Dental dischargers that fail to comply with this section will be considered significant industrial users, and will be subject to the requirements herein, including Section 6 Reporting Requirements, Section 7 Compliance Monitoring, Section 10 Administrative Enforcement Remedies, and/or Section 11 Judicial Enforcement Remedies.

3.4 Accidental Discharge / Slug Discharge Control Plans

The District shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The District may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the District may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

A. Description of discharge practices, including non-routine batch discharges;

B. Description of stored chemicals;

C. Procedures for immediately notifying the District of any accidental or Slug Discharge, as required by Section 4.5 of this Rule; and

D. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

3.4 Hauled Wastewater

Hauled industrial waste may not be introduced to the POTW.

Septic tank waste may be introduced into the POTW only at a designated receiving structure within the treatment plant area, and at such times as are established by the District. Such wastes shall not violate Section 2 of this Rule or any other requirements established or adopted by the District. Discharge permits for individual vehicles to use such facilities are required and shall be issued by the Plant Superintendent.

A. Septic tank waste haulers may only discharge loads at locations specifically designated by the District. No load may be discharged without prior consent of the Plant Superintendent. The on-duty Operator shall collect samples of each hauled load to ensure compliance with applicable pretreatment standards. The District may require the hauler to provide a waste analysis of any load prior to discharge.

B. Septic tank waste haulers will be provided, by the Plant Superintendent, with a waste tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, sources of waste, and volume and characteristics of waste.

C. Fees for dumping hauled wastes are established as part of the District's Chapter 31-10 Schedule of Rates, Fees, and Charges.

SECTION 4 – INDIVIDUAL WASTEWATER DISCHARGE PERMITS

4.1 Wastewater Analysis

When requested by the District, a User must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Plant Superintendent is authorized to prepare a form for this purpose and may periodically require Users to update this information.

4.2 Individual Wastewater Discharge Permit Requirement

A. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the District, except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this Rule may continue to discharge for the time period specified therein.

B. The District may require other Users, including liquid waste haulers, to obtain individual wastewater discharge permits as necessary to carry out the purposes of this Rule.

C. Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this Rule and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 through 12 of this Rule. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

4.3 Individual Wastewater Discharge Permitting: Existing Connections

Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Rule and that wishes to continue such discharges in the future shall, within forty-five (45) days after notification by the District, submit a permit application to the District in accordance with Section 4.5 of this Rule and shall not cause or allow discharges to the POTW to continue after ninety (90) days after the effective date of this Rule except in accordance with an individual wastewater discharge permit issued by the District.

4.4 Individual Wastewater Discharge Permitting: New Connections

Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit, in accordance with Section 4.5 of this Rule, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

4.5 Individual Wastewater Discharge Permit Application Contents

A. All Users required to obtain an individual wastewater discharge permit must submit a permit application. The District uses the State of Florida, Individual Industrial User Survey Application, from its Pretreatment Guidance Manual as a permit application. Categorical Users submitting the following information shall have complied with subsection 62-625.600(1), F.A.C. The District may require Users to submit all or some of the following information as part of a permit application:

(1) Identifying Information.

- a. The name and address of the facility, including the name of the operator and owner.
- b. Contact information, description of activities, facilities, and plant production processes on the premises;

(2) Environmental Permits. A list of any environmental control permits held by or for the facility.

(3) Description of Operations.

- a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
- b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
- d. Type and amount of raw materials processed (average and maximum per day);
- e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(4) Time and duration of discharges;

(5) The location for monitoring all wastes covered by the permit;

(6) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 2.2C (62-625.410(6), F.A.C.).

(7) Measurement of Pollutants.

- a. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
- b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the District, of regulated pollutants in the discharge from each regulated process.
- c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
- d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this Rule. Where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.

e. Sampling must be performed in accordance with procedures set out in Section 6.11 of this Rule.

(8) Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 6.4 B [62-625.600(4)(c)1, F.A.C.].

(9). Any other information as may be deemed necessary by the District to evaluate the permit application.

Incomplete or inaccurate applications will not be process and will be returned to the User for revision.

4.6 Application Signatories and Certifications

A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 6.14 A.

B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the District prior to or together with any reports to be signed by an Authorized Representative.

C. A facility determined to be a Non-Significant Categorical Industrial User by the District pursuant to Section 1.4 (32) must annually submit the signed certification statement in Section 6.14 B [Note: See 62-625.200(25)(c), F.A.C.].

4.7 Individual Wastewater Discharge Permit Decisions

The District will evaluate the data furnished by the User and may require additional information. Within forty-five (45) days of receipt of a complete individual wastewater discharge permit application, the District will determine whether or not to issue a discharge permit. The District may deny any application for any individual wastewater discharge permit.

SECTION 5—INDIVIDUAL WASTEWATER DISCHARGE PERMIT ISSUANCE

5.1 Individual Wastewater Discharge Permit Duration

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the District. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

5.2 Individual Wastewater Discharge Permit Contents

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the District to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate biosolids management and disposal, and protect against damage to the POTW.

A. Industrial wastewater discharge permits must contain:

- (1). A statement that indicates the wastewater discharge permit issuance date, effective date, and expiration date ~~and effective date~~ (in no case more than 5 years);
- (2). A statement that the wastewater discharge permit is non-transferable without prior notification to the District in accordance with Section 5.5 of this Rule, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3). Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- (4). Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on the applicable general pretreatment standards in Section 6.11 and chapter 62-625.500(2)(a)(2)(d), F.A.C., categorical pretreatment standards, local limits, and State and Local laws and;
- (5). The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Section 6.4B.
- (6). A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- (7). Requirements to control Slug Discharge, if determined by the District to be necessary.
- (8). Any grant of the monitoring waiver by the District must be included as a condition in the User's permit (Section 6.4B).

B. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1). Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

- (2). Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (3). Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- (4). Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (5). The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
- (6). Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
- (7). A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and
- (8). Other conditions as deemed appropriate by the District to ensure compliance with this Rule, and State and Federal laws, rules, and regulations.

5.3 Individual Wastewater Discharge Permit Appeals

Any person wishing to appeal a decision of the District may do so to the District's Governing Board.

5.4 Individual Wastewater Discharge Permit Modification

User requests for permit modifications shall be made in writing and include the facts or reasons which support the request. When modifying a permit, the District shall allow a reasonable time frame for the User to comply with the new or changed conditions if the User cannot meet them at the time of modification and if permitted by law. If the new or changed conditions are the result of new or changed pretreatment regulations, those regulations will stipulate the compliance period. The filing of a request by the permittee for an industrial wastewater discharge permit modification does not stay any wastewater discharge permit condition.

The District may modify an individual wastewater discharge permit for good cause including, but not limited to, the following:

- A. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- B. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the District's POTW, personnel, beneficial reuse of biosolids or reclaimed water, or the receiving waters;
- E. Violation of any terms or conditions of the individual wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required report;
- G. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to rule 62-625.700, F.A.C.;
- H. To correct typographical or other errors in the wastewater discharge permit;
- I. To reflect a transfer of the facility ownership and/or operation to a new owner or operator where requested in accordance with Section 5.5; or
- J. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

5.5 Individual Wastewater Discharge Permit Transfer

Wastewater discharge permits may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least ninety (90) days advance notice to the District and the District approves the individual wastewater discharge permit transfer. The notice to the District must include a written certification by the new owner and/or operator that:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit voidable as of the date of facility transfer.

5.6 Individual Wastewater Discharge Permit Revocation

The District may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the District of significant changes to the wastewater prior to a changed discharge;
- B. Failure to provide prior notification to the District of changed conditions pursuant to Section 6.5 of this Rule;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the District timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility;
or
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Rule.

5.7 Individual Wastewater Discharge Permit Reissuance

A User with an expiring individual wastewater discharge permit shall apply for an individual wastewater discharge permit reissuance by submitting a completed individual wastewater discharge permit application, in accordance with Section 4.5 of this Rule, a minimum of ninety (90) days prior to the expiration of the User's existing industrial wastewater discharge permit.

5.8 Regulation of Waste Received from Other Jurisdictions

The District must ensure that discharges received from entities outside its jurisdictional boundaries are regulated to the same extent as are discharges from within its jurisdictional boundaries.

A. If another Special District or municipality, or User located within another Special District or municipality, contributes wastewater to the POTW, the District Governing Board shall authorize execution of an interlocal agreement with the contributing Special District or municipality.

B. Prior to entering into an agreement required by paragraph A, above, the District shall request the following information from the contributing Special District or municipality:

- (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing Special District or municipality;
- (2) An inventory of all Users located within the contributing Special District or municipality that are discharging to the POTW; and
- (3) Such other information as the District may deem necessary.

C. An interlocal agreement, as required by paragraph A, above, shall contain the following conditions:

- (1) A requirement for the contributing Special District or municipality to adopt a sewer use ordinance which is at least as stringent as this Rule and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 2.4 of this Rule. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the District's Rule or Local Limits;
- (2) A requirement for the contributing Special District or municipality to submit a revised User inventory on at least an annual basis;
- (3) A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing Special District or municipality; which of these activities will be conducted by the District; and which of these activities will be conducted jointly by the contributing Special District or municipality and the District;
- (4) A requirement for the contributing Special District or municipality to provide the District with access to all information that the contributing Special District or municipality obtains as part of its pretreatment activities;
- (5) Limits on the nature, quality, and volume of the contributing Special District or municipality's wastewater at the point where it discharges to the POTW;
- (6) Requirements for monitoring the contributing Special District or municipality's discharge;

(7) A provision ensuring the District access to the facilities of Users located within the contributing Special District or municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the District; and

(8) A provision specifying remedies available for breach of the terms of the interlocal agreement.

Nothing in this section shall impair existing Interlocal Agreements.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

Users that become subject to new or revised categorical Pretreatment Standards are required to comply with following reporting requirements even if they have been designated as Non-Significant Categorical Industrial Users.

A. Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 62-625.410(2)(d), F.A.C., whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the District, a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the District a report which contains the information listed in paragraph B, below. ~~Each~~A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. ~~Each~~A New Source ~~also~~ shall give estimates of the information requested in Section B (below) of this Rule~~its anticipated flow and quantity of pollutants to be discharged.~~

B. Users described above shall submit the information set forth below.

(1) All information required in Section 4.5A (1) (a), Section 4.5A (2), Section 4.5A (3) (a), and Section 4.5A (6).

(2) Measurement of pollutants.

a. The User shall provide the information required in Section 4.5 A (7) (a) through (d).

b. The User shall take a minimum of four representative samples to compile that data necessary to comply with the requirements of this paragraph.

c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no

pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 62-625.410(6) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 62-625.410(6) this adjusted limit along with supporting data shall be submitted to the Control Authority;

d. Sampling and analysis shall be performed in accordance with Section 6.11;

e. The District may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

(3) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 1.4(4) and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

(4) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 6.2 of this Rule.

(5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 6.14 A of this Rule and signed by an Authorized Representative as defined in Section 1.4(4).

6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.1(B)(4) of this Rule.

A. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

B. No increment referred to in paragraph (A) of this section shall exceed nine (9) months.

C. The User shall submit a progress report to the District no later than fourteen (14) days following each date in the schedule and the final date for compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for delay, and, if appropriate, the steps being taken by the User to return to the established schedule.

D. In no event shall more than 9 months elapse between such progress reports.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the District, a report containing the information described in Section 4.5A(6) and (7) and 6.1(B)(2) of this Rule.

For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Sections 4.5 and 6.1(2)(b), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 6.14(A) of this Rule. All sampling will be done in conformance with Section 6.11 of this Rule.

6.4 Periodic Compliance Reports for Categorical Industrial Users

All SIUs are required to submit periodic compliance reports even if they have been designated a Non-Significant Categorical Industrial User.

A. Any CIU, except an NSCIU, after the compliance date of such pretreatment standard, or, in the case of a new source, after the commencement of the discharge into the POTW, shall submit to the District during the months of June and December, unless required more frequently in the pretreatment standard or by the District in accordance with section 6.4 D of this Rule, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported in section 6.1 B(4) of this Rule. In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the IU shall submit documentation required by the District or the pretreatment standard necessary to determine the compliance status of the IU. The IU may request submission of this report in months other than June and December, if based on such factors as local high or low flow rates, holidays, or budget cycles, the alternate dates more accurately represent actual operating conditions. All Significant Industrial Users must, at a frequency determined by the District submit no less than twice per year (June and December)

~~reports indicating that nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard required compliance with a Best Management Practice or pollution prevention alternative, the User must submit documentation required by the District or the Pretreatment Standard necessary to determine the compliance status of the User.~~

B. The District may authorize a CIU to waive sampling of a pollutant regulated by a categorical pretreatment standard if the CIU demonstrates the following through sampling and other technical factors: an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User.

(1) The pollutant is neither present nor expected to be present in the discharge, or the pollutant is present only at background levels from intake water and without any increase in the pollutant due to activities of the CIU; and

(2) The pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.

C. This authorization of the monitoring waiver is subject to the following conditions and does not supersede certification processes and requirements established in categorical pretreatment standards, except as specified in the categorical pretreatment standard is subject to the following conditions:

~~(1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.~~

(12) The monitoring waiver is valid only for the duration for the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The CIU~~ser~~ must submit a new request for the waiver before the waiver can be granted for each subsequent wastewater discharge permit.

(23) In making a demonstration that a pollutant is not present, the ~~Industrial User~~CIU must provide data from at least four samplings of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes. -Non-detectable sample results may only be used as a demonstration that a pollutant is not present if FDEP's approved method from Rule 62-4.246, F.A.C., with the lowest MDL for that pollutant was used in the analysis;

(34) The request for a monitoring waiver must be signed in accordance with Section 1.4(4) and include the certification statement in Section 6.14A.

~~(5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.~~

~~(46) The authorization must be included as a condition in the CIU's permit. Any grant of the monitoring waiver by the District must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User-CIU in its request for the waiver must be maintained by the District for 3 years after expiration of the waiver.~~

~~(57) Upon approval of the monitoring waiver and revision of the CIU's individual wastewater discharge permit by the District, the CIU-Industrial User must certify each report with the statement in Section 6.14(C) above of this Rule, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.~~

~~(8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the CIU's operations, the CIU must immediately notify the District and comply: Comply with the monitoring requirements of Section 6.4A2 of this rule above or other more frequent monitoring requirements imposed by the District, and notify the District.~~

~~(9) This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.~~

~~D.C.~~ All periodic compliance reports must be signed and certified in accordance with Section 6.14A of this Rule and signed by an authorized representative of the user as defined in section 1.4 C.

~~E.D.~~ CIU's must notify the District immediately of any changes at its facility causing it to no longer meet the conditions of section 6.4 D(1) and (2) of this Rule. Upon notification, the CIU must immediately begin complying with the minimum reporting required in section 6.4 A of this Rule. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

F. Sampling and analysis shall be performed in accordance with sections 6.11 and 6.12 of this Rule.

G. For this report, the IU will be required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Pretreatment Requirements.

~~H.E.~~ —If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using

the procedures prescribed in Section 6.11 of this Rule, the results of this monitoring shall be included in the report.

6.5 Periodic Compliance Reports for Industrial Users Not Subject to Categorical Pretreatment Standards

A. Industrial users with discharges that are not subject to categorical pretreatment standards shall submit to the District during the months of June and December, unless required more frequently in the pretreatment standard or by the District in accordance with section 6.4 D of this Rule, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported in section 6.1 B(4) of this Rule. In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the IU shall submit documentation required by the District or the pretreatment standard necessary to determine the compliance status of the IU. The IU may request submission of this report in months other than June and December, if based on such factors as local high or low flow rates, holidays, or budget cycles, the alternate dates more accurately represent actual operating conditions.

B. All periodic compliance reports must be certified in accordance with section 6.15 A of this Rule and signed by an authorized representative of the user as defined in section 1.4 C.

C. Sampling and analysis shall be performed in accordance with sections 6.11 and 6.12 of this Rule.

D. For this report, the IU will be required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

E. If an IU subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the procedures prescribed in section 6.12 of this Rule, the results of this monitoring shall be included in the report.

6.6 Reports of Changed Conditions

Each User must notify the District of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change (62-625.600(9), F.A.C.).

A. The District may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.5 of this Rule.

B. The District may issue an individual wastewater discharge permit under Section 5.7 (Permit Reissuance) of this Rule or modify an existing wastewater discharge permit under Section 5.4 (Permit Modification) of this Rule in response to changed conditions or anticipated changed conditions.

6.76 Reports of Potential Problems

A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the District of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

B. Within five (5) days following such discharge, the User shall, unless waived by the District, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Rule.

C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

D. ~~All Significant Industrial~~ Users are required to notify the District immediately of any changes at its facility affecting the potential for a Slug Discharge.

6.87 Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the District as the District may require.

