

AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA
AND
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
FOR LOCAL COOPERATION

THIS AGREEMENT entered into this 27th day of October 1976
by and between the UNITED STATES OF AMERICA (hereinafter called the "Government")
represented by the Contracting Officer executing this agreement, and ST. JOHNS RIVER
WATER MANAGEMENT DISTRICT (hereinafter called "St. Johns"), WITNESSETH THAT:

WHEREAS, within the present legally described geographical boundaries of Central
and Southern Florida Flood Control District of the State of Florida, a public corporation
of the State of Florida (hereinafter called "C&SF"), is included an area commonly known
as the Upper St. Johns River and related areas; and

WHEREAS, within the present legally described geographical boundaries of Southwest
Florida Water Management District, a public corporation of the State of Florida,
(hereinafter called "SWF"), is included an area commonly known as Oklawaha River Area;
and

WHEREAS, C&SF is presently the sponsor for the Upper St. Johns River and related
areas, and has furnished Resolution No. 224 and Resolution No. 398 assuming responsi-
bility for compliance with conditions of local cooperation under federal authorization
for the said Upper St. Johns River and related areas, and for other areas within the
geographical boundaries of C&SF (copies of Resolutions No. 224 and No. 398 are
hereby attached); and

WHEREAS, SWF is presently the sponsor for Oklawaha River Area and has furnished
Resolution No. 33 assuming responsibility for compliance with conditions of local
cooperation under federal authorization for the Oklawaha River Area and for other
areas within the geographical boundaries of SWF (a copy of Resolution No. 33 is
hereby attached); and

WHEREAS, SWF and C&SF have furnished Resolutions (being No. 447 and No.
984, respectively) assuming full responsibility for compliance with the requirements
for local cooperation as set forth in Public Law 91-646 (copies of Resolutions No. 447
and No. 984 are hereby attached); and

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Encl 1?

WHEREAS, Chapter 373, Florida Statutes 1976 requires the transfer of the Oklawaha River Area from SWF to St. Johns and the transfer of the Upper St. Johns Area from C&SF to St. Johns at 11:59 p.m. on December 31, 1976; and

WHEREAS, construction of the project at Oklawaha River Area was authorized by the Flood Control Act of 1962 (Public Law 87-874) and construction of the project on the Upper St. Johns River and related areas was authorized by the Flood Control Act of 1954 (Public Law 780) and the Flood Control Act of 1958 (Public Law 85-500), which are hereinafter referred to jointly as PROJECTS; and

WHEREAS, St. Johns hereby represents that it has the authority and capability to furnish the non-Federal cooperation required by the Federal legislation authorizing the PROJECTS and by other applicable law,

NOW, THEREFORE, the parties agree as follows:

1. St. Johns agrees that it assumes all obligations of predecessor agencies as enumerated below on certain completed work and on the construction of future improvements on the Oklawaha River Area and the Upper St. Johns River and related areas substantially in accordance with Federal legislation authorizing such PROJECTS, Flood Control Act of 1962, Public Law 87-874, Flood Control Act of 1954, Public Law 780 and the Flood Control Act of 1958, Public Law 85-500, and in consideration of the Government continuing construction of such PROJECTS, St. Johns agrees to fulfill all the requirements of non-Federal cooperation as hereinafter enumerated;

a. Contribute in cash 17 percent for the Oklawaha River Area and 20 percent for the St. Johns River and related areas, of the sum of the contract price and the costs of supervision and administration thereof for each part of the work to be provided by the Corps of Engineers, to be paid either in a lump sum prior to start of construction, or in installments prior to start of pertinent work items in accordance with construction schedules as required by the Chief of Engineers, the final contribution to be determined after actual costs are known;

b. Provide without cost to the United States all lands, easements, and rights-of-way, necessary for construction of the project, and in addition, and in connection with the Oklawaha River Area, preserve outlet waterways needed for proposed works, or secure rights thereon, to permit required discharges without causing significant damages under present or future conditions of development;

- c. Provide without cost to the United States all necessary alterations or replacements of public and private utilities, facilities, appurtenances, roads, bridges, and other such works, except railroad bridges and approaches;
- d. Hold and save the United States free from damages that may be attributed to construction and maintenance of the PROJECTS, except damages due to the fault or negligence of the United States or its contractors;
- e. Maintain and operate all the completed works, and all the works that are completed in the future, in accordance with regulations prescribed by the Secretary of the Army; and
- f. In connection with the Oklawaha River Area, construct and maintain at their own expense such associated works as are necessary to realize the benefits made available by the work to be provided by the United States.