6.98 ~~Non-Compliance~~ Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User shall notify the District within 24 hours of becoming aware of the violation. The User shall also repeat the sampling ~~and analysis within 5 days~~ and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation. Where the District has performed the sampling and analysis in lieu of the ~~Industrial~~ User, the District ~~must will~~ perform the repeat sampling and analysis unless ~~it notifies~~ the User ~~is notified of the violation~~ and ~~requires the User~~ to perform the repeat analysis. Re-sampling is not required if:

~~A. The~~ District performs sampling at the Industrial User at a frequency of at least once per month,
or

~~B. The~~ District performs sampling at the User's sampling location between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling.

6.109 Notification of the Discharge of Hazardous Waste

A. Discharge of hazardous waste, as defined in rules published by the State of Florida or in 62-730, F.A.C., to the POTW is prohibited. The discharge of hazardous waste to the POTW shall be considered a violation of this rule.

B. Users shall notify the District and FDEP's hazardous waste and pretreatment authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under Chapter 62-730, F.A.C. Such notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the WWF, the notification shall also contain the following information to the extent such information is known and readily available to the IU: (1) An identification of the hazardous constituents contained in the wastes, (2) An estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and (3) An estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. Users shall provide notification no later than thirty (30) days after the discharge of the listed or characteristic hazardous waste. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 62-730, F.A.C.. Such notification must include the name of the hazardous waste as set forth in 62-730, F.A.C., the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). All notifications must take place no later than twenty-four (24) hours after the discharge commences.—Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 (Reports of Changed Conditions) of this Rule. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 6.1, 6.3 and 6.4 of this Rule.

C. In the case of any new FDEP regulations identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the IU must notify the District, the FDEP's hazardous waste and pretreatment authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

D. In the case of any notification made under this section, the IU shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Rule, a permit issued thereunder, or any applicable Federal or State law.

6.1140 Analytical Requirements

Analytical tests All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, as of July 1, 2009, hereby adopted and incorporated by reference and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If a test for a specific component is not listed in 40 CFR Part 136, or if the test procedure has been determined to be inappropriate for the analyte in question (e.g., insufficient sensitivity) the laboratory, with the approval of the IU and the District, shall identify and propose a method for use in accordance with Rules 62-160.300 and 62-160.330, F.A.C. If a sampling procedure is not available or none of the approved procedures are appropriate for collecting the samples, the sampling organization, with the approval of the IU and the District, shall identify and propose a method for use in accordance with Rule 62-160.220, F.A.C. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that 40 CFR Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties approved by EPA.

6.1211 Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate quarterly sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the quarterly reporting period.

A. Except in the case of NSCIUs, the reports required in section 6.1, 6.3, 6.4, and 6.5 of this ordinance shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the District, of pollutants contained therein which are limited by the applicable pretreatment standards. This sampling and analysis may be performed by the District in lieu of the IU. Where the District performs the required sampling and analysis in lieu of the IU, the IU is not required to submit the compliance certification required in section 6.1, 6.3, 6.4 and 6.5 of this ordinance. In addition, where the District collects all the information required for the report, including flow data, the IU is not required to submit the report. All laboratory analytical reports prepared by the IU or the District shall comply with Rule 62-160.340, F.A.C. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the District, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

B. The reports required in sections 6.1, 6.3, 6.4 and 6.5 shall be based upon data obtained through sampling and analysis performed during the period covered by the report. These data shall be

representative of conditions occurring during the reporting period. The District will indicate the frequency of monitoring necessary to assess and assure compliance by the IU with applicable Pretreatment Standards and Requirements. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

C. For all sampling required by this ordinance, grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the sample must be representative of the discharge and the decision to allow the alternative sampling will be documented in the IU's file. Using protocols (including appropriate preservation) specified in Chapter 62-160, F.A.C., and DEP-SOP-001/01, multiple grabs collected during a 24-hour period may be composited prior to analysis as follows:

- (1) Samples for cyanide, total phenols, and sulfides may be composited in the laboratory or in the field;
- (2) Samples for volatile organics and oil and grease may be composited in the laboratory; and
- (3) Composite samples for other parameters unaffected by the compositing procedures as allowed in FDEP's approved sampling procedures and laboratory methodologies may be authorized by the District, as appropriate.

D. Oil and grease samples shall be collected in accordance with section 6.12 C, above, unless the sampling location or point cannot be physically accessed to perform a direct collection of a grab sample. In these instances, the sample shall be pumped from the sampling location or point into the sample container using a peristaltic-type pump. All pump tubing used for sample collection must be new or pre-cleaned and must be changed between sample containers and sample points. The pump tubing shall not be pre-rinsed or flushed with sample prior to collecting the sample. The report of analysis shall indicate that a peristaltic pump was used to collect the oil and grease sample. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

E. ~~For~~ Sampling required in support of baseline monitoring ~~report~~ and 90-day compliance reports required in Section 6.1 and 6.2 of this Rule shall be conducted as follows:

- (1) For Users where historical sampling do not exist, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds.
- (2) For Users where ~~for facilities for which historical sampling data do not exist; for facilities for which~~ historical sampling data are available, the District may authorize a lower minimum. ~~For the reports required by Section 6.3 (62-625.600(4) and (7), F.A.C.), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.~~

6.1312 Date of Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.1413 Record Keeping

A. Any IU subject to the reporting requirements of this ordinance shall:

- (1) Maintain records of all information resulting from any monitoring activities required by this ordinance, including documentation associated with BMPs. All sampling and analysis activities shall be subject to the record-keeping requirements specified in Chapter 62-160, F.A.C.; and
- (2) Maintain for a minimum of three (3) years any records of monitoring results (whether or not such monitoring activities are required by this ordinance), including documentation associated with BMPs and shall make such records available for inspection and copying by the District and FDEP. This period of retention shall be extended during the course of any unresolved litigation regarding the IU or the District, where the IU has been specifically notified of a longer retention period by the District.

B. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

~~Users subject to the reporting requirements of this Rule shall retain and make available for inspection and copying all records of information obtained pursuant to any monitoring activities required by this Rule, and any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.4.~~

~~Records shall include the date, exact place, method, and time of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the District, or where the User has been specifically notified of a longer retention period by the District.~~

6.1544 Certification Statement

A. Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4.6; Users submitting baseline monitoring reports under Section 6.1B(5) [Note: See 62-625.600(1)(a)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 6.3 [Note: See 62-625.600(3)]; Users submitting periodic compliance reports required by Section 6.4 A–D [Note: See 62-625.600(4) and (7)], and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 6.4B(4) [Note: See 62-625.600(4)(c)(2)]. The following certification statement must be signed by an Authorized Representative as defined in Section 1.4(4):

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

B. Annual Certification for Non-Significant Categorical Industrial Users - A facility determined to be a Non-Significant Categorical Industrial User by the District, pursuant to 1.4(32) and 4.6C, must annually submit the following certification statement signed in accordance with the signatory requirements in 1.4(4). This certification must accompany an alternative report required by the District:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

(a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in 1.4(32)

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total cateorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

C. Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on Section 6.4 B(2) must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User. ~~[Note: See 62-625.600(4)(e)(4)]~~

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 6.4.A.

SECTION 7 - COMPLIANCE MONITORING

7.1 Right of Entry: Inspection and Sampling

The District shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Rule and any individual wastewater discharge permit or order issued hereunder. Users shall allow District personnel ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, District personnel shall be permitted to enter without delay for the purposes of performing specific responsibilities.

B. District personnel shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

C. The District may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications and approved by the District. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.

D. Unreasonable delays in allowing District personnel access to the User's premises shall be a violation of this Rule.

7.2 Search Warrants

The District may seek issuance of a search warrant(s) from any court of competent jurisdiction for any of the following reasons:

A. Refusal of access to a building, structure or property or any part thereof.

B. If the District is able to demonstrate probable cause to believe that there may be a violation of this rule.

C. If there is a need to inspect and sample as part of a routine inspection and sampling program of the District.

D. To protect ~~the~~ public health, safety and welfare within~~of~~ the District.

SECTION 8 - CONFIDENTIAL INFORMATION

~~In accordance with Chapter 119, F.S., all information, documents, and data submitted to the District are considered to be public information, and as such on a User obtained from reports, surveys, industrial wastewater discharge permit applications, monitoring programs, and from District inspection and sampling activities shall be available to the public. However, in accordance with section 403.111, F.S., any information submitted to the District in accordance with this Rule may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the District shall make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in section 403.111, F.S. without restriction, unless the User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State law. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program and in enforcement proceedings involving the person furnishing the report.~~ Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NON-COMPLIANCE

The District shall publish annually, in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the District, a list of the Users which, during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates one or more of the following criteria~~paragraphs (C), (D) or (H) of this Section)~~ and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2.4;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, ~~as defined by Section 2~~ multiplied by the applicable criteria-TRC (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement ~~as defined by Section 2~~ (Daily Maximum, long term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, ~~(including endangering the health of POTW personnel or the general public)~~;

D. Any discharge ~~that of a pollutant that has caused imminent endangerment to the public or to the environment, or~~ has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide, within forty five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Notification of Violation

When the District finds that a User has violated, or continues to violate, any provision of this Rule, an individual wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the District may serve upon that User a written Notice of Violation. Within ten (10) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the District. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the District to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

10.2 Consent Orders

The District may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for non-compliance. Such documents shall include specific action to be taken by the User to correct the non-compliance within a time period specified by

the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this Rule and shall be judicially enforceable.

10.3 Show Cause Hearing

The District may order, via a certified letter or registered mail, a User which has violated or continues to violate any provision of this Rule, an individual wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the District and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

10.4 Compliance Orders

When the District finds that a User has violated, or continues to violate any provision of this Rule, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the District may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time specified in the order, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address the non-compliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.5 Cease and Desist Orders

When the District finds that a User has violated, or continues to violate, any provision of this Rule, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the District may issue an order to the User directing it to cease and desist all such violations and directing the User to:

A. Immediately comply with all requirements; and

B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.6 Administrative Fines

A. When the District finds that a User has violated or continues to violate any provision of this Rule, an industrial wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the District may fine such User in at least the amount of one-thousand dollars (\$1,000) a day for each violation. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation.

B. Unpaid charges, fines, and penalties shall, after ninety (90) calendar days, be assessed an additional penalty of two percent (2%) of the unpaid balance, and interest shall accrue thereafter at a rate of one and one-half percent (1.5%) per month. A lien against the User's property will be sought for unpaid charges, fines, and penalties.

C. Users desiring to dispute such fines must file a written request for the District to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the District shall convene a hearing on the matter within forty-five (45) days of receiving the request from the User. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The District may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.7 Emergency Suspensions

The District may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The District may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW or which presents, or may present, an endangerment to the environment.

A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The District shall allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the District that the period of endangerment has passed, unless the termination proceedings in Section 10.8 of this Rule are initiated against the User.

B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the District prior to the date of any show cause or termination hearing under Sections 10.3 and 10.8 of this Rule.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

10.8 Termination of Discharge (Non-Emergency)

In addition to the provisions in Section 5.6 of this Rule, any User that violates the following conditions is subject to discharge termination:

- A. Violation of individual wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring or sampling; or
- E. Violation of the Pretreatment Standards in Section 2 of this Rule.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 10.3 of this Rule why the proposed action should not be taken. Exercise of this option by the District shall not be a bar to, or a prerequisite for, taking any other action against the User.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief

When the District finds that a User has violated, or continues to violate, any provision of this Rule, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the District may seek injunctive, civil and criminal remedies in at least the amount of one thousand dollars (\$1,000.00) a day for each violation in the court(s) of applicable jurisdiction. The District may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.2 Civil Penalties

A. A User which has violated or continues to violate any provision of this Rule, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the District for a maximum civil penalty of not less than \$1,000.00 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The District may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the District.

C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.3 Criminal Prosecution

The District may seek criminal prosecution of Users by the applicable State's attorney with jurisdiction.

A. A User which has willfully or negligently violated any provision of this Rule, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not less than one-thousand dollars (\$1,000) per day, or imprisonment in accordance with State sentencing guidelines, or both.

B. A User which has willfully or negligently introduced any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least one-thousand dollars (\$1,000) and/or be subject to imprisonment in accordance with State sentencing guidelines, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under law.

C. A User which knowingly made any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Rule, wastewater discharge permit, or order issued hereunder, or who falsified, tampered with, or knowingly rendered inaccurate any monitoring device or method required under this Rule shall, upon conviction, be punished by a fine of not less than \$1,000 per violation per day, or imprisonment in accordance with State sentencing guidelines, or both.

D. In the event of a second conviction, a User shall be punished by a fine of not less than one-thousand dollars (\$1,000) per violation per day, or imprisonment in accordance with State sentencing guidelines, or both.

11.4 Remedies Non-exclusive

The remedies provided for in this Rule are not exclusive. The District reserves the right to take any, all, or any combination of these actions against a non-compliant User. Enforcement in response to pretreatment violations will generally be in accordance with this Rule. However, the District reserves the right to take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any non-compliant User. These actions may be taken concurrently.

SECTION 12 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

12.1 Upset

A. For the purposes of this section, upset means an exceptional incident in which there is unintentional and temporary non-compliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for non-compliance with applicable Pretreatment Standards if the requirements of paragraph C of this section are met.

C. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and the User can identify the cause(s) of the upset; and
- (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
- (3) The User has submitted the following information to the District and Plant Superintendent within twenty four (24) hours of becoming aware of the upset. Note: If this information is provided orally, a written submission must be provided within five (5) days:
 - (a) A description of the indirect discharge and cause of non-compliance;
 - (b) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.

D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for non-compliance with applicable Pretreatment Standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with applicable Pretreatment Standards upon reduction, loss, or failure of their treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

12.2 Prohibited Discharge Standards

A User shall have an affirmative defense to an enforcement action brought against it for non-compliance with the prohibitions in Section 2.1(A) and Section 2.1(B)(3 through 7 and 9 through 18) of this Rule if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

(a) A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or

(b) No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the District was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable effluent and/or biosolids use or disposal requirements.

12.3 Bypass

~~A. For the purposes of this section,~~

~~1. Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.~~

~~2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.~~

~~AB.~~ A User may allow any bypass to occur which does not cause applicable Pretreatment Standards or Requirements to be violated, but only if it ~~also~~ is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs ~~(BE)~~ and ~~(CD)~~ of this section.

~~BE.~~ Bypass Notification

1. If a User knows in advance of the need for a bypass, it shall submit prior notice to the District at least ten (10) days before the date of the bypass, if possible. If a User does not know of the need for a bypass ten days prior to the bypass then the User shall notify the District immediately upon knowledge of the need for the bypass.

2. A User shall submit oral notice to the District of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The District may waive the written report on a case-by-case basis if the oral report has been received within twenty four (24) hours.

3. In the event further information is requested, the User shall provide the information within forty-eight (48) hours of the request. If the event occurs during a holiday period or weekend, the written notification shall be the first working day following the holiday period or weekend. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Rule or other applicable law.

CD. Prohibition of Bypass

1. Bypass that exceeds applicable Pretreatment Standards is prohibited, and the District may take an enforcement action against a User for a bypass, unless

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no technically feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The User submitted notices as required under paragraph (BE) of this section.

(2) The District may approve an anticipated bypass, after considering its adverse effects, if the District determines that it will meet the three conditions listed in paragraph (CD)(1) above, of this section.

SECTION 13 - MISCELLANEOUS PROVISIONS

13.1 Pretreatment Charges and Fees

The District may adopt reasonable fees for reimbursement of costs of setting up and operating the District's Pretreatment Program which may include:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by Users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals; and
- E. Fees to recover administrative and legal costs associated with an enforcement activity taken by the District to address noncompliance by a User; and
- F. Other fees as the District may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Rule and are separate from all other fees, fines, and penalties chargeable by the District.

13.2 Severability

If any provision of this Rule is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

13.3 Conflicts

All other District Rules and parts of other District Rules inconsistent or conflicting with any part of this Rule are hereby repealed to the extent of the inconsistency or conflict.

SECTION 14 - EFFECTIVE DATE

This Rule shall be in full force and effect immediately following its approval and publication, as provided by law.

Note: Chapter 31-13 was amended and restated in its entirety based upon the EPA Model Rule, and approved in its entirety by the Governing Board on October 20, 2011. The former version is available in the District archives. The Specific Authority for the entire Chapter 31-13 is from the District's enabling Legislation, Chapter 2002-358, Laws of Florida, including but not limited to Section (6), subsections (13), (14), (19) and (24).

| *History: New 5-5-85, Amended 5-15-92, 8-19-99, 10-20-2011, 1-16-20.*

Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: GOVERNING BOARD
FROM: D. ALBREY ARRINGTON, Ph.D.
DATE: DECEMBER 12, 2019
SUBJECT: EXECUTIVE DIRECTOR'S ANNUAL REVIEW

Thank you for the opportunity to serve the District in 2019. This past year was another challenging and fulfilling year. I embrace the District's mission to preserve and protect the Loxahatchee River so that generations of residents and visitors may enjoy a healthy river and a healthy community.