2. St. Johns agrees to assume the responsibility of local cooperation only in the geographical boundaries of the St. Johns River Water Management District as set forth in Chapter 373, Florida Statutes 1976.

3. When this agreement is fully executed by all parties, the Government is accepting St. Johns as the non-Federal interest to assume the responsibilities of local cooperation and C&SF and SWF are no longer obligated to the Government by resolution or contract within the geographical boundaries of the St. Johns River Water Management District.

4. St. Johns agrees that all acquisitions required to comply with conditions of this contract shall be accomplished in accordance with the provisions of Public Law 91-646, Uniform Relocation Assistance and Real Property Acquisition Act of 1970.

5. St. Johns agrees to sign and comply with the conditions set forth in the attached Exhibit A as assurance of compliance with the Department of Defense directive under Title VI of the Civil Rights Act of 1964, which by reference is made a part of this contract as if it were fully set forth herein.

6. St. Johns hereby gives the Government a right to enter upon, at reasonable times and in a reasonable manner, lands which St. Johns owns or controls for access to the PROJECTS for the purpose of inspection, and for the purpose of repairing and maintaining the PROJECTS, if such inspection shows that St. Johns for any reason is failing to repair and maintain the PROJECTS in accordance with the assurances hereunder and has persisted in such failure after a reasonable notice in writing by the Government

delivered to St. Johns. No repair and maintenance by the Government in such event shall operate to relieve St. Johns of responsibility to meet its obligations as set forth in paragraph 1 of the Agreement, or to preclude the Government from pursuing any other remedy at law or equity.

7. If this Agreement is executed prior to 11:59 p.m., December 31, 1976, it shall not become effective until that date.

8. This Agreement is subject to the approval of the Secretary of the Army or his designated representative.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the day and year first above written.

THE UNITED STATES OF AMERICA

By *Donald A. Wisdom*
DONALD A. WISDOM
Colonel, Corps of Engineers
Contracting Officer

DATE: 27-10-76

APPROVED: *Thomas S. ...*
PROVOST MARSHAL
Director of Real Estate

For the Secretary of the Army
(or his authorized representative)

DATE: 12-9-76

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

By *J. Kelly*
Chairman of the Board

This Agreement has been reviewed and is approved for legal sufficiency as a binding legal obligation on the St. Johns River Water Management District, consistent with Section 221 of Public Law 91-611 (Flood Control Act of 1970).

APPROVED:

Herbert ...
Attorney for St. Johns River Water Management District

DATE: 12-28-76

EXHIBIT A

ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF DEFENSE
DIRECTIVE UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

THE SPONSOR HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Directive of the Department of Defense (32 CFR, Part 300, issued as Department of Defense Directive 5500.11, Change 3, dated 11 April 1966) issued pursuant to that title, to the end that, in accordance with Title VI of the Act and the Directive, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Sponsor receives Federal financial assistance from the Department of the Army and HEREBY GIVES ASSURANCE THAT it will immediately take any measure necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Sponsor by the Department of the Army, assurance shall obligate the Sponsor, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Sponsor for the period during which the Federal financial assistance is extended to it by the Department of the Army.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance which were approved before such date. The Sponsor recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sponsor, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

Date: _____



Chairman of the Board

RESOLUTION NO. 224

ASSUMPTION OF RESPONSIBILITY FOR COMPLIANCE WITH
CONDITIONS OF LOCAL COOPERATION WITH FEDERAL
GOVERNMENT UNDER FEDERAL AUTHORIZATION ENACTED BY
83rd CONGRESS, 2nd SESSION

WHEREAS, on the first day of August 1949 the Governing Board of Central and Southern Florida Flood Control District in regular meeting duly assembled at West Palm Beach, Florida, adopted a resolution, dated August 1, 1949 and numbered 12, whereby the said Board on behalf of the Central and Southern Florida Flood Control District agreed to and did assume full responsibility for compliance with the specific requirements of local cooperation set forth in House Document No. 643, Eightieth Congress, Second Session, and in detail in the second paragraph of said resolution; and,