My self-assessment is provided on the following pages. Any positive assessment of my performance directly reflects the diligent and dedicated efforts of the entire District team. Collaborating with our capable and motivated employees is among the most rewarding aspects of my position.

Chairman Rostock will distribute his review of my 2019 performance at the Board meeting. I look forward to your constructive feedback.

I offer the following motion for discussion and consideration:

"THAT THE DISTRICT GOVERNING BOARD receive the review of Dr. Albrey Arrington, Executive Director, and adjust his Employment Agreement as follows:

**a _____% increase in his base salary, effective December 28, 2019, and/or
a net \$_____ bonus, paid January 2, 2020."**

2019 – Dr. Arrington’s Self-Assessment

I believe my most notable accomplishments in 2019 include the following:

- ✓ **Organizational leadership:** Managed through significant staff turnover, including Deputy Director, HR Generalist, Safety Officer, and key staff within our wastewater treatment plant. In 2019 we experienced a higher than usual amount of staff turnover given the very competitive labor market, but because of the strength of our team we have weathered the storm and will emerge stronger and more capable than ever in 2020.
- ✓ **Emergency management:** While Hurricane Dorian did not directly impact our service area, our planning and preparedness for this anticipated storm was better than ever and included improved technology, communications, and policies.
- ✓ **Fiscal excellence:** Our fiscal excellence was recognized this year in the receipt of a Certificate of Achievement for Excellence in Financial Reporting (CAFR) award and an Award of Financial Reporting Achievement from the Government Finance Officers Association. Excellent staff, sound policies, and effective management are fundamental to receipt of these awards. We continue our debt free status while significantly investing in the rehabilitation of our assets. We continue to improve upon our budget and rate study processes, which serve the District well. Once again, our expense budget increased less than relevant inflation factors.
- ✓ **Agency Governance:** We continue to improve institutional governance, including development and systematic review of Department and Division dashboards.
- ✓ **Operational excellence:** Our treatment facility was selected by Governor DeSantis as a backdrop for his significant environmental announcement. Investment in Biowin Modeling of our wastewater treatment plant led to improved understanding and operations of our plant.
- ✓ **Neighborhood Sewering:** Septic to sewer conversions of all scheduled, non-remnant areas will be completed by the end of the current fiscal year! Jupiter Farms Elementary, Whispering Trails gravity sewers, and New Palm Beach Heights low pressure sewers are all nearing completion. Plus, we are making notable progress in some private road areas, e.g., Imperial Woods, Rolling Hills, Island Country Estates.
- ✓ **Data driven:** The District, and especially our senior management team, is striving to be data driven. Examples include our intranet analytics page, where staff can see quantitative metrics on a host of important performance metrics.
- ✓ **Environmental stewardship:** Albrey and Tony appeared on WPTV and explained the critical role of effective wastewater treatment in “Protecting Paradise”; River Center continues to develop fun and engaging opportunities for the public to explore, experience, and connect with our spectacular Loxahatchee River and its natural habitats.
- ✓ **Professional engagement:** I serve as Chairman, Loxahatchee River Preservation Initiative; 1 of 2 Palm Beach County representatives on SFWMD’s Water Resources Accountability and Collaboration (public forum providing balanced representation of diverse perspectives on water resource issues); Member, Loxahatchee River Management Coordinating Council;
- ✓ **Infrastructure Maintenance:** We continue a steadfast effort to maintain and rehabilitate our infrastructure. Lift station rehabilitations, lining of aged and failing gravity sewers, systematic rehabilitation of prioritized assets (e.g., valves), installing permanent generators at critical wastewater pumping stations.

Scientific manuscripts submitted for publication:

- ✓ Harris, R.J., D.A. Arrington, D. Porter, and V. Lovko. **In Review.** Documenting the duration and chlorophyll pigments of an allochthonous *Karenia brevis* bloom in the Loxahatchee River Estuary, Florida. Harmful Algae. (V. Lovko is a collaborator from Mote Marine Laboratory)
- ✓ Metz, J.L., R. J. Harris, and D. A. Arrington. **In Review.** Seasonal occurrence patterns of seagrass should influence resource assessment and management decisions: a case study in the Indian River Lagoon and Loxahatchee River Estuary, Florida. Regional Studies in Marine Science. (all LRD authors)

2019 Goals:

- ✓ Develop departmental dashboards and conduct monthly reviews – excellent progress
- ✓ Improve Safety Policies & Procedures – excellent progress
- ✓ Re-vision the River Center – workshop held, work in progress (e.g., Lighthouse)
- ✓ Improve documentation of LRD's policies and procedures – solid progress
- ✓ Continued implementation of EAM (asset management software) with goal of systematic maintenance/rehabilitation/replacement of assets based on industry standards, failure analysis, and cost considerations – solid progress
- ✓ Explore opportunities to expand water quality and habitat improvement programs – see Jones Creek and exploring seagrass restoration collaboration with the Town of Jupiter
- ✓ Maintain high staff morale – ongoing
- ✓ Continue improving operational efficiencies – ongoing
- ✓ Develop in-house capacity to use quality tools for process improvement – behind schedule
- ✓ Continue progress/planning for 2020 Sterling Award submittal – behind schedule

I believe my most significant disappointment in 2019 was:

- ✓ Unacceptable incident rate of sewer overflows – while this rate appears to have increased, LRD staff are more systematic and comprehensive in reporting sewer overflows than ever before. This heightened awareness of even small, minor spills will help us as we work to improve the quality and integrity of our many and diverse assets.

2020 Goals (suggested):

- Re-vision the River Center
- Develop long-term plan for LRD property at 2500 Jupiter Park Drive
- Continue improved documentation and systematic review of LRD's policies and procedures
- Continued implementation of EAM (asset management software) with goal of systematic maintenance/rehabilitation/replacement of assets based on industry standards, failure analysis, and cost considerations
- Explore opportunities to expand water quality and habitat improvement programs
- Continue to develop high-functioning and excellent staff
- Develop in-house capacity to use quality tools for process improvement
- Continue progress/planning for 2020 Sterling Award submittal
- Begin assessing potential long-term impacts from climate change

LOXAHATCHEE RIVER DISTRICT

Neighborhood Sewering Schedule



Rank *	Area Description	# Lots	Activity	Original Target Date	Revised Target Start Date
14	Whispering Trails	181	Notified Owners – January 2013 Notice of Intent – November 2016 Construction Started - October 2018	2017	2017
16	Limestone Creek Road-West	71	Notified Owners – January 2013	2018	2020
16	181 st St N Gravity	11	Notified Owners – January 2013 Notice of Intent to Assess – October 2018	2018	2018
20	New Palm Beach Heights	35	Notified Owners – January 2016 Notice of Intent to Assess – October 2018 Notified to Connect – October 2019	2019	2019
22	Bridgewater	70	In discussions with developer/engineer	2019	2019
11	Jupiter Farms (East)	708		TBD	TBD
11	PB Country Estates	1547		TBD	TBD

* Rank based upon "2010 Septic System Inventory & Assessment"

TBD = To be determined

Remnant Areas

Rank*	Area Description	Lots	Activity	Original Target Date	Revised Target Start Date
C	FDOT Turnpike Station <i>(institutional)</i>	3 ECs	Notified to Connect – February 2016 Variance requested – May 2016	2012	2020
H	Olympus Dr, Juno (LP)	2	Notified Owners – June 2013 Prelim. Design started – August 2017 Survey - 2018	2016	2018
	18870+18890 SE Country Club Dr	2	Notified Owner – April + Aug 2017 Design started – August 2017 Notice of Intent – December 2018	2018	2019
	US Highway 1 (13440-13500)	3	Notified Owners – August 2017 Notice of Intent – March 2019	2019	2019
	Thelma Ave. LPSS	3	Notified Owners – September 2017 Notice of Intent to Assess–September 2019	2020	2020
EE	Hobart St SE (Martin Co.)	13	Notified Owners – January 2013 Notice of Intent to Assess–September 2019	2016	2020
	197 th PI N	3	Notified Owners – April 2019		2020

Private Road Areas – Page 2

Rank *	Area Description	# Lots	Activity	Original Target Date	Revised Target Start Date
AA	Peninsular Road	5	Private Road Notice of Intent – February 2010 Partial construction complete - June 2013 Soliciting easements for remainder of project	2010	AEO
BB	Rivers Edge Road (Martin Co.)	35	Notified Owners – August 2010 Private Road-Easements Solicited –May 2014 Notice of Intent – February 2014 Project Delayed	2013	AEO
CC	171 st Street (Martin Co.)	7	Private Road - In House Design Owners notified October 2012 Easement rec'd from Church – April 2017 Grant received	2014	AEO
CC	Jamaica Dr	11	Private Road Owners notified Oct 2012	2014	AEO
CC	66 th Terr+Way	19	Notified Owners – Aug 2010 *Private Roads Notice of Intent to Assess – February 2015	2014	AEO
D	Loggerhead Park <i>(institutional)</i>	6 ECs	Need Easements from Palm Beach County	2014	2017
DD	Taylor Road	38	Notified Owners – September 2011 Private Roads	2015	AEO
EE	Imperial Woods LPSS	47	Notified Owners – October 2010 Notice of Intent to Assess – September 2017 Notified to Connect – August 2019	2016	2018
FF	Rolling Hills	50	Notified Owners – January 2013 Private HOA Notice of Intent to Assess – October 2019	2017	2020
FF	Gardiner Lane	1	Notified Owner – July 2013 Private Road Notice of Intent to Assess – October 2019	2017	2019
FF	North A1A	3	Postponed-Town activities in area	2012	AEO
GG	815 S US 1 (Yum Yum Tree)	9 ecs	Notified Owner – November 2014	2016	AEO
GG	Rockinghorse <i>(north of Roebuck Road)</i>	10	Notified Owners – January 2013	2018	AEO
GG	Island Country Estates	47	Notified Owners – January 2013 Private HOA-Received Easement – Feb. 2018 Notice of Intent – July 2018 Construction Award – November 2019	2018	2019
HH	Harbor Rd. S. LPSS	6	Notified Owners – January 2014 Private Road	2017	AEO
HH	SE Indian Hills	12	Notified Owners – January 2016 Easement for Road & Utilities, No Dedication	2019	AEO
19	US Coast Guard Station Offices <i>(institutional)</i> PX Commercial <i>(commercial)</i>	2 ECs 2 ECs	US Government - private roads Albrey- mtg. w/BLM & Historical 3-2011 Prelim design prepared In House 4-2011 Working with Jupiter to obtain easement Working with BLM for options to move forward	2019	2020

* Rank based upon "2010 Septic System Inventory & Assessment"

TBD = To be determined

AEO = As easements are obtained

CURTIS L. SHENKMAN
Board Certified
Real Estate Attorney

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LEGAL ASSISTANTS
REAL ESTATE
JUDY D. MONTEIRO
DENISE B. PAOLUCCI
MELISSA KAJEEJT

December 9, 2019

Loxahatchee River Environmental Control District
D. Albrey Arrington, Exec. Dir. and Board Members (sent by email to DHenderson)
2500 Jupiter Park Drive
Jupiter, FL 33458

RE: PENDING LITIGATION STATUS REPORT

Dear Dr. Arrington and Board Members:

We are enclosing herewith a brief status report relating to the litigation in which the Loxahatchee River Environmental Control District is involved with our law firm as the attorney of record. This status report updates the last monthly status report previously submitted and consists of a summary of the record proceedings which have occurred in each of the pending cases since last month.

There are no analyses of the pending cases included, as the inclusion of such items might constitute a waiver of any attorney/client privilege that exists between our firm and the District. Therefore, if you would like to discuss the particulars of any specific case in more detail or would like to obtain more information concerning the strategy, status, or settlement posture of any of the individual cases, please feel free to contact me.

As always, we are available at any time to discuss any of these lawsuits with each individual Board Member by telephone or by conference, if there are any questions.

Respectfully submitted,

CURTIS L. SHENKMAN

CURTIS L. SHENKMAN

Attachments

OTHER LITIGATION

NONE

LIEN FORECLOSURES

NONE

MORTGAGE OR LIEN FORECLOSURES / LRD COUNTERCLAIMS/CROSSCLAIMS

NONE



***Loxahatchee River Environmental Control District
Monthly Status Report
December 12, 2019***

Submitted To: Kris Dean, P.E, Deputy Executive Director/Director of Engineering

The following is a summary of work performed by Baxter and Woodman, Inc. (B&W), on District projects for the monthly period ending December 12, 2019.

Alternate A1A 16-Inch Force Main Extension

B&W and the District continued to coordinate with the U.S. Army Corps of Engineers to address potential impacts to mangrove plants on the south side of the bridge. B&W previously submitted responses to USACOE Request for Information No's. 1 through 3. Contractor previously completed all possible project work. The remaining work includes a 225-ft section of force main south of the Alternate A1A Bridge. During the last monthly period, the District attempted to identify potential sites which could be utilized for site mitigation purposes. At the present time, the District has not been able to identify a project site which is acceptable to USACOE. B&W revised the design plans to modify the installation method (change to horizontal directional drilling vs. open cut trench) of the remaining force main segment. B&W submitted the revised plans to FEC for approval. FEC provided formal approval of the design revisions on December 12, 2019. FEC would not previously allow installation of this segment of force main via HDD method due to uncertainty related to the requirements of the All Aboard Florida (AAF) railway project. Since this time, FEC has installed the required infrastructure associated with AAF.

Master Lift Station No. 1 Rehabilitation

The following items were ongoing or completed during the last monthly period:

- Substantial Completion was achieved on July 11, 2019
- Civil & Architectural walkthrough completed & Formal Punchlist issued September 10, 2019
- A Final Change Order has been executed rendering Contract dates for Substantial Completion July 24, 2019 and Final Completion September 27, 2019.
- Completion of Punch List items nearly complete, a disputed control feature remains.
- Final Inspection and Close-out anticipated by December 30, 2019

Whispering Trails Gravity Sewer System

Below is a summary of the ongoing construction activities for the project:

- Sewer system testing is complete
- Final lift of asphalt roadway is complete
- Restoration of Sodded Swales and Edge of Pavement ongoing
- Restoration and repair of damaged driveway aprons ongoing
- Contractor is behind Contract Substantial Completion date
- Punch list inspection expected to be requested by Contractor within the next 2 – 3 weeks.
- There is a pending time extension (FPL Conflicts & PBC Drainage Repairs), however it remains unclear whether or not the extension will be commensurate with the project delay duration.

Jupiter Farms Elementary Sanitary Sewer System

Below is a summary of the ongoing activities for the project:

- Contract Substantial Completion was October 19, 2019 (with weather delays)
- Substantial Completion was achieved on November 14, 2019
- A punch list was issued November 25, 2019
- Completion of Punch list items in progress
- Contract Final Completion is 65 days from date of actual Substantial completion, January 18, 2019.
- Final Inspection and Close-out anticipated by December 30, 2019

Irrigation Quality Pump Station 518 Chlorine Study

Below is a summary of the ongoing activities for the project:

- The preparation and submission of the DRAFT Chlorine Study Report is pending. B&W anticipates submitting the DRAFT report to the District by December 20, 2019.

Respectfully Submitted by:

BAXTER & WOODMAN, INC.



Jason A. Pugsley, P.E.
Vice President / Florida Operations Manager



HOLTZ CONSULTING ENGINEERS, INC.
270 South Central Boulevard, Suite 207, Jupiter, FL 33458 (561) 575 2005

MEMORANDUM

To: Kris Dean, PE, Deputy Director/Director of Engineering, Loxahatchee River Environmental Control District
From: Christine Miranda, PE, Holtz Consulting Engineers, Inc.
Date: December 12, 2019
Subject: **Loxahatchee River Environmental Control District Monthly Status Report**

The following is a summary of work performed by Holtz Consulting Engineers, Inc. (HCE) on Loxahatchee River District projects through December 12, 2019. **Note: Any information that is historical or repeated from previous months are shown in italics. Otherwise, all information as shown below is newly reported information.**

Imperial Woods Low Pressure Sewer System

- The cost proposal from A Cut Above Landscape & Irrigation to install the root barrier at the entrance of Imperial Woods per the arborist plan was provided to District staff on November 18, 2019. District staff is coordinating with the homeowner's association for their review and approval of what elements of the work they would like completed. Upon the homeowner's association direction and approval, a change order will be issued to the Contract for the additional work and extension of the contract time, if needed. *The work should take approximately three days to complete.*

Island Country Estates Low Pressure Sewer System

- The recommendation of award to The Lazarus Group, Inc. was approved at the November board meeting. The Contactor has provided shop drawing submittals to HCE for review and approval. Contracts are currently being prepared for execution. The preconstruction meeting will be scheduled for early January 2020 with a Notice to Proceed being issued at approximately the same time. The Contractor can be expected to mobilize and start construction by late January 2020.