WHEREAS the Flood Control Act of 1954, Public Law no. 780, of the Eighty-third Congress, Second Session, adopted and authorized modification and expansion of the comprehensive plan for Flood Control and other purposes in Central and Southern Florida authorized by the Flood Control Act of June 30, 1948, and amendments thereto, to include the entire comprehensive plan of improvement as recommended by the Report of the Chief of Engineers in House Document No. 643, Eightieth Congress, with such modifications thereof as the Congress may thereafter authorize; Provided that the conditions of local cooperation for the authorized first phase approved by the said Flood Control Act of June 30, 1948, shall apply to that authorized first phase, but for all work over and beyond that previous authorization such conditions shall apply on an interim basis only until they shall be modified as deemed appropriate by the Congress, based on recommendations to be submitted at the earliest practicable date by the Chief of Engineers through the Bureau of the Budget to the Congress: Provided further, That whatever conditions of local cooperation are established by Congress as a result of such recommendations shall be retroactive to any units of the comprehensive plan authorized in the Flood Control Act of September 1, 1954, which may be started prior to establishment of the exact conditions of local cooperation; and,

WHEREAS, the Central and Southern Florida Flood Control District has previously indicated its willingness and intention to assume responsibility for the compliance with conditions of local cooperation for the comprehensive plan for flood control and other purposes in Central and Southern Florida set forth in the Flood Control Act of 1954, Public Law No. 700 of the Eighty-third Congress, Second Session:

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of Central and Southern Florida Flood Control District, in regular meeting duly assembled on the 15th day of September, 1954, at West Palm Beach, Florida, that the Governing Board of Central and Southern Florida Flood Control District by this Resolution agrees to and hereby assumes full responsibility for compliance with the aforementioned requirements of local cooperation which are set forth in detail in the Flood Control Act of 1954, Public Law No. 780, Title Two, Eighty-third Congress, Second Session, under the heading CENTRAL AND SOUTHERN FLORIDA in Section 203 thereof, and specifically including compliance with whatever conditions of local cooperation are established by Congress to apply retroactively to any units of the comprehensive plan authorized by the said Flood Control Act of 1954 which may be started prior to establishment of the exact conditions of local cooperation applicable to units of the comprehensive plan authorized by the said Flood Control Act of 1954.

PASSED and ADOPTED, at West Palm Beach, Florida, this the 15th day of September, A. D., 1954.

(Corporate Seal)

CENTRAL AND SOUTHERN FLORIDA FLOOD
CONTROL DISTRICT, BY ITS GOVERNING
BOARD

BY /s/ F. Elgin Bayless
Chairman

ATTEST:

/s/ W. Turner Wallis
Secretary

Central and Southern Florida Flood Control District

RESOLUTION NO. 398

ASSUMPTION OF RESPONSIBILITY FOR COMPLIANCE WITH CONDITIONS OF LOCAL COOPERATION WITH FEDERAL GOVERNMENT UNDER FEDERAL AUTHORIZATION ENACTED BY 85th CONGRESS, 2d SESSION

WHEREAS, on the 1st day of August 1949, the Governing Board of Central and Southern Florida Flood Control District in regular meeting duly assembled at West Palm Beach, Florida, adopted a resolution, dated August 1, 1949, and numbered 12, whereby the said Board on behalf of the Central and Southern Florida Flood Control District agreed to and did assume full responsibility for compliance with the specific requirements of local cooperation set forth in House Document No. 643, 80th Congress, 2d Session; and

WHEREAS, on the 15th day of September 1954, the Governing Board of Central and Southern Florida Flood Control District in regular meeting duly assembled at West Palm Beach, Florida, adopted a resolution, dated September 15, 1954, and numbered 224, whereby the said Board on behalf of the Central and Southern Florida Flood Control District agreed to and did thereby assume full responsibility for compliance with the requirements of local cooperation set forth in detail in the Flood Control Act of 1954, Public Law No. 780, Title II, 83rd Congress, 2d Session, under the heading CENTRAL AND SOUTHERN FLORIDA in section 203 thereof, and specifically including compliance with whatever conditions of local cooperation are established by Congress to apply retroactively to any units of the comprehensive plan authorized by the said Flood Control Act of 1954 which may be started prior to establishment of the exact conditions of local cooperation applicable to units of the comprehensive plan authorized by the said Flood Control Act of 1954; and