Lift Station No. 082 Master Plan and Improvements

- The model setup and scenarios are complete, and the technical memorandum has been drafted. Upon clarification of data for the Lift Station #114 pump run times, HCE can finalize the model and the technical memorandum. *Once the technical memorandum is complete, the design for Lift Station No. 082 can commence and be completed in accordance with the schedule in the agreement.*

Busch Wildlife Sanctuary

The 4th Quarter Report will be presented at the
January 2020 Board Meeting.

Director's Report

- ▶ Admin. & Fiscal Report attach. #1
- ▶ Engineering Report attach. #2
- ▶ Operations Report attach. #3
- ▶ Information Services Report attach. #4
- ▶ Environmental Education attach. #5
- ▶ Safety Report attach. #6
- ▶ Other Matters (as needed) attach. #7

J:\Board\Notebook\Directors Report

Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director



To: Governing Board
From: Kara Fraraccio, Director of Finance and Administration
Date: December 13, 2019
Subject: Monthly Financial Report

Cash and Investments

Balances as of November 30, 2019

Certificates of Deposit:

Institution	Original Term	Maturity	Rate	Book Value	Monthly Interest Earned	Market Value
Bank United	18 Months	02/04/20	2.65%	\$ 1,000,000	\$ 2,221	\$ 1,021,775
Bank United	2 Years	04/02/20	2.46%	2,000,000	4,103	2,033,402
US Bank	18 Months	05/01/20	3.00%	1,507,875	3,828	1,556,339
Bank United	18 Months	06/07/20	2.88%	1,500,000	3,644	1,542,924
US Bank	2 Years	01/29/21	2.71%	1,011,450	2,376	1,034,359
Bank United	2 Years	03/11/21	2.60%	1,000,000	2,169	1,018,934
Subtotal				\$ 8,019,325	\$ 18,341	\$ 8,207,733

Money Market Accounts:

Synovus - Public Demand	1.75%	\$ 17,608	\$ 12,251,118
TD Bank - NOW	1.76%	11,765	8,191,122
Subtotal		\$ 29,373	\$20,442,240

Checking Account:

SunTrust-Hybrid Business Account	0.50%		\$ 4,724,302
Subtotal		\$ -	\$ 4,724,302

Total		\$ 47,714	\$33,374,275
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Average weighted rate of return on investments is: 1.81%

As of 11/30/19:

3 month Short Term Bond: 1.59%

1 month Federal Fund Rate: 1.56%

Cash position for November 2018 was \$37,075,977. Current Cash position is **down** by \$3,701,702.

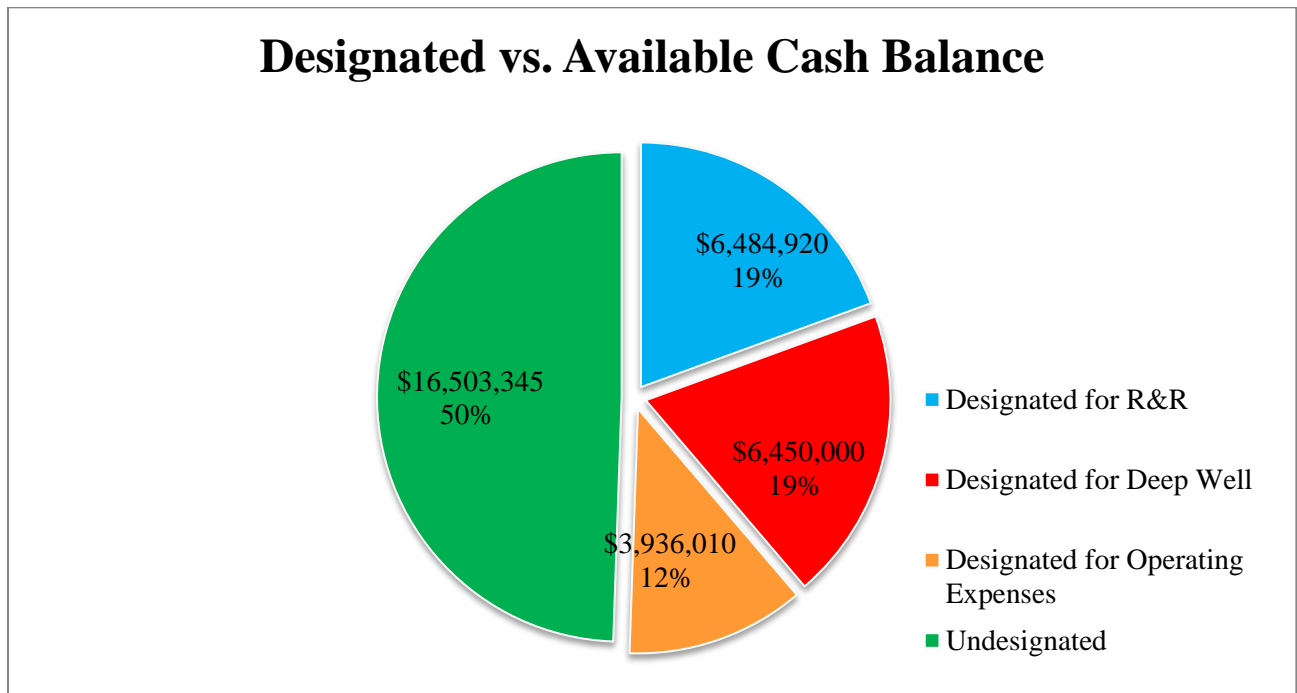
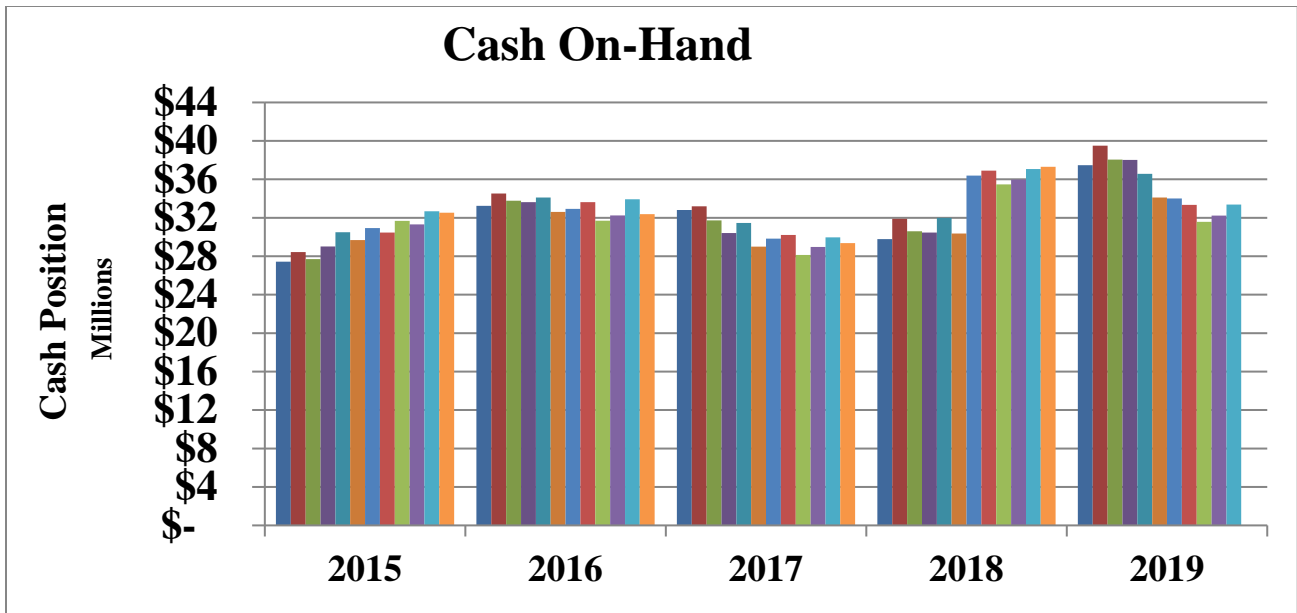
Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member



Financial Information

- Legal fees billed for the month of November were **(\$503)**. The fiscal year-to-date total is \$19,875.
- There was no Septage billing for the month of November. The fiscal year-to-date total is \$0.
- Developer's Agreement – No new Developer agreements were entered into in November.
- I.Q. Water Agreements – Town Center Phase I is past due for October and November.
- Estoppel fees collected in November totaled \$6,150. The fiscal year-to-date total is \$15,150.

Summary of Budget vs. Actual

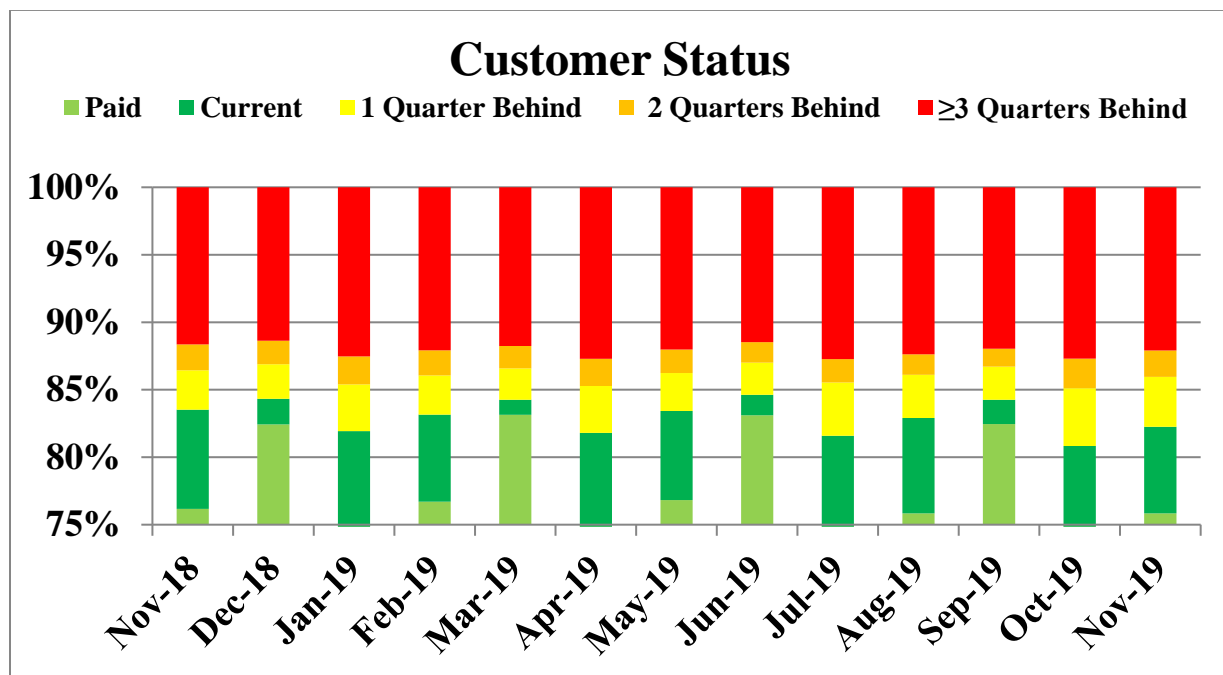
<i>Budget Benchmark</i> 17.00%	Nov-19 Actual	YTD Actual	FY 20 Budget	Favorable (Unfavorable)	Budget Expended	Nov-18 YTD
Revenues						
Operating Revenues						
Regional Sewer Service	\$1,412,458	\$2,828,946	\$17,324,020	\$ (14,495,074)	16.33%	\$2,783,925
Standby Sewer Service	7,308	14,616	98,458	(83,842)	14.84%	15,258
IQ Water Charges	199,340	398,679	2,004,752	(1,606,073)	19.89%	396,197
Admin. and Engineering Fees	1,546	3,855	42,295	(38,440)	9.11%	8,537
Other Revenue	13,632	80,413	300,000	(219,587)	26.80%	87,268
Subtotal Operating Revenues	1,634,284	3,326,509	19,769,525	(16,443,016)	16.83%	3,291,185
Capital Revenues						
Assessments	84,421	92,425	864,897	(772,472)	10.69%	234,769
Line Charges	7,522	19,396	201,337	(181,941)	9.63%	43,990
Plant Charges	(97,207)	90,296	1,012,727	(922,431)	8.92%	87,251
Capital Contributions	56,059	56,059	1,000,000	(943,941)	5.61%	
Subtotal Capital Revenues	50,795	258,176	3,078,961	(2,820,785)	8.39%	366,010
Other Revenues						
Grants				-	100.00%	
Interest Income	113,656	164,519	1,127,200	(962,681)	14.60%	161,285
Subtotal Other Revenues	113,656	164,519	1,127,200	(962,681)	14.60%	161,285
Total Revenues	\$ 1,798,735	\$ 3,749,204	\$ 23,975,686	\$ (20,226,482)	15.64%	\$ 3,818,480
Expenses						
Salaries and Wages	\$409,383	\$694,733	\$5,873,500	\$ 5,178,767	11.83%	\$1,299,839
Payroll Taxes	29,743	50,889	427,300	376,411	11.91%	95,199
Retirement Contributions	58,367	100,017	734,200	634,183	13.62%	123,833
Employee Health Insurance	90,452	179,275	1,308,800	1,129,525	13.70%	172,067
Workers Compensation Insurance		46,864	99,800	52,936	46.96%	15,921
General Insurance		211,868	364,107	152,239	58.19%	69,338
Supplies and Expenses	78,137	242,933	1,132,675	889,742	21.45%	171,640
Utilities	92,311	176,979	1,394,850	1,217,871	12.69%	178,197
Chemicals	24,982	51,548	452,000	400,452	11.40%	98,631
Repairs and Maintenance	101,117	402,822	1,814,429	1,411,607	22.20%	363,412
Outside Services	138,831	215,507	1,917,360	1,701,853	11.24%	229,130
Contingency			225,000	225,000	0.00%	
Subtotal Operating Expenses	1,023,323	2,373,435	15,744,021	13,370,586	15.08%	2,817,207
Capital						
Capital Improvements	437,030	2,034,647	13,579,107	11,544,460	14.98%	13,168
Subtotal Capital	437,030	2,034,647	13,579,107	11,544,460	14.98%	13,168
Total Expenses	\$ 1,460,353	\$ 4,408,082	\$ 29,323,128	\$ 24,915,046	15.03%	\$ 2,830,375
Excess Revenues						
Over (Under) Expenses	\$ 338,382	\$ (658,878)	\$ (5,347,442)	\$ 4,688,564		\$ 988,105

Pending/Threatened Litigation

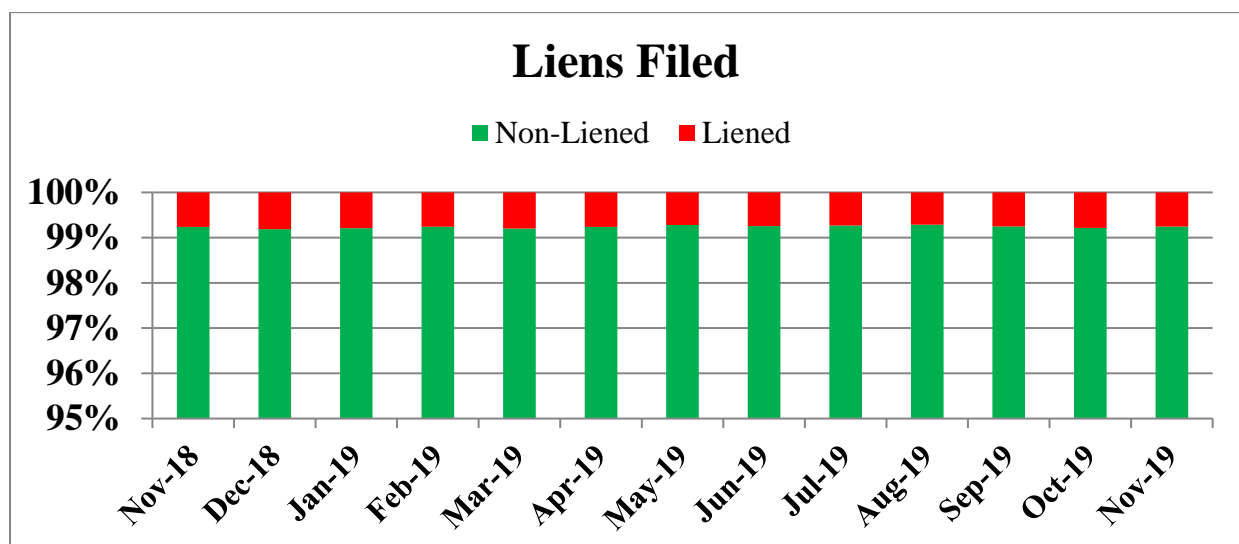
- Whispering Trails – The District received a formal notice that a negligence claim is being made on behalf of a resident of Whispering Trails as a result of a personal injury incident. We notified the District’s legal counsel, the project engineers, the contractor, and the District’s General Liability Insurance provider, PRIA. At this time, we have not received a Notice of Claim.

Accounts Receivable

The chart below illustrates customers’ receivable status as a percentage of quarterly sewer billing. Paid or current balances represent approximately 82% billing.