WHEREAS, the Flood Control Act of 1958, Public Law No. 85-500 85th Congress, 2d Session, adopted and authorized modifications to the comprehensive plan for flood control as recommended by the Chief of Engineers in House Document No. 186, 85th Congress, which provides "(c) That for the second phase of the project authorized by the Flood Control Act of 1954, non-Federal interests be required to contribute 20 percent toward the cost of contracts for construction plus supervision and administration thereof, to provide the necessary lands and relocations, to bear the cost of mainten-

ance and operation of all works except those having to do with the regulation of Lake Okeechobee, and to hold and save the Federal Government free from damages resulting from project construction and operation;"

NOW THEREFORE BE IT RESOLVED by the Governing Board of Central and Southern Florida Flood Control District, in regular meeting duly assembled on the 9th day of October 1959, at West Palm Beach, Florida, that the Governing Board of Central and Southern Florida Flood Control District by this Resolution agrees to and hereby assumes full responsibility for compliance with the aforementioned requirements of local cooperation which are set forth in detail in the Flood Control Act of 1958, Public Law No. 85-500, 85th Congress, 2d Session, under the heading CENTRAL AND SOUTHERN FLORIDA in section 203 thereof, and specifically including that for the second phase of the project authorized by the Flood Control Act of 1954, the Central and Southern Florida Flood Control District will contribute 20 percent toward the cost of contracts for construction plus supervision and administration thereof, will provide the necessary lands and relocations, will bear the cost of maintenance and operation of all works except those having to do with the regulation of Lake Okeechobee, and will hold and save the Federal Government free from damages resulting from project construction and operation.

PASSED and ADOPTED, this the 9th day of October, A. D., 1959.

(Corporate Seal)

CENTRAL AND SOUTHERN FLORIDA FLOOD
CONTROL DISTRICT, BY ITS GOVERNING
BOARD

By /s/ Brian K. McCarty
Chairman

ATTEST:

/s/ G. E. Dail, Jr.
Secretary

RESOLUTION NO. 33

A RESOLUTION ASSUMING FULL RESPONSIBILITY BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF FLORIDA, FOR COMPLIANCE WITH THE REQUIREMENTS OF LOCAL COOPERATION AS SET FORTH IN HOUSE DOCUMENT NO. 585 - 87TH CONGRESS, 2ND SESSION, IN CONNECTION WITH THE FOUR RIVER BASINS, FLORIDA, AUTHORIZED BY PUBLIC LAW 87-874, APPROVED 23 OCTOBER 1962.

WHEREAS, the Congress of the United States by Flood Control Act of 1962 (Public Law 87-874) authorized the project for the Four River Basins, Florida, namely the Hillsborough, Oklawaha, Withlacoochee, and Peace Rivers, in accordance with the recommendation of the Chief of Engineers as modified by the Secretary of the Army in House Document No. 585- 87th Congress, 2nd Session, and as further modified by Congress in the aforementioned Public Law, subject to the condition that local interests provide the United States with the following assurances:

- a. Contribute in cash 17% of the sum of the contract price and the costs of supervision and administration thereof for each part of the work to be provided by the Corps of Engineers, an amount presently estimated to total \$10,700,000, to be paid either in a lump sum prior to start of construction, or in installments prior to start of pertinent work items in accordance with construction schedules as required by the Chief of Engineers, the final contribution to be determined after actual costs are known;
- b. Provide without cost to the United States all lands, easements, and rights-of-way, necessary for construction of the project, and in addition preserve outlet waterways needed for proposed works, or secure rights thereon, to permit required discharges without causing significant damages under present or future conditions of development;
- c. Provide without cost to the United States all necessary alterations or replacements of public and private utilities, facilities, appurtenances, roads, bridges, and other such works, except railroad bridges and approaches;
- d. Hold and save the United States free from damages due to the construction work;
- e. Maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of the Army; and
- f. Construct and maintain at their own expense such associated works as are necessary to realize the benefits made available by the work to be provided by the United States.

WHEREAS, the Southwest Florida Water Management District is legally authorized to furnish the United States with the aforesaid assurances required by Congress and desiring to do so,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF GOVERNORS OF THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, FLORIDA:

SECTION 1: That without restrictions or reservations the Southwest Florida Water Management District agrees to and hereby assumes full responsibility for compliance with the requirements of local cooperation as set forth in House Document No. 585 - 87th Congress, 2nd Session, specifically listed above in sub-paragraphs, a, b, c, d, e, and f.

SECTION 2: That three certified copies of this resolution be furnished to the United States.

ADOPTED this 10th day of April, A. D., 1963.

THE GOVERNING BOARD OF THE
SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

ATTEST:

Thomas M. Kilgore
Secretary of the Board

Clifford G. H. Lane
Stanford Needles
Thomas M. Kilgore
Robert E. Williams
Clifford G. H. Lane
E. J. Kinsella
John D. Miller
Thomas M. Kilgore
EB Larkin

CERTIFICATE

I, Thomas M. Kilgore, duly appointed Secretary of the Board of the Southwest Florida Water Management District, certify that the foregoing is a true and correct copy of Resolution No. 33, passed and adopted by the Governing Board of the Southwest Florida Water Management District in monthly meeting on April 10, 1963, which Resolution is contained in the permanent records of the District Office.

WITNESS my hand and official seal in the City of Brooksville, Florida, this 10th day of April, A. D. 1963.

(Seal)

Thomas M. Kilgore
Secretary of the Board
Southwest Florida Water Management District

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 447

ASSUMING RESPONSIBILITY BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, A PUBLIC CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF FLORIDA, FOR COMPLIANCE WITH THE REQUIREMENTS FOR LOCAL COOPERATION AS SET FORTH IN PUBLIC LAW 91-646, APPROVED JANUARY 2, 1971, IN CONNECTION WITH THE FOUR RIVER BASINS, FLORIDA PROJECT

WHEREAS, the Congress of the United States by the Flood Control Act of 1962 (Public Law 87-874) authorized the Four River Basins, Florida project in accordance with the recommendation of the Chief of Engineers as modified by the Secretary of Army in House Document No. 585 - 87th Congress, 2nd Session, and as further modified by Congress in the aforementioned Public Law, subject to the condition that local interests provide the United States with certain assurances; and

WHEREAS, one of the assurances required by House Document No. 585 is that the local interests will provide without cost to the United States all lands, easements and rights-of-way, necessary for construction of the project, and in addition preserve outlet waterways needed for proposed works, or secure rights thereon, to permit required discharges without causing significant damages under present or future conditions of development; and

WHEREAS, the Congress of the United States, by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), approved January 2, 1971, adopted an act to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal and federally assisted programs and established uniform and equitable land acquisition policies for federal and federally assisted programs, and providing that whenever real property is acquired by a local interest and furnished as a required contribution incident to a federal program or project, that the federal agency having authority over the program or project may not approve any contract under the project unless such local interest has made all payments and provided all assistance and assurances, as required of the local interest by the Act; and

WHEREAS, the Southwest Florida Water Management District is legally authorized through Chapter 370, Florida Statutes, to furnish the United States with assurances required by Congress and desires to do so.

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

C E R T I F I C A T E

I, G. E. DAIL, JR., Secretary of the Governing Board of CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, do hereby certify that the foregoing is a true and correct copy of Resolution No. 984 , duly adopted by the Governing Board of said District on the 12th day of November A.D., 1971.

I FURTHER CERTIFY that said Resolution has not been revoked, modified or changed in any way and is at the date of this Certificate in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Governing Board, this the 17th day of November A.D., 1971 .



G. E. DAIL, JR., Secretary of the
Governing Board Aforesaid

(Corporate Seal)

Central and Southern Florida Flood Control District

RESOLUTION NO. 904

ASSUMING FULL RESPONSIBILITY BY CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT FOR COMPLIANCE WITH THE REQUIREMENTS FOR LOCAL COOPERATION AS SET FORTH IN PUBLIC LAW 91-646, APPROVED 2 JANUARY 1971, IN CONNECTION WITH IMPROVEMENTS BY THE FEDERAL GOVERNMENT OF WATER RESOURCES PROJECTS IN WHICH THE CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT IS LOCAL COOPERATOR.

WHEREAS, the Congress of the United States, by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1971, approved 2 January 1971, (Public Law 91-646), adopted an act to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and Federally assisted programs and established uniform and equitable land acquisition policies for Federal and Federally assisted programs, and providing that whenever real property is acquired by a State Agency and furnished as a required contribution incident to a Federal Program or Project, that the Federal Agency having authority over the program or project may not accept such property unless such State Agency has made all payments and provided all assistance and assurances, as are required of a State Agency by the Act; and

WHEREAS, the CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT is legally authorized to furnish the United States with assurances required by Congress and desires to do so.