The District serves approximately 32,600 customers. Currently, the District has 247 liens filed which represent approximately 1% of our customers.



Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director



MEMORANDUM

TO: D. Albrey Arrington, Ph.D., Executive Director

FROM: Kris Dean, P.E., Deputy Executive Director/Director of Engineering Services

DATE: November 14, 2019

SUBJECT: Engineering Services Report – November 2019 Board Meeting

PROJECT HIGHLIGHT

Engineering Inspections Integration into InforEAM: This month significant progress was made towards integrating Engineering Inspections into InforEAM. The work order reference guide is on its third and final revision with input from engineering staff and IT. This reference documents the full scope of work performed by engineering inspections including new construction, replacement/renewals, asset condition inspections and routine inspections and details how this work will be managed through InforEAM. Now that the reference is complete IT anticipates Engineering Inspections will be fully functioning in InforEAM by the end of January.

As we continue to move forward, the process used in creating this reference will be used to go back and document Collections and Reuse's preventative maintenance programs in InforEAM as well as update these programs based on information gathered, new perspectives and strategic planning.

LOXAHATCHEE RIVER ENVIRONMENTAL
CONTROL DISTRICT

Engineering Inspections
Infor EAM
Work Order Reference



Nov. 27, 2019

IN-HOUSE PROJECTS

Lift Station Fall Protection: After evaluating nets, hand rails and grates staff have agreed a retro-fitted safety grate is the preferred approach to providing fall protection at lift stations. Staff have completed their evaluation of field installation options and are coordinating with a consultant for a work authorization to proceed with development of bid documents and installation observation.

Lift Station Rehabilitations General Construction Services: The rehabilitation of the third of three stations is nearing completion and we are planning to move forward with Lift Station 101 and 56 in Jan/Feb 2020. Our overall lift station rehabilitation projects are falling behind schedule but staff are working on procedures to expedite the evaluation, purchase order and construction processes under the new general construction services contract.

Cellular Telemetry: IT and Engineering staff are working on a project to test cellular telemetry installation at existing stations with no telemetry. The third alternate option is online and staff will begin working on the procurement process once the viability of the options is determined. It is anticipated that we will select up to three

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Dr. Matt H. Rostock
Chairman

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Board Member

suppliers to source telemetry units through a competitive bid process.

181st Street Gravity Sewer System: This project will serve 11 lots located just off Limestone Creek Rd. The new system will tie into an existing gravity system in Limestone Creek Rd. Design is complete. Comments from PBC Land Development have finally been resolved; however, the permit has not been issued. This month we have rescheduled the project to bid in March 2020.

New Palm Beach Heights Low Pressure Sewer System: This project will serve 36 lots located just off US 1 south of Donald Ross Rd. PBCHD has released the project for operation. Staff will coordinate with the contractor for close out of the contract and determine the final assessment amount over the next couple of months.

Olympus Drive Force Main Replacement: This project is part of our asbestos cement (AC) force main replacement program and will replace approximately 2,000 feet of AC force main in Juno Beach. Soft digs were completed but results were not conclusive. Staff are investigating further with GPR and potholing as required. This project has been significantly delayed from the original schedule but the importance of the utility locates given the nature of the proposed directional bore installation warrants the delay. To expedite the project we are coordinating with a consultant for design/bid services.

Lift Station 57 and 58 Tie-in to Transmission System: This project was awarded at the November Board. Staff are currently coordinating with the Village of Tequesta and our general construction services contractor for permitting and schedule.

Fiscal Year 2020 Main Lining Projects: Staff and the contractor attended the preconstruction meeting this month and discussed overall project coordination and schedule. We anticipate the contractor mobilizing in January 2020 with completion by the end of February 2020 in Brentwood/Weldwood, Lift Station 057 collection system and Lift Station 058.

Fiscal Year 2020 Lateral Lining Projects: Staff are coordinating with the contractor for pricing and piggy back contract options to perform lateral lining once main lining is complete in the Brentwood/Weldwood, Lift Station 057 and Lift Station 058 collection systems. We anticipate bringing this to the January Board with our recommendation.

Lift Station 70 Emergency Generator and Power/Control Panel: This project provides a permanent emergency generator at Lift Station 70 and a new power and control panel including variable speed pump drives. The station went fully online as we prepared for Hurricane Dorian. Staff and the contractor are working to resolve communication and monitoring points between the control panel, generator and data flow telemetry system.

CONSTRUCTION DEPARTMENT



Construction crews were working on US 1 north of County Line Road this month to relocate two low pressure sewer services in conjunction with new residential construction. Services are being replaced to the main with new right of way boxes and brass valve.

COLLECTIONS/REUSE



A new access platform was installed at the south canal pelican pump. The new access platform addressed several safety concerns and is a vast improvement from its predecessor. The access platform was constructed by Plant Maintenance using repurposed materials from the decommissioned traveling bridge filters.

Collections and Reuse staff coordinated with the pump vendor for removal and inspection of the failed 160 HP jockey pump at reuse pump station IQ511. The vendor's inspection determined the pump motor experienced overheating damage in the windings and motor terminals. The specific cause of the overheating was not determined; however, the pump vendor is covering all repairs under warranty since this pump is driven by a variable frequency drive that would prevent this damage from occurring from incoming power.



SANITARY SEWER OVERFLOWS

There were three sanitary sewer overflows in the collection/transmission system in November.

The first overflow was from a failure in the reclaimed water system. A deflection in the 16" IQ main in Abacoa failed resulting in a 1,500 gallon spill of irrigation quality water. The failure was caused by corrosion of restraining rods used to tie fittings in a pipe deflection together. The repair included use of stainless steel hardware to combat future corrosion issues.

The second overflow occurred in the low pressure sewer system on Center Street. Construction traffic damaged a service box and piping. Staff relocated the service further from the driveway, marked its location and left buried to prevent further damage while construction continues. Additionally, staff turned off the right of way valve and removed the valve box for the duration of construction. Prior to the low pressure station going back online staff will coordinate with the builder for final location and upgrades to the service box.

The third overflow occurred in the low pressure sewer system on Rolling Green Rd. The low pressure project was completed in 2015, since that time, the homeowner reconfigured the driveway, lowered the grade and installed artificial turf. The grading resulted in approximately 3" of cover over the low pressure service lateral piping and it appears this minimal cover allowed the service lateral to be damaged. Staff are lowering the service lateral to provide adequate cover.

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D. Albrey Arrington, Ph.D., Executive Director



MEMORANDUM

TO: D. Albrey Arrington, Ph.D., Executive Director

FROM: Tony Campbell, Director of Operations

DATE: December 10, 2019

SUBJECT: Operations Department Monthly – Report for November 2019

Treatment Plant Division/ Maintenance Department

During the construction of our Deep Bed Filters the District added redundancy to our ability to energize critical assets within our treatment plant. Currently, our treatment plant has 2 individual main stand-by generators to run our entire treatment process in the event of a commercial power failure. The newly installed electrical distribution system is made up of a series of breakers and wires that interconnects both main plant Electrical Buildings allowing critical assets within our plant to be energized from either generator. This flexibility is extremely critical when the plant is running solely on stand-by generator power and one of the main plant generators fails. Since neither backup generator is sufficient to entirely power our entire plant, our operators have teamed up with Plant Electricians and Engineering Consultants to devise a plan of running only our most critical process equipment in the event one of our main backup generators fails. Like any other plan, testing and training is required to assure we will be prepared if faced with loss of a main generator during commercial power loss. This past month, through careful planning and calculation, Operations successfully completed their first emergency test of this new system, i.e., Kirk-key system, on generator power. With scheduled ongoing training of this system being implemented this will assure that District staff will be prepared when faced with failure of a main backup generator. Our goal is to maintain acceptable treatment throughout such an emergency. On the following page I provide a few highlights from the test.

We've had great month of no permit exceedances.

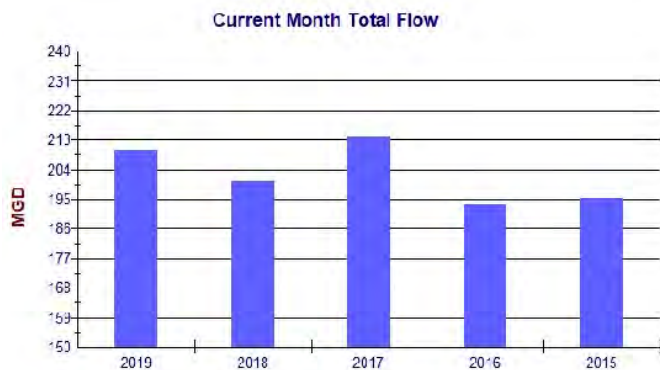
***Today, December 10, 2019, is my last day with LRD. I appreciate the friendship and support that my colleagues have provided over my past 3+ years at LRD. I wish you all the best.*



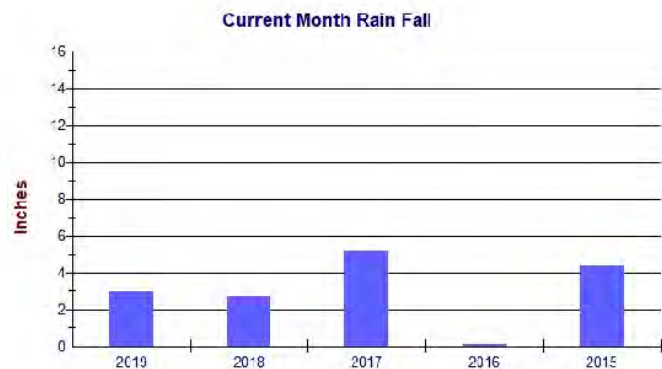
The Kirk Key system test was a success. Brandon a Lead Operator headed this project up, he worked with the District electricians and generator contractors to ensure this test went flawlessly. This is the first actual real time shifting of load from #1 generator to #3 generator and vice versa. Brandon organized and maintained excellent communication with all departments involved including a safety toolbox meeting describing step by step actions and designation of District staff.



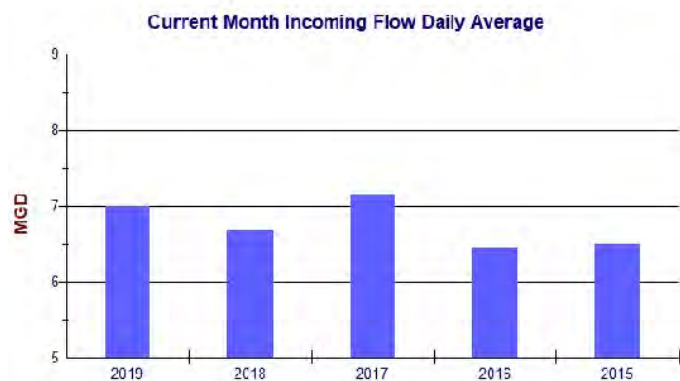
Nathan our Process Forman helped from the control room by orchestrating the teams at different areas of the plant. He continuously monitored all operating parameters and tank levels by our SCADA system throughout the test, keeping constant communication with the team assuring process was optimal.



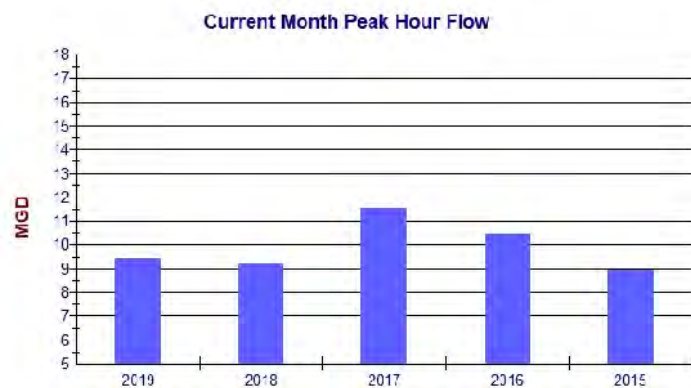
The plant total flow for the month of November was 210.10 million gallons.



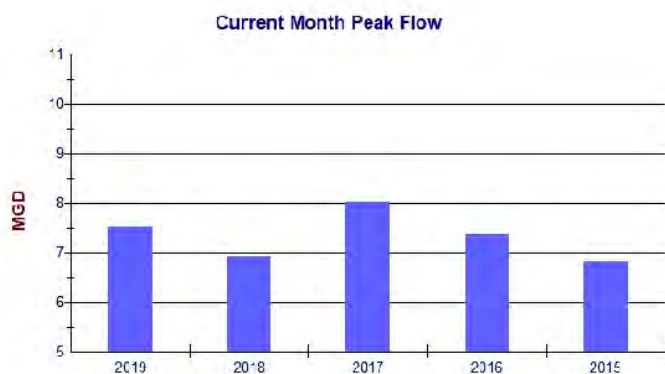
2.95 inches of rain was recorded at the plant site during the month of November.



The treatment plant incoming flow for the month of November averaged 7.00 MGD compared to 6.68 MGD one year ago, for the same month.

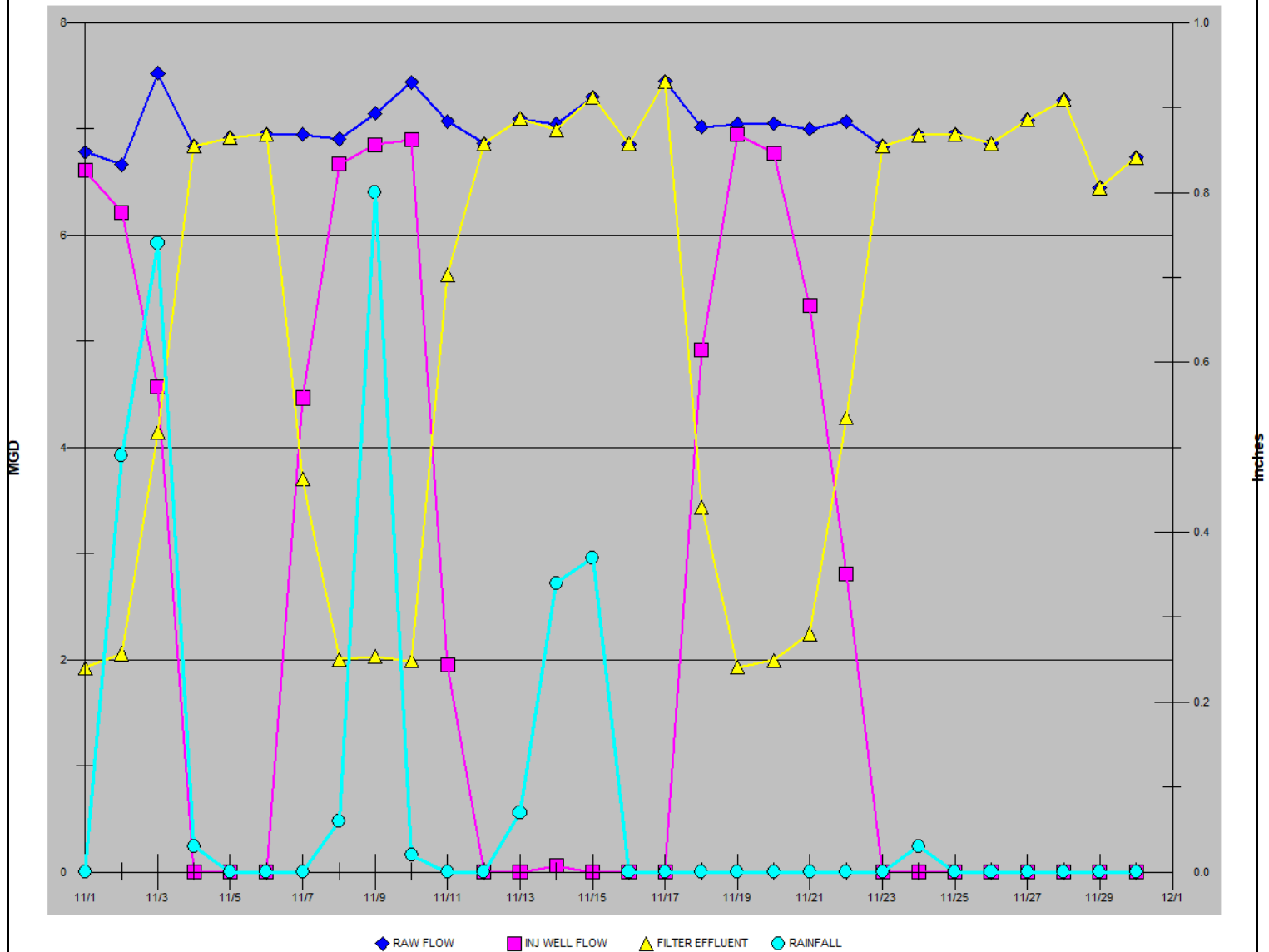


The peak hourly flow rate for November was 9.42 MG.