NOW, THEREFORE, BE IT RESOLVED BY the Governing Board of the CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT

SECTION 1. That without restrictions or reservations, the CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT agrees to and hereby assumes full responsibility for compliance with the requirements of local cooperation as set forth in Public Law 91-646, in connection with all existing Federal assisted projects or those that may be adopted in the future, for which it has agreed or will agree to furnish assurances of local cooperation as required by Congress, in that:

- (1) Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as are required to be provided by a Federal Agency under Sections 202, 203 and 204 of the Act;
- (2) Relocation assistance programs offering the services described in Section 205 of the Act shall be provided to such displaced persons;
- (3) Within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with Section 205(c)(3) of the Act; and that

(4) In acquiring real property it will be guided, to the greatest extent practicable under State law, by the land acquisition policies in Section 301 and the provisions of Section 302 of the Act, and

(5) Property owners will be paid or reimbursed for necessary expenses as specified in Sections 303 and 304 of the Act,

SECTION 2. That CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT agrees to pay the costs of such requirements in the same manner and to the same extent as the real property acquired for such project, except that in the case of any real property acquisition or displacement occurring subsequent to 2 January 1971 and prior to 1 July 1972, the Federal Government shall pay 100 per centum of the first \$25,000. of the cost of providing such payments and assistance.

SECTION 3. That affected persons will be adequately informed of the benefits, policies and procedures described in these assurances.

SECTION 4. This assurance is hereby made applicable to the following projects specifically identified as follows:

(1) Caloosahatchee River and Lake Okechobee Drainage Areas, Florida, project authorized by the River and Harbor Act of July 3, 1930, as amended, and River, Harbor, and Flood Control Acts of 30 June 1948 (Public Law No. 858 - 80th Congress, 2d Session) modifying the existing project. Resolution No. 12 was adopted for this project 1 August 1949.

(2) Phase one of comprehensive plan for flood control in Central and Southern Florida, authorized by the Flood Control Act of 1954, Public Law 780 - 83rd Congress, 2d Session. Resolution No. 224 was adopted for this project 15 September 1954.

(3) Arch Creek Project, Dade County, Florida, authorized by Public Law 858 - 80th Congress, 2d Session and as amended by Public Law 685 - 94th Congress, 2d Session. Resolution No. 382 was adopted for this project 9 April 1959.

(4) Phase two of comprehensive plan for flood control in Central and Southern Florida, authorized by the Flood Control Act of 1958, Public Law 85-500, 85th Congress, 2d Session. Resolution No. 398 was adopted for this project 9 October 1959.

(5) Modification of comprehensive plan for flood control in Central and Southern Florida, West Palm Beach Canal, authorized by the Flood Control Act of 1962, Public Law 87-874, 87th Congress, 2d Session. Resolution No. 511 was adopted for this project 5 April 1963.

(6) Modification of comprehensive plan for flood control in Central and Southern Florida, South Dade County, authorized by Flood Control Act of 1962, Public Law 87-874, 87th Congress, 2d Session. Resolution No. 512 was adopted for this project 5 April 1963.

(7) Modification of comprehensive plan for flood control in Central and Southern Florida, Boggy Creek, authorized by the Flood Control Act of 1962, Public Law 87-874, 87th Congress, 2d Session. Resolution No. 513 was adopted for this project 5 April 1963.

(8) Modification of comprehensive plan for flood control in Central and Southern Florida, Cutler Drain Area, authorized by the Flood Control Act of 1962, Public Law 87-874, 87th Congress, 2d Session. Resolution No. 514 was adopted for this project 5 April 1963.

(9) Modification of comprehensive plan for flood control in Central and Southern Florida, Shingle Creek Basin, authorized by the Flood Control Act of 1962, Public Law 87-874, 87th Congress, 2d Session. Resolution No. 515 was adopted for this project 5 April 1963.

OK
(10) Modification of comprehensive plan for flood control in Central and Southern Florida, Kissimmee River Basin (Nicodemus Slough Area) authorized by the Flood Control Act of 1960, Public Law 86-645, 86th Congress, 2d Session. Resolution No. 640 was adopted for this project 5 November 1965.

(11) Modification of comprehensive plan for flood control in Central and Southern Florida, Hendry County, West of Levees 1, 2 and 3, authorized by the Flood Control Act of 1965, Public Law 89-298, 89th Congress, 1st Session. Resolution No. 663 was adopted for this project 14 January 1966.