The greatest single day average flow in November was 7.52 MGD

For the month of November, the plant received 210.10 MG of influent flow of which 155.75 million gallons were sent to the IQ storage system where they were dispersed as needed to the various golf courses and the Abacoa development sites. We received 2.95 inches of rain during the month and 71.06 million gallons of blended effluent was diverted to the Injection Well. Overall, 74.13% of incoming flows were recycled for IQ use and the plant delivered 153.06 million gallons of IQ water to the Reuse customers.

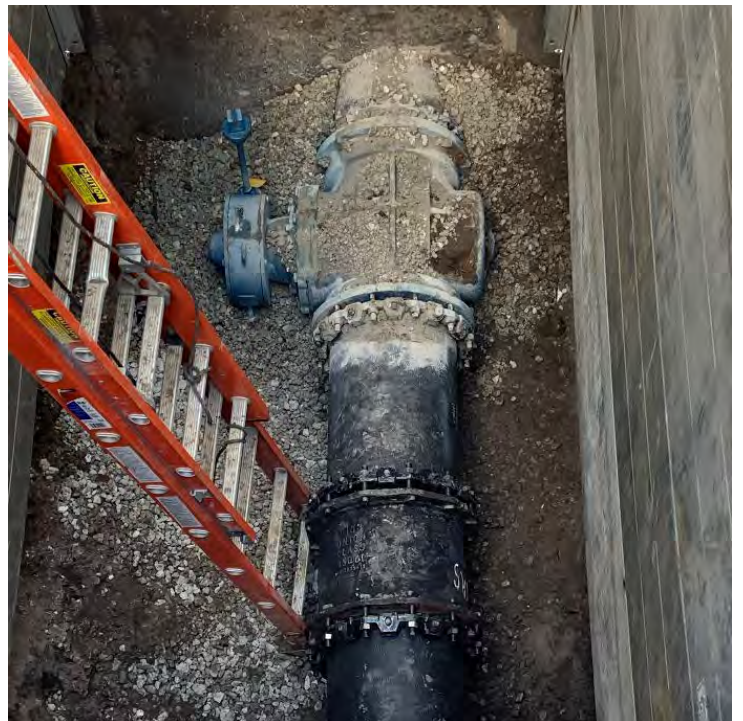
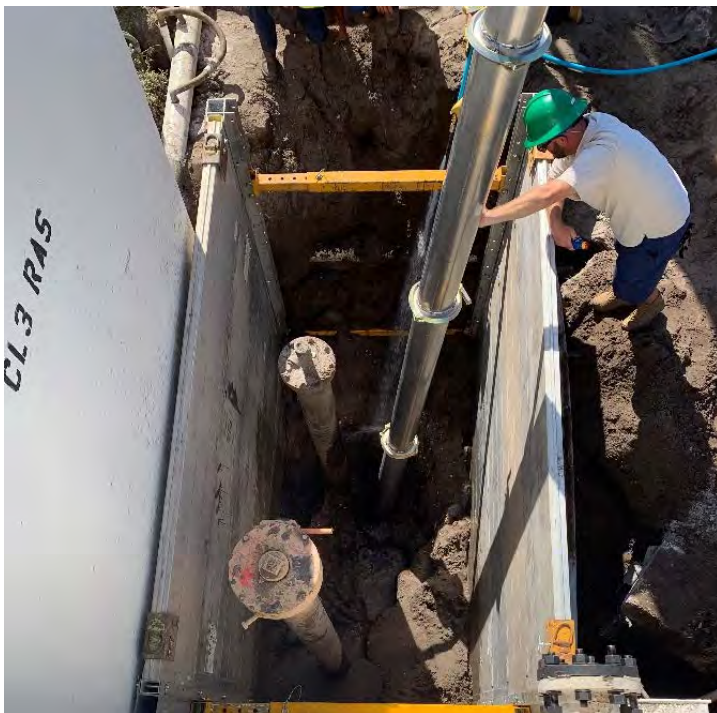


Year to date, the plant recycled 64.68% of all incoming flow and the total amount of IQ water delivered to reuse customers stands at 1,568.51 million gallons.

All monthly reporting has been submitted on time.

Treatment Plant:

We had two major valve rehabilitation projects at the plant site which were identified by the plant valve assessment project. The first went flawlessly. It involved excavating the clarifier #1 Return Activated Sludge (RAS) influent valve and replacing the old valve with a new valve. Several setbacks occurred; however, Operations, Maintenance, and Collections staff worked together to successfully complete the project. Setbacks included having to run RAS pumps off portable generators due to a duct bank being removed for the valve excavation. We also got the chance to operate the new collection vac truck to dig below grade to expose the valve for the contractor to be able to replace it. In the end it was a great sight to see three divisions working together with a contractor (Felix) to complete a challenging project and achieve a common goal. _____



Treatment Plant Sanitary Sewer Overflow:

Unfortunately, the second valve project didn't go as smoothly as the first. The valve being fixed was the Equalization Tank mixing valve, which allows operators to flush the main header pipe connecting the Equalization Tanks. Complications started with miscommunication between LRD and the contractor. The contractor removed part of an underground valve assembly that was on a live line that they assumed was isolated, after assembly was removed wastewater began spilling into the excavation and ultimately along the road and collected into a grassy swale. Faced with a highly unfavorable situation plant operators were able to isolate the affected line within nine minutes of the initial report of the incident. This was an excellent reaction time by plant operators and shows the importance of valve identification, the operators knew exactly where they needed to go and how many turns were necessary to isolate the affected line. As frustrating as this incident was, I find solace in the reaction time of the operators, the support from maintenance, collections, and the fact that we have used this as a learning experience. We are now updating our SOP's for system shutdowns and modifications, to mitigate the risks associated with large projects where multiple parties are involved. Below is a letter to the Regulatory Agency from Albrey explaining the events that led up to the release and our cleanup efforts.

Dear Ms. Watts,

I apologize for the need for this letter. As you can imagine, a spill like this is incredibly frustrating to me and our wastewater treatment plant operators.

1. What is the final spill volume of the SSO? The final spill volume of the SSO was 67,500 gallons.
2. Did the SSO reach surface waters? No, the SSO did not reach surface waters.
3. How much volume of the SSO was recovered? We used a vacuum truck and a portable pump to recover 23,980 gallons of spilled wastewater.
4. How much volume of the SSO was not recoverable? 43,520 gallons of the spill was not recoverable because it percolated into the ground before we could recover it.
5. The spill was caused when a contractor (Felix Construction) removed the valve bonnet from an underground plug valve on a live wastewater line that connected our flow equalization tanks with our mixing pumps. The Loxahatchee River District (LRD) has a proactive, preventative maintenance program for our valves. Through our preventative maintenance efforts, we identified the valve in question needed repair, i.e., the valve nut was turning freely and not operating the valve. We brought Felix Construction in to first expose the valve and diagnose the failure mode. While Felix Construction was working to expose the valve, LRD treatment plant operators isolated the associated wastewater line to minimize chance of a wastewater spill. Once Felix Construction exposed the valve and diagnosed the issue, they went home for the day and the wastewater line were reinstated into service to resume mixing of wastewater in our equalization tanks. The following day Felix Construction returned to the job site to repair the failed plug valve. There was a miscommunication between LRD treatment plant operators and Felix Construction that led

Felix Construction to believe the wastewater line connected to the failed plug valve had been isolated though they did not confirm the line had been isolated. Because the line had not been isolated, when Felix Construction removed the valve bonnet wastewater began pouring out of the 13-inch opening created when the bonnet was removed. LRD treatment plant operators were notified immediately, and they had the line fully isolated and the spill stopped within 9 minutes.

6. Actions taken to remediate the SSO include the following: spilled wastewater flowed over a gravel-covered area near our flow equalization tanks, down a slight embankment, and into a grassy swale. We used a vacuum truck and a portable pump to collect all the wastewater that collected in the grassy swale. Spilled wastewater that was not collected percolated into the ground before we could collect it with our vacuum truck and pump. Once we collected the standing, spilled wastewater, we disinfected the entire area affected by the spill with lime.
7. Describe the actions taken, or to be taken, to prevent future SSOs of this nature. The LRD has an active asset management program that includes preventative maintenance and repair of faulty assets. We will continue our proactive asset management efforts because they are deemed an important step in preventing sanitary sewer overflows. In this case, the sanitary sewer overflow occurred due to a miscommunication between a contractor and LRD treatment plant operators regarding the status (live or isolated) of a wastewater line. LRD staff will develop a thorough procedure for identifying assets that have been isolated, and for communicating this critical information to our contractors.

We work tirelessly to achieve our mission “We are dedicated to protecting public health and preserving the Loxahatchee River watershed and its natural habitats through innovative wastewater solutions, research, and environmental stewardship.” A spill like this is a disappointment, but we will learn from this mistake and be better in the future.

Thank you,

D. Albrey Arrington, Ph.D.

Executive Director

Maintenance Department:

The Headworks building is located at the front of plant and is the first stage of the wastewater treatment process, i.e., this is where an annual average of 2.5 billion gallons of raw wastewater enters the plant. This structure performs three main functions (1) screening to remove trash, rags and plastics, (2) grit removal system that removes sand and coarse inorganic material and (3) odor control. Due to the extremely corrosive nature of wastewater this building needs constant maintenance and attention to assure effective operation. Last month with the collaboration of contractors and our Maintenance dept. Headworks was pressure washed, cleaned, all concrete repairs addressed and repainted. Continual maintenance on our vital assets has proven to extend asset longevity and reduce failures.



Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • www.loxahatcheeriver.org



D. Albrey Arrington, Ph.D., Executive Director

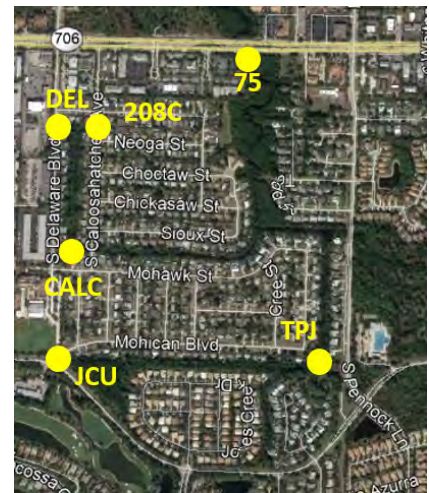
MEMORANDUM

TO: Albrey Arrington, Ph.D., Executive Director
FROM: Bud Howard, Director of Information Services
DATE: December 12, 2019
SUBJECT: Monthly Governing Board Update for November 2019

WildPine Ecological Laboratory

Riverkeeper Project

In November, staff from the District and JD State Park collected water quality samples from 35 monitoring stations throughout the watershed. Additional bacteria samples were collected by District and Town of Jupiter staff at 7 stations in Jones and Sims Creeks. Bacteria levels worsened a bit while chlorophyll levels improved. Two new stations were tested this month to try and further pinpoint possible sources of elevated bacteria in Jones Creek. These new stations are upstream of Caloosahatchee Culvert (CALC) which has traditionally been the worst water quality station in Jones Creek. Delaware (DEL) is located at the west side of the dead end “T” in the canal and 208C is located at the east side of the dead end “T” in the canal. DEL was also added as an additional site for our DEP’s Pathogen Reduction Program study. We summarized the results for the first 4 sampling events during the “wet season” of our pattern project with FDEP in Jones Creek in a report, and developed interactive data tools for the datasonde data, which is now posted on our Jones Creek web page: <https://loxahatcheeriver.org/jonescreek>. We will provide a summary of our findings in this month’s Watershed Status report.



Jones Creek water quality sampling sites.

Chlorophyll-a concentrations in November scored “Poor” at 12 out of 35 (34%) Riverkeeper stations when compared to the stringent (NNC) for each river segment; better than 56% of the stations in October. The highest concentration was found at the new Jones Creek Station (DEL) at 69 ug/L, far above the NNC (5.5 ug/L) for that basin. The average chlorophyll values for all stations was unchanged between October and November at 11 ug/L.

Total Phosphorus (TP) concentrations in November improved slightly over last month with 7 out of 35 (20%) Riverkeeper stations exceeding the FDEP/EPA Numeric Nutrient Criteria (NNC) water quality standards. Three Jones Creek stations (CALC, TPJ, JCU) were tied for the highest concentration at 0.14

Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

mg/L, twice as high as the NNC (0.075 mg/L) for that region. The average for all stations in November was slightly better than October at 0.055 mg/L TP.

Total Nitrogen (TN) concentrations in November were the same as last month with only 1 out of 35 (3%) Riverkeeper stations exceeding the NNC. The JD State Park station 56, at the Papaya Village neighborhood stormwater outfall, had the highest concentration of TN at 1.8 mg/L, over the NNC of 1.54 mg/L for that region. The average for all stations in October was 0.8 mg/L TN.

Fecal coliform bacteria scored “Poor” at 11 of the 42 (26%) stations sampled in November when scored to DEP’s threshold of 800 MPN/100 mL, higher than 13% of the stations sampled in October. The average bacteria count for all stations sampled was 904 MPN/100 mL, up from 431 MPN/100 mL in October. The new Jones Creek station 208C had the highest concentration of fecal coliform bacteria at 13,000 MPN/100 mL, way up from last month’s maximum of 3,500 MPN/100 mL at CALC. The same water sample had a very high enterococci bacteria concentration of 24,200 MPN/100 mL. At the time of sampling, there were filleted fish carcasses in the water along with a strong odor. Staff resampled the bacterial conditions two weeks later and the results were much lower at 1,400 fecal coliforms and 1,300 enterococci, although still significantly higher than EPA’s water quality standards.

WildPine Lab Experimental Tanks

With help from the lab staff, former lab intern and current FAU Honors College student, Owen Silvera, has begun his laboratory seagrass experiment. After a lengthy process of acquiring permits, we collected seagrasses and transplanted them into 12 aquariums in the laboratory. After a few months to allow the seagrass to acclimate, establish and grow, these tanks will be used to evaluate the effects of the chemical glyphosate, found in the herbicide ‘Round-up’ on seagrass health and growth. Owen is the first student to do a laboratory experimental study for his senior thesis research in conjunction with our lab.



Biological Activity Reaction Tests (BART)s

WildPine Lab Technician Zachary Taylor regularly conducts daily monitoring of the wastewater treatment plant’s Biological Oxygen Demand (BOD) in addition to other wet chemical and microbiological tests. In a pilot study, Zac is bringing his expertise in microbiology and some wastewater treatment plant testing methods to help us explore some of the seagrass-sediment-bacteria interactions in the Loxahatchee River estuary.

One of the scientific questions relating to seagrass is understanding the sediment characteristics in which seagrass thrive or struggle. To explore sediments around seagrass and algae rhizomes/roots (mixed *Syringodium filiforme*, *Penicillus Capitatus* and *Calerpa* sp.) as well as bare sediments adjacent to and surrounding the seagrass beds in the river, Zach testing the use of BART™ tests, a water testing system for various bacteria (photo below) often used in water and wastewater treatment plant sampling. The tests detect the activity of certain bacteria over time which helps us understand the biological and chemical composition of the sediments.

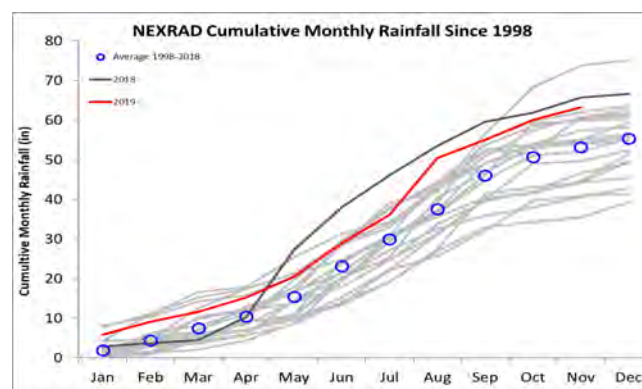
Zac identified an abundance of anaerobic Sulfate Reducing Bacteria (SRB) and Iron Reducing Bacteria (IRB) in both the seagrass and bare sediments tested from the Loxahatchee River estuary. The abundance of SRB and IRB and lack of nitrifying and denitrifying bacteria across sediment types is surprising and will help lead us to our next investigations into understanding seagrass rhizosphere microbial communities in the estuary.



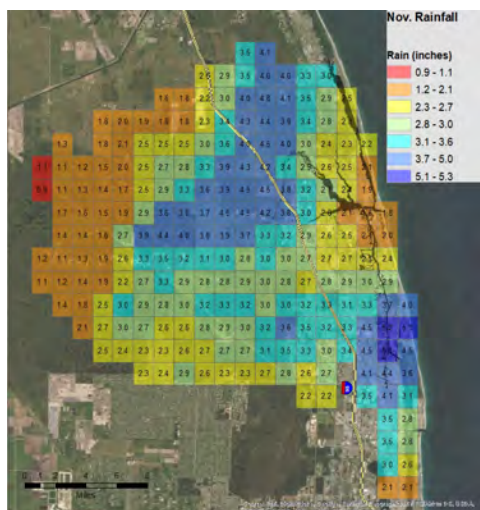
BART™ biological activity reaction test vials where microbes grow into formations of clouds, slimes and gels for different types of bacteria.

Hydrologic Monitoring

November marks the end of the 2019 hurricane season and fortunately it ended quietly as the region has already experienced one of the highest yearly rainfall total in 21 years. November also typically marks the beginning of the dry season, though we had an early start this year. For the month we only had 3.2” of rainfall which is 28% higher than the long-term monthly average of 2.5” for November. Rainfall was recorded somewhere in the watershed on 15 days in November with no substantial rainfall events; the highest single day rainfall total was 0.8”, which occurred on November 1st.



Cumulative annual rainfall using NEXRAD radar-based data. Red line indicates current 2019 cumulative rainfall total. Blue circles indicate mean cumulative rainfall since 1998. (2018 indicated as dark gray line).



Rainfall distribution across the watershed using NEXRAD data. Each pixel represents an area of 2 km x 2 km. Blue colored pixels show highest rainfall and red pixels show lowest

Cumulative rainfall for the calendar year through November is 63.2” which is 19% above the twenty-one year average of 53.2”. 2019 currently remains among the wettest years-to-date since radar based measurements began (red line figure on previous page).

Spatially, there was a 4” spread in rainfall amounts across the watershed. The highest accumulations fell on the southeastern areas near Juno and north-central portions of the watershed which include parts of Jonathan Dickinson State Park and Jupiter Farms.

Flow over Lainhart Dam during November ranged from 69 to 189 cfs with a mean flow of 124cfs with no minimum flow violations. With no major rain events in the regions, the S-46 flood control structure remained closed throughout the month resulting in salinity in the lower estuary unaffected and consistently marine (figure below).

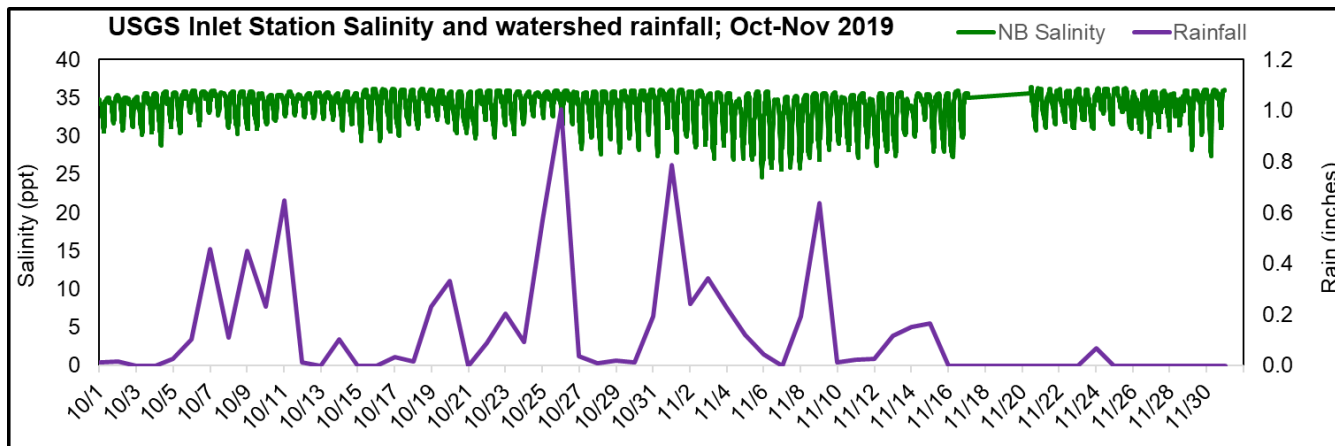


Figure shows two-month continuous bottom salinity (green line) at the USGS monitoring site at the US Highway 1 bridge plotted with daily rainfall across the watershed (purple line).

Oyster Spawning and Settlement Monitoring

Oyster monitoring for the 29-day period ending November 15 indicated above average oyster settlement for the period in both the NW and SW Forks of the river. Compared to last month, settlement remained mostly unchanged in the NW fork with 3,599 spat m^2 compared 3,511 spat m^2 for the period ending October 17. In the SW Fork, mean settlement was up significantly from last month at 4,590 spat m^2 compared to 592 spat m^2 last period. Interestingly, the distribution of settlement activity in both forks was nearly evenly split with 55% and 53% of settlement activity occurring at the downstream site in the NW and SW forks respectively. This seasonal settlement pattern is a continuing trend we are seeing in the oyster spat data whereby we no longer observe a bimodal seasonal pattern where there are two peaks, one in spring and one in fall with a summer lull. Since 2016, once oyster spat settlement commences typically in April, settlement activity continues throughout the summer until typically November, with no detectable summertime lull. Over the past two years heavy settlement activity has continued into October/November than it has in years past (figure right).

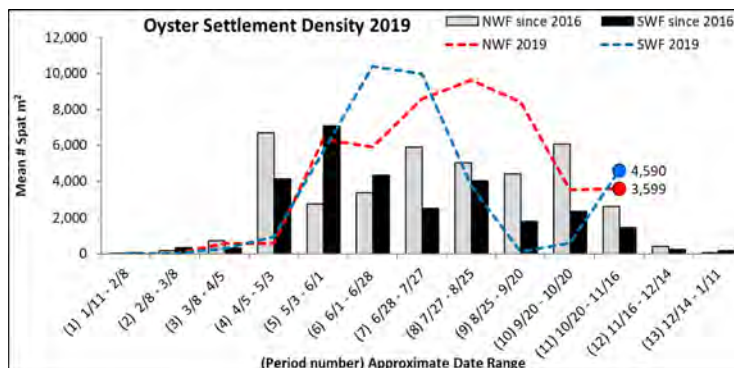


Figure shows mean oyster spat settlement for the Northwest Fork (gray bars) and the Southwest Fork (black bars) since 2016. Dashed lines show oyster spat settlement for 2019 in the NWF (red) and SWF (blue) with the most current density shown

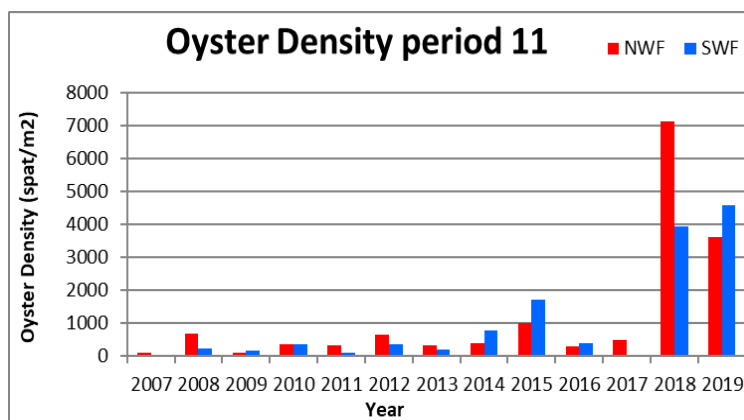


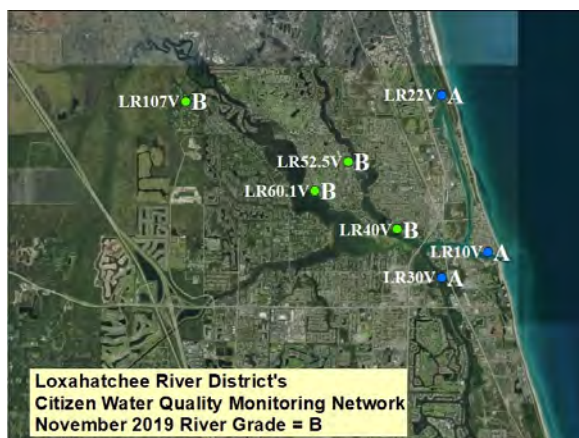
Figure shows mean oyster spat settlement for period 11, mid-October through mid-November, in the Northwest Fork (red bars) and the Southwest Fork (blue bars) since 2007.

Bimonthly Seagrass Monitoring

There are two exciting developments concerning the bimonthly seagrass monitoring. The first is an update on the paper that staff submitted in October on seagrass monitoring frequency and seasonality. Recently the journal *Regional Studies in Marine Science* returned our submission for author revisions. This is considered a good sign and all the requested revisions are minor and simple. The revised paper will be resubmitted and hopefully accepted for publication very soon.

The second development that Jerry has been working on a project to assemble all the monthly/bimonthly seagrass monitoring data back to 2003 into a centralized database. This dataset includes water quality measurements such as salinity, light, turbidity, and chlorophyll as well as summarized data such as total seagrass percent occurrence and percent occurrence by species, canopy height, and shoot density for each site and for each month for which we have data. This single database will replace the multiple databases that previously stored our seagrass data. Soon we will make this data available to staff, partner agencies and the public through our web-based data visualization tools.

Volunteer Water Quality Monitoring Program



The Volunteer Water Quality Monitoring grade scored a “B” for the month of November. Overall, the conditions were good throughout the watershed, with some parameters, including clarity, salinity and pH scoring in the “Fair” category at some of the stations.

Average Parameter Values for November 2019								Scores for Monthly Parameter Averages							
Site	Temp (F)	Secchi	Salinity	pH	DO	DO%	Color	Vis	Salt	pH	DO	DO%	Color	Score	Grade
LR10V	79.5	1.6	31.7	8.2	6.6	97.2	1.0	Fair	Good	Good	Good	Good	Good	91.7	A
LR22V	75.2	1.6	40.0	8.1	6.3	93.6	1.0	Fair	Good	Good	Good	Good	Good	91.7	A
LR30V	76.9	1.4	32.8	8.3	5.7	82.4	1.0	Fair	Good	Good	Good	Good	Good	91.7	A
LR40V	75.2	1.2	36.0	8.4	7.9	115.3	1.0	Fair	Fair	Good	Good	Good	Good	83.3	B
LR52.5V	77.0	0.9	26.0	8.2			1.0	Good	Good	Fair			Good	87.5	B
LR60.1V	72.5	VAB	30.5	8.2	5.9	80.5	1.0	VAB	Fair	Fair	Good	Good	Good	80.0	B
LR107V	71.6	VAB	4.2	7.1	3.3	38.0	1.0	VAB	Good	Good	Fair	Fair	Good	80.0	B
Average	75.4													86.5	B

scale: 0=poor 2=fair 4=good

VAB (Visible at Bottom)
DO (Dissolved Oxygen)

Customer Service

Payment Processing

4th Quarter Bills were due November 14th so Staff were busy processing nearly 17,500 payments totaling over \$2.3M. Other than adding 244 customers to AutoPay, there no interesting or unusual patterns in payment methods. For the quarter we are excited to see if we can break through the 70% milestone for digital payments, versus paper check or cash.

Information Technology (IT)

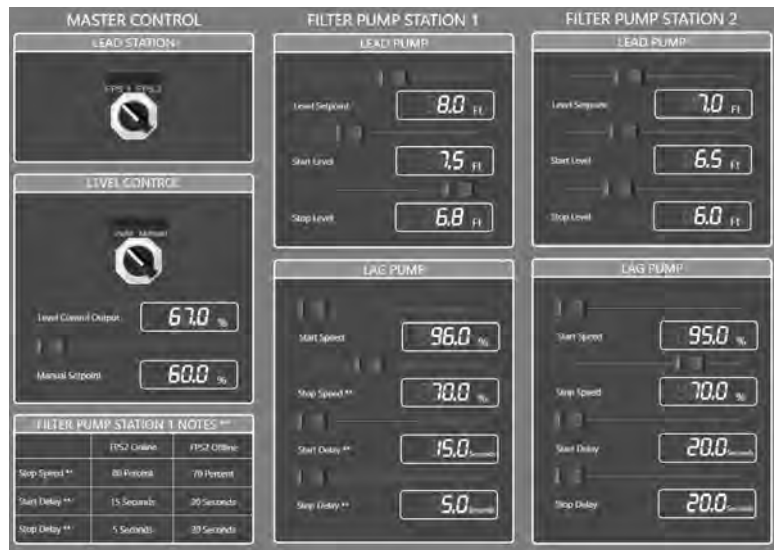
SCADA Improvements

Alan has begun revising SCADA screens to match current industry standards for layout, graphics and colors. The revisions include the following with examples:

- Consistent screen layouts among common structure types.
- Use of a gray background to minimize glare and provide contrast.
- Adding conditional formatting (ex. green, yellow, red) where applicable on values to assist operators in identifying areas that may need additional focus.



Example of Plant Key Performance Indicator (KPI) Charts with conditional formatting of values.



Example of revised Plant Filter Pump Station Control.

Cyber Security

According to Verizon Enterprise's 2019 Data Breach Investigations Report, more than 70 state and local governments have been the victim of successful cyber-attacks this year. Over 90% of detected malware was received by email. To avoid such attacks, the District has improved its security in numerous ways but specifically in our systems and training.

System

The District has benefited greatly from the expertise and service of top tier providers such as Microsoft and their Office 365 platform which is constantly being updated to counter threats and provide high availability of systems. Office 365 uses machine learning to detect attacks and formulate automated strategies to defend.

Over the 12 months our email system has helped us keep users safe from possible threats by blocking/quarantining many potentially harmful actions through email including:

- Over 10,000 phishing emails
- 251 malware emails
- 240,000 spam emails

Training

We continue to take a layered approach with our security, which includes having District serving as a key part of our last line of defense for our security.

Following a series of trainings to educate staff on their role in cyber security, District has been continuously sending simulated phishing attacks to District staff to provide continual assessment and training. Since December 2018 we have sent about 4,000 simulated phishing emails with failure rate of less than 3%.

We appreciate the efforts of staff to take cyber security seriously and their vigilance to help protect the District. We will continue to train and improve our rate of detection and prevention as we move into the new year!

Loxahatchee River Environmental Center

December 2019

River Center Summary Statistics



LRD'S ENVIRONMENTAL STEWARDSHIP DASHBOARD



	Total Visitors	School & Camp Visitors	RC Offsite Programs	RC Onsite Programs	RC Staff Guest Appearances	Program Cancellations	Volunteer Engagement	1st Time Visitors	Visitor Satisfaction	Staff Assessment	Environmental Stewardship	Expenses	Program Revenue
Benchmark / Customer Expectation	% of Target	% of Target	% of Target	% of Target	% of Target	% of programs	% of Target	% of Target	Rating Average	Rating Average	Positive Responses	% within budget	% of Target
Green Level	≥ 90%	≥ 90%	≥ 90%	≥ 90%	≥ 90%	< 5%	≥ 90%	≥ 90%	≥ 4	≥ 4	≥ 90%	≥ 85% but ≤ 105%	≥ 90%
Yellow	≥ 75%	≥ 75%	≥ 75%	≥ 75%	≥ 75%	< 10%	≥ 75%	≥ 75%	≥ 3	≥ 3	≥ 80%	≥ 80%	≥ 75%
Red	< 75%	< 75%	< 75%	< 75%	< 75%	> 10%	< 75%	< 75%	< 3	< 3	< 80%	< 80% or > 105%	< 75%
2017 Baseline	103%	103%	179%	127%	141%		118%	50%	4.8	4.0	87%	102%	114%
2018 Nov	120%	157%	780%	206%	430%	0%	142%	45%	4.8	3.9	98%	88%	102%
Dec	131%	89%	130%	203%	0%	11%	122%	49%	4.6	4.6	87%	82%	100%
2019 Jan	105%	74%	450%	139%	70%	24%	281%	53%	4.8	3.3	93%	101%	160%
Feb	106%	142%	129%	92%	103%	0%	238%	88%	4.5	4.2	83%	101%	160%
Mar	119%	112%	268%	148%	203%	42%	119%	156%	4.5	4.2	83%	93%	62%
Apr	79%	75%	553%	77%	282%	9%	270%	99%	4.9	4.4	97%	86%	73%
May	113%	113%	960%	164%	0%	0%	250%	74%	4.8	4.5	91%	89%	66%
June	98%	84%	151%	156%	0%	9%	121%	119%	4.7	4.1	93%	97%	56%
July	85%	88%	199%	68%	0%	0%	104%	95%	4.8	4.1	92%	110%	82%
Aug	89%	10%	58%	122%	0%	33%	62%	272%	4.7	5.0	86%	100%	71%
Sept	74%	68%	172%	135%	0%	0%	95%	170%	4.8	4.3	98%	93%	69%
Oct	116%	131%	150%	103%	182%	18%	138%	290%	4.6	4.3	71%	100%	135%
Nov	113%	123%	290%	221%	431%	27%	107%	105%	4.5	4.7	94%	96%	97%
Consecutive Months at Green	2	2	3	4	2	0	3	6	13	10	1	4	2
Metric Owner	O'Neill	Harris	Harris/Duggan	Harris/Duggan	Duggan	Harris	Harris	O'Neill	O'Neill	O'Neill	O'Neill	O'Neill	O'Neill

Metric	Explanation
Program Cancellations	Palm Beach Maritime Academy cancelled three program days (total of estimated 150 students) because they did not add those dates to their school calendar and therefore did not secure buses.