X
(12) Modification of comprehensive plan for flood control in Central and Southern Florida, Southwest Dade County, authorized by the Flood Control Act of 1965, Public Law 89-298, 89th Congress, 1st Session. Resolution No. 744 was adopted for this project 9 June 1967.

Y
(13) Small river and harbor improvement project, channel of the Okeechobee Waterway from Edison Memorial Bridge to the Atlantic Coast Line Railroad Bridge near Beautiful Island in Lee County, Florida, funded by Public Law 86-645, 86th Congress, 2d Session, authorized by Rivers and Harbors Act of 1960 as amended. Resolution No. 766 was adopted for this project 7 July 1967.

(14) Modification of comprehensive plan for flood control in Central and Southern Florida, Shingle Creek Basin, development by Reedy Creek Swamp as a wildlife management area, authorized by the Flood Control Act of 1962, Public Law 87-874, 87th Congress, 2d Session. Resolution No. 829 was adopted for this project 11 October 1968.

X
(15) Modification of comprehensive plan for flood control in Central and Southern Florida, plan of improvement by the Federal Government for water control and drainage in Martin County, Florida, authorized by the Flood Control Act, Public Law 90-483, 90th Congress, 2d Session, approved 13 August 1968. Resolution No. 879 was adopted for this project 17 October 1969, amended 15 January 1971.

X
(16) Modification of comprehensive plan for flood control in Central and Southern Florida, improvement of water resources for Central and Southern Florida (increasing Lake Okeechobee storage capacity), authorized by the Flood Control Act, Public Law 90-483, 90th Congress, 2d Session, approved 13 August 1968. Resolution No. 880 was adopted for this project 17 October, 1969, amended 15 January 1971.

PASSED and ADOPTED, this 12th day of November, A. D., 1971.

CENTRAL AND SOUTHERN FLORIDA
FLOOD CONTROL DISTRICT, BY
ITS GOVERNING BOARD

/s/ Robert W. Padrick

By: _____
Chairman

(Corporate Seal)

ATTEST:

/s/ G. E. Dail, Jr.

Secretary

HON, THEREFORE, BE IT RESOLVED by the Governing Board of the Southwest Florida Water Management District that the Southwest Florida Water Management District agrees to and hereby assumes responsibility for compliance with the requirements of local cooperation as set forth in Public Law 91-646 in connection with the Four River Basin, Florida project.

BE IT FURTHER RESOLVED by the Governing Board of the Southwest Florida Water Management District that the District agrees to pay the costs of such requirements in the same manner and to the same extent as the real property acquired for such project, except that in the case of any real property acquisition or displacement occurring subsequent to January 2, 1971, and prior to July 1, 1972, the Federal Government shall pay one hundred per centum (100%) of the first \$25,000 of the cost of providing such payments and assistance;

BE IT FURTHER RESOLVED by the Governing Board of the Southwest Florida Water Management District that affected persons will be adequately informed of the benefits, policies and procedures described in these assurances.

PASSED and ADOPTED this 12th day of January, 1972.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

SEAL

D. S. McATEER
D. S. MCATEER, Chairman

Attest:

EDWARD FREDRD
EDWARD FREDRD, Secretary

Approved
M.C.C.
1/12/72

EG/ph

THIS AGREEMENT made and entered into this 21st day of August,
A. D., 1975, by and between CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, a
public corporation of the State of Florida, hereinafter referred to as "FCD" and
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, a water management district established
by Chapter 373, Florida Statutes, hereinafter referred to as "ST. JOHNS".

W I T N E S S E T H :

WHEREAS, within the present legally described geographical boundaries of "FCD"
is included an area commonly known as the Upper St. Johns Area, which is composed
of all of Brevard and Indian River Counties and portions of Orange, Volusia, Seminole,
Osceola and Okeechobee Counties; and

WHEREAS, Chapter 373, Florida Statutes, as presently structured, requires the
transfer of the Upper St. Johns Area from the "FCD" to "ST. JOHNS" on December 31,
1976; and

WHEREAS, "FCD" has underway a water control project in the Upper St. Johns Area,
which project is funded by Federal, State and "FCD" funds; and

WHEREAS, "FCD" has not yet completed its Upper St. Johns Area project, but is
required to maintain the portions completed or partially completed in a manner
approved by the Corps of Engineers, U. S. Army; and

WHEREAS, the "FCD" owns and operates a field station in the Upper St. Johns Area
known as the St. Johns Field Station, for the purpose of maintaining and operating the
Upper St. Johns Area project works and for control of aquatic weeds in the canals,
lakes and streams of the Upper St. Johns Area; and

WHEREAS, the St. Johns Field Station contains many items of equipment owned by
the "FCD" and personnel employed by the "FCD" for the purpose of performing the work
required; and

WHEREAS, in order to provide for the future orderly and responsible transfer of
the Upper St. Johns Area from the "FCD" to "ST. JOHNS", it is desirable to arrange
by contractual agreement for the operation of the St. Johns Field Station and conduct
of the work handled by that station in the Upper St. Johns Area.