River Center General Ramp Repair

R Builders completed the repair of the accessibility ramp at the River Center. Some of the support structure was able to be saved, but all the decking and railing was replaced.

Lecture Series – Friday, December 6th

The River Center welcomed Sara Ayers-Rigsby, Southeast/Southwest Regional Director for the Florida Public Archaeology Network, for her presentation entitled “Prehistoric Snowbirds.” We are not the first people to realize the wonders of southern Florida; people have been living here for over 10,000 years. Sara discussed their migration habits as well as the evidence they left behind. It was a fascinating presentation with 72 participants.



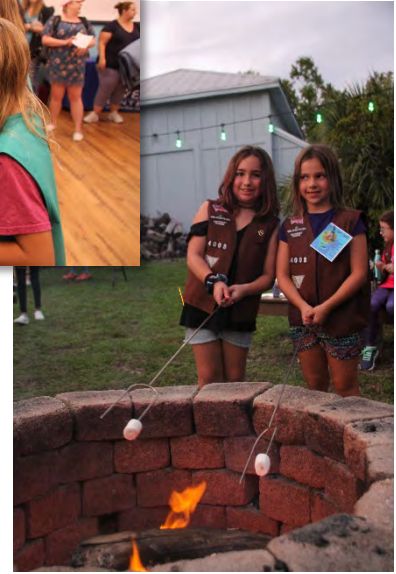
Special Programs

Campfire for Girls – November 2nd

The River Center hosted its fourth Girl Scout Way campfire workshop, entitled “Campfire for Girls.” This event was open to all girls celebrating sisterhood across ages, backgrounds, and cultures; honoring what brings us together. As girls rotated through the different activities they would earn the Girl Scout Way badge.



These activities included time-honored traditions like singing campfire songs, creating swaps, roasting marshmallows by the fire, participating in the Juliette Gordon-Low candlelight ceremony, and enjoying being with other girls from their community! Our favorite part each year is the Women Leaders of Today. Girls visit different booths with a variety of women role models in the field of science, education, research, and engineering. The girls learn about what inspired them, how they help their community, and what it means to be a leader. This event drew a large crowd with 250 visitors in attendance. The River Center would like to thank all the support from the Women Leaders of Today and the numerous teen volunteers that helped make this event a success.



- The Nature Conservancy – Blowing Rocks Preserve
- Florida Park Service – John D. MacArthur Beach State Park
- Max Planck Florida Institute for Neuroscience
- FAU Pine Jog Environmental Education Center
- Society of Woman Engineers
- Girl Scouts of Southeast Florida



Homeschool Workshop: Oyster Reef Ecology Lab – November 8th

We had twenty-one students ranging from 11-16 years old participate in an Oyster Reef Ecology Lab. This activity included a habitat assessment using samples taken directly from the Loxahatchee River. Macro and microorganisms were discovered, identified, and classified using microscopes. Students got a firsthand look at the primary consumers of the food web in relation to fish nursery food supplies finding crabs, snails, shrimp, clams, other invertebrates, and even a fish in the oyster bags. These are the same bags that are used in oyster restoration projects in the Loxahatchee River, Indian River Lagoon, and Lake Worth Lagoon with much success.



Blooming in the Garden – November 9th

Blooming in the Garden is an early learner family program. The theme this month was All About Leaves and included story time, leaf rubbings, and fun leaf and tree themed crafts. Unfortunately, this day was a rainy one, so we were limited in our garden exploration, but we made the best out of a wet situation by exploring plants that grow near the center. We had 9 children and 5 adults enjoy this event.



Naturalist Series: Winding Waters Natural Area Hike – November 20th



The River Center held its first nature hike of the season at Winding Waters. Megan Harris along with River Center Manager Jocelyn O'Neill, led fourteen participants for a guided walk through Winding Waters Natural Area. This was a first-time hike at this location which is managed by Palm Beach County Environmental Resources Management Division. This 548-acre natural area contains pine flatwoods, hydric hammock, freshwater marsh, wet prairie, and dome cypress swamp. What makes this natural area so special is that it is a completely restored

property, once part of the Solid Waste Authority of Palm Beach County located by the old Dyer dump. Several areas were cleared for agricultural purposes and have been restored to shallow-water and deep-water marshes. Birdlife was abundant on this absolutely gorgeous afternoon with anhinga, moorhens, tri-colored herons, belted kingfishers all making appearances. The best part about the trip was the raptors that were sighted. Participants saw snail kites, red-shouldered hawk, red-tailed hawk, and a juvenile merlin migrating through Florida.



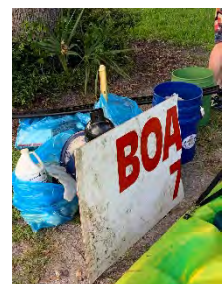
Kayak Tour with Grief and Hope Group – November 24th

The River Center hosted a special kayak tour for the Christ Fellowship Grief and Hope group. This group is designed for those grieving to find support, love, and sisterhood during a time of heartache. Nine ladies participated in a trip launching from Burt Reynolds, circling around the park and crossed the Intracoastal to Fullerton Island. Guests paddled in and around the restored Fullerton Island to check out some local wildlife. Osprey, pelicans, egret, ibis, and mullet were in abundance all around on this beautiful and breezy day on the water. This was an experience to get out on the water, share a lot of laughter, and heal through fellowship and nature. One guest perfectly summed up what the trip meant to her, "We share grief, but we also celebrate joy."



Kayak Cleanup with Xylem – November 8th

Xylem Water Solutions participated in kayak cleanup in the Lake Worth Aquatic Preserve. We have partnered with this company before with cleanups and were excited to have them come back to continue this event. We love partnering with environmental groups for these events because they are so important for the health of our area. The lagoon is constantly plagued with debris due to high boat traffic and heavy use and through these cleanups we can really make a difference. Paddling



around Burt Reynold's park, we explored the mangrove islands and managed to find about 15 pounds worth of debris. Even though these events can be hard work, we always are happy to do our part to keep our local waterways clean.

Outreach

Lagoonfest Outreach – November 2nd



Lagoonfest in Downtown West Palm Beach highlights the beautiful Lake Worth Lagoon and allows visitors to experience different organizations and activities associated with the lagoon. It was a beautiful day on the waterfront and the turnout for the event was great. Sara Duggan was able to introduce the River Center to a wide range of new families and people in our community. We had over 430 visitors to the River Center booth. We are looking forward to participating in this event next year.



Volunteer of the Month – James Lovelady

James Lovelady has been volunteering at the River Center for the past two years. To date he has contributed more than 372 hours. Home schooled, James is graduating 1 year early from high school and applying to college-- His # 1 pick is Texas Christian University. James is incredibly kind, respectful and quite personable to staff and guests alike. He is also known as a problem solver; just tell him the outcome and he will respond with: "I'll figure it out"...and he does.

Upcoming River Center Events

RSVP at www.lrdrivercenter.org/events-calendar
rivercenter@lrccd.org or 561-743-7123

December 18, 10 am – 1 pm: Wild and Scenic Boat Tour: Take a trip up the beautiful, Wild and Scenic Loxahatchee River aboard an adventure vessel with Aqua Adventure Tours led by a River Center Naturalist. See the different habitats of our estuary, explore the untouched and protected areas of the river and connect with the wildlife that's in your own backyard. Please register to attend.

December 21, 10 am – 11:30 am: Bloomin' in the Garden: Let's go explore! Join the River Center for our summer Bloomin' in the Garden program, designed for children ages 3-7. The program will start at 10:00 am in the River Center with a story time and a garden-themed craft. We will then move to our garden for a garden themed hands-on activity. When it's time to go home, children will receive a plant to take home to start their own garden! So, don't miss this exciting opportunity for your little ones to enjoy nature! Adults and children should come prepared and dress comfortable for being outside in the garden. All equipment will be provided, and this program is free of charge. Donations are always welcome. Please RSVP to attend!

December 26, 10 am – 1 pm: Craft-a-Palooza: LET'S GET CRAFTY! Join us in the River Center classroom for some FREE arts and crafts, games, activities, music, and fun. This is a free event and no RSVP is required to attend or participate. Our crafts are designed for children ages 3-10. Make sure you don't miss out on this exciting event! No registration required.

December 27, 9 am – 12 pm: Fishing Clinic: Don't miss out on this exciting fishing opportunity with the River Center. Fishing clinics are a great way for kids to learn the basics of fishing methods and tactics! Make sure to join us for an engaging overview that includes knot tying, fish identification, and of course fishing! Parents are encouraged to accompany their kids and participate in the clinic. The cost is \$10 per child. Interested participants should bring water, sunscreen, a hat, and sunglasses.

December 28, 10 am – 1 pm: Old School Science Day: Join the River Center for a day of exciting science fun! Participants can test out different experiments, partake in crafts and enjoy some great educational fun! This program is free, and no RSVP is required to attend or participate. For more questions or inquiries please contact the River Center at 561-743-7123 or RiverCenter@lrecd.org

January 2, 10 am – 11:30 am: Art in Nature: Brenda Nicklaus of Art in Nature will lead a program for children ages 5 and up to explore nature and make art. Please register to attend.

January 3, 9 am – 11 am: Nature Hike to Loxahatchee River District: Come explore with us! Join the River Center on Friday, January 3rd for our Nature Walk through the Loxahatchee River District's retention pond and bird reserve. Walk along the guided paths and immerse yourself in this behind the scenes tour. Interested participants should bring closed toed shoes, sunscreen, hat, sunglasses, and plenty of water. Please make sure to register to attend.

January 10, 7 pm – 8 pm: Documentary Night – On Friday, January 10th from 7:00 pm to 9:00 pm, we will screen "The Swamp." The Swamp tells the dramatic story of humanity's attempts to conquer the Florida Everglades, one of nature's most mysterious and unique ecosystems. Home to a profusion of plants and animals found nowhere else on the continent, the Everglades was an immense watershed covering the southern half of the Florida peninsula. In the 19th century, however, most Americans believed swamps were filled with diseases and noxious reptiles and saw them as obstacles to the nation's progress. The idea of draining the Everglades became the goal of many entrepreneurs, politicians and salesmen who saw great potential in turning the massive wetland into a profitable enterprise. Altering the landscape of the Everglades unleashed a torrent of unintended consequences, from catastrophic floods to brutal droughts. Told through the lives of a handful of colorful and resolute characters, from hucksters to politicians to unlikely activists, The Swamp explores the repeated efforts to transform what was seen as a vast and useless wasteland into an agricultural and urban paradise, ultimately leading to a passionate campaign to preserve America's greatest wetland. Registration is required, space is limited.

January 11, 10 am – 11:30 am: Bloomin' in the Garden: Let's go explore! Join the River Center for our summer Bloomin' in the Garden program, designed for children ages 3-7. The program will start at 10:00 am in the River Center with a story time and a garden-themed craft. We will then move to our garden for a garden themed hands-on activity. When it's time to go home, children will receive a plant to take home to start their own garden! So, don't miss this exciting opportunity for your little ones to enjoy nature! Adults and children should come prepared and dress comfortable for being outside in the garden. All equipment will be provided, and this program is free of charge. Donations are always welcome. Please RSVP to attend!

January 17, 10 am – 1 pm: Wild and Scenic Boat Tour: Take a trip up the beautiful, Wild and Scenic Loxahatchee River aboard an adventure vessel with Aqua Adventure Tours led by a River Center Naturalist. See the different habitats of our estuary, explore the untouched and protected areas of the river and connect with the wildlife that's in your own backyard. Please register to attend.

January 25, 8 am – 4 pm: Boating Safely Class: The River Center continues to collaborate with the US Coast Guard Auxiliary "Flotilla 52" to provide a series of Boating Safely Classes targeted specifically to young boaters in our community. These classes are provided through a generous sponsorship by the AustinBlu Foundation, a not-for-profit dedicated to raising awareness and promoting

educational programs to improve boater safety. There is no cost for this class, however a deposit is required to reserve a seat. The deposit of \$10 will be refunded in full to all students who complete the class. Recommended for children 12 years and up.

Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • www.loxahatcheeriver.org



D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

To: D. Albrey Arrington, Ph.D., Executive Director
From: Travis Bains, CSHO, ENS, Safety Compliance Officer
Date: December 6, 2019,
Subject: District Safety Report for November 2019

Safety Metrics: November 2019

OSHA recordable injuries: **None**

Lost time injuries: **None**

Actual TRIR: **6.3** [TRIR Goal <4.4]

TRIR = Total Recordable Incident Rate

Safety is a Core Value at LRD

Our conduct is shaped by a personal commitment to protect the health and safety of ourselves and our colleagues. Safety is driven through education, training, planning, protective equipment, and individual accountability.

Training

The focal point of training for November was Responsibilities within the District, concentrating on the Safety Officer, Supervisors, and Employees. An outline was created, emphasizing industry standards. Major talking points included, reporting of near misses and injuries, standardization of procedures and the importance of such standards. Training began with explaining the role of the Safety Officer, i.e., to advise and consult as to safety and environmental standards, to look beyond the low-hanging fruit and assist in mitigating hazards, seen and unseen. Then, we discussed supervisors' responsibilities, i.e., they are the front-line defense of the District; they relay pertinent information between Directors and Employees and overseeing the functions of their crews. Then, we discussed employees' responsibilities with a goal of ensuring they understood the important roles in which they partake in daily activities. Finally, we reviewed the Core Values and Safety Guidance Statement to show the significance of the District's commitment to safety and the employees well-being.

Hazard Analysis & Individual Accountability

The District Safety Officer works daily with supervisors and staff throughout the organization to assess and evaluate potential hazards by addressing the 4 Qs:

1. What am I about to do?
2. How could I get hurt?
3. What am I going to do to prevent injury?
4. What do I need to do this job and how will I do it safely?

This month the District Safety Officer worked with relevant staff to conduct targeted hazard analyses for the following projects:

Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

Emergency Job, IQ Main Line Break

Primary hazards: constant water accumulation – setting of well point drains, maintenance of traffic, excavation (undermining, shoring with multiple utilities), protecting the public, vac-con operations

Job Hazard Analysis: JHA was reviewed with crew and hazards mitigated

Job site safety assessment conducted

RAS Structure valve replacement (Contractor)

Primary hazards: deep excavation, anomaly digs, excavator without butter bar on bucket, duct bank (unknown power source) outdated prints – one lines, and piping and instrumentation diagrams

Job Hazard Analysis: Excavation Protocol discussed with Contractor

Job site safety assessment conducted.

Man-hole rehab, broken chimney and debris clean out

Primary hazards: environmental (raw sewage, ticks, plants, wasps, sugar sand, limited access to manhole), confined space, ventilation, HazCom, gas monitoring, inspection of emergency retrieval system (davit arm and personal harness).

Job Hazard Analysis: Review of Confined Space Procedures and JHA with crew

Job site safety assessment conducted.

Lift Station Rehab & Wet Well Inspections (45 & 30)

Primary hazards: Confined Space, ventilation, Environmental, davit arm and personal harness inspection, communication, gas monitor failure, competent person attendant and entrant.

Job Hazard Analysis: Review of Confined Space Procedures and JHA reviewed with crew

Job site safety assessment conducted.

Training sessions were not limited to the office setting. Task analysis and tool-box talks were conducted daily with various crews in the field, reiterating the importance of identifying the task at hand and the hazards associated with those tasks.

Safety Quote of the month: *Think Smart Before You Start*

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D. Albrey Arrington, Ph.D., Executive Director

MEMORANDUM

TO: Governing Board

FROM: Administration Staff

DATE: December 12, 2019

SUBJECT: Consultant Payments

The following amounts have been reviewed and approved for payment to our consultants for work performed during the prior month.

	<u>Prior Month</u>	<u>Fiscal YTD</u>
Shenkman, PA	\$6,310.00	\$10,922.50
Hazen	\$0	\$0
Holtz	\$11,517.55	\$22,049.00
Baxter & Woodman	\$9,482.02	\$40,208.92

Should you have any questions in regard to these items, please contact Kara Fraraccio concerning the attorney's invoice, and Kris Dean concerning the engineers' invoices.

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Gordon M. Boggie
Board Member

Stephen B. Rockoff
Board Member

Dr. Matt H. Rostock
Chairman

Harvey M. Silverman
Board Member

James D. Snyder
Board Member

Future Business



Neighborhood Sewering:

- 181st Street Gravity Construction Contract
- Preliminary Assessment - Imperial Woods
- Preliminary Assessment-New Palm Beach Heights

Other:

- Olympia Force Main Replacement Construction Contract
- Lift Station 82 Conversion
- CCNA Plant Engineering
- CCNA Architect & Landscape Engineering
- Greenhouse Gas Emissions Study
- Odor Control Study
- Selection of New Investment Advisor
- Rules Chapter 31-13, Regulation of Sewer Use