IT IS THEREFORE AGREED:

1. "FCD" and "ST. JOHNS" mutually agree, that in accordance with the terms of
this Agreement, "ST. JOHNS" will operate the St. Johns Field Station and operate and
maintain the completed or partially completed water management works, conduct the
program of chemical removal of aquatic weeds, and provide the administrative super-
vision necessary, within the Upper St. Johns Area. Said work is that presently

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carried on by the "FCD" in the Upper St. Johns Area by use of the St. Johns Field Station.

2. The operation of the St. Johns Field Station and the continuation of the maintenance and operation of the completed or partially completed water management works and the aquatic weed control program of the "FCD" in the Upper St. Johns Area shall be conducted by "ST. JOHNS" in accordance with criteria established by the "FCD" and in a manner consistent with requirements of the Corps of Engineers, U. S. Army and past operational practices in the area by the "FCD".

3. Attached hereto and made a part hereof by reference is a description of maintenance and operation activities of the "FCD" in the Upper St. Johns Area. Also included by reference are the Corps of Engineers Maintenance for the Central and Southern Florida Flood Control Project, Volume 1 and Volume 2.

4. "ST. JOHNS" shall furnish the "FCD" on a quarterly basis, commencing January 1, 1976, a report which indicates the work accomplished and a breakdown by category of the manner of expenditure of funds for the services performed by "ST. JOHNS" under this Agreement.

5. A joint inspection by the parties of the water management works and areas of aquatic weed spraying within the Upper St. Johns Area will be conducted on a quarterly basis, commencing January 1, 1976.

6. The Lake Washington Dam, presently under construction by Brevard County, is included as one of the water management works of the "FCD".

7. "FCD" presently performs regular maintenance service on the structures in operation in the Upper St. Johns Area through employees working out of its Kissimmee Field Station. "FCD" will continue to provide the services of these employees for structure servicing on a regular basis. It is understood that when these employees are working on structures in the Upper St. Johns Area, they are under the supervision of "ST. JOHNS".

8. "FCD" and "ST. JOHNS" will cooperate in every way possible to assure that the complete and partially completed works and the program of chemical spraying is carried out in a manner consistent with past practices of good maintenance of the streams and works in the Upper St. Johns Area.

9. "ST. JOHNS" will hold and save harmless the "FCD" from liability or suit for damages as a result of any performance or failure to perform by "ST. JOHNS" that is not completely within the scope, criteria and authority delegated to "ST. JOHNS" by "FCD" under this Agreement.

10. "FCD" shall pay to "ST. JOHNS" for the heretofore described services for the

period October 1, 1975 to October 1, 1976, a sum not less than \$525,000.00.
This payment shall be made on an equal quarterly basis, commencing with the first payment on October 1, 1975 and continuing each 90 days thereafter during this period. For the period October 1, 1976 to December 31, 1976, "FCD" shall pay to "ST. JOHNS" for the heretofore described services a sum not less than \$ 111,250.00.

11. The funds paid by the "FCD" to "ST. JOHNS" shall not be used for any other purpose, directly or indirectly, than the performance of the services set forth in this Agreement.

12. This Agreement shall terminate December 31, 1976 unless renewed by mutual agreement of the parties prior to that date.

13. The parties understand that the breach of any of the terms of this Agreement shall be grounds for cancellation of the Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seal, the day and year written above.

Legal - Jim Applegate
FCS Office of Counsel
By: [Signature]

(Corporate Seal)

Executed in the presence of:

[Signature]

[Signature]
As to "FCD"

CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, BY ITS GOVERNING BOARD

By: [Signature]
Chairman

ATTEST:

By: [Signature]
Secretary

Executed in the presence of:

[Signature]

[Signature]
As to "ST. JOHNS"

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By: [Signature]
Chairman

ATTEST:

By: [Signature]
Secretary