

Exhibit 29
Correspondence – Post Transmittal



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September 18, 2014

Mayor Priscilla A. Taylor
PBC Board of County Commissioners
301 North Olive Avenue, Suite 1201
West Palm Beach, FL 33401

**RE: Indian Trail Improvement District
Minto West - Water Resources
SJE Project #91084.222**

Dear Mayor Taylor:

I am the District Engineer for Indian Trail Improvement District (ITID). In the presentation to you at the Transmittal Hearing on August 27, 2014, your planning staff acknowledged that they were not water resources experts, but nevertheless proceeded to avow the "public benefits" to the water resources of the area presented by the proposed Minto West project.

As an expert in water resources, I feel the need to clarify or correct many of the assertions made by your staff.

1. Claim: There is a benefit to the area's drainage by Minto offering 168 cfs to a third party. Although not named in the proposed condition, the intended beneficiary is ITID. This claim is true -- if it occurs, but there was no certainty or guarantee that it will. The generous sounding offer of 168 cfs is half of Minto's allowed off-site drainage (1"/day of the 2"/day Minto has). But this only amounts to the equivalent of 0.18"/day for ITID due to the District's much larger area. Furthermore, the "benefit" to ITID would arise only about once every 5 years, as the District has plenty of discharge except in extraordinary events when SFWMD cuts off ITID's drainage to the C-51 Canal. Thus, 1"/day for Minto represents only 18% of ITID's adopted Level of Service for drainage and would only be used once every 5 years.
2. Claim: Minto will give "clean" water to the City of West Palm Beach, supplementing drinking water supply and benefitting the Grassy Waters Preserve. It was further claimed that the benefits of this hydraulic connection extended to the Loxahatchee Slough and River by supplementing the minimum flows and levels needed to restore and maintain the River. All these claims of water resources "benefits" are fatally flawed and misleading:

- a. First, the Minto West property is included in the West C-51 Basin. The West C-51 Basin is included in the Comprehensive Everglades Restoration Plan (CERP) for water going south to the Everglades, not east to the Water Catchment Area and north to the Loxahatchee Slough. All of the stormwater quantity and quality from the C-51 basin is included in the Everglades settlement lawsuit. Any reduction in the quantities, distribution, or quality of the waters being discharged from the Minto project into the C-51 West Basin, as it currently does, will have to be evaluated with respect to the effects on CERP and the Everglades.
- b. ITID's drainage system is located in the Lower L-8 Basin. The L-8 Basin is a recognized problem area within CERP, and discharge from the Lower L-8 Basin has been excluded from CERP. CERP asserts:

"The Lower L-8 Basin Improvements are not an element of the Everglades Construction Project, and must be addressed under a separate planning initiative. Failure to effect that diversion will result in inflow volumes and loads to STA-1 exceeding the basis for the design established in the Conceptual Design."

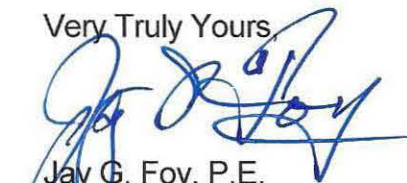
Because ITID is in the Lower L-8 Basin, a discharge solution for this area must be found. The targeted discharge location for ITID and the Lower L-8 Basin is, indeed, the Loxahatchee Slough and River. However, because the Minto property is in the C-51 Basin, it should therefore not be considered as a current viable source of water for the Loxahatchee Slough and River.

- c. Based on "a" and "b" above there can be no transfer of water out of the CERP defined drainage area without reassessing the entire CERP plan.
- d. Based on "a" and "b" above the quality of water must also be assessed if water is taken out of the supply area for CERP.
- e. The Lower L-8 Basin must have a defined outfall for CERP to meet its goals. Transfer of Minto's discharge is contrary to this goal.
- f. All of the L-8 Basin water, including ITID's, can be delivered to the Loxahatchee Slough and River without violating the conditions of CERP for the Everglades. This transfer also requires water quality treatment to meet permitting requirements.
- g. Assuming for the sake of argument that Minto was permitted to give its water to the City of West Palm Beach, the transfer point would be into the "M" Canal. The "M" Canal is a Class I water body. In the past when this idea was considered, both the City and DEP were adamant that the water not only had to meet Class I Standards, but it also had to meet rainfall-driven water quality criteria due to the pristine wetlands in the Grassy Waters Preserve. Hundreds

of acres of wetlands treatment (STA) area would be needed to fulfill these nutrient reduction criteria. Minto has made no offer other than to provide a certain quantity of water. At this point and with the lack of commitment and detail to make this “offer” possible, the claim of public benefit is at best extremely speculative and should be entirely discounted.

3. In the Comprehensive Plan Transmittal Hearing, a condition refers to 250 acres of lake to be created for a flowage easement. This condition is incorrectly stated. The correct statement should be that Minto could design its surface water management system with lakes that are about 250 acres less if they retained their 2”/day discharge. The flowage easement, if any, would be an easement down the Seminole Improvement District’s M-2 Canal from ITID to the C-51 discharge structure if ITID were to receive the 168 cfs from Minto.
4. There is no regional storage benefit offered by Minto. What is offered is a surface water management system that meets current regulatory criteria. It is true stormwater would be held back longer with 1”/discharge than with 2”/day discharge by a matter of days. It is also true that, due to the larger lakes the developer wants and the longer holding time of stormwater, water quality in the discharge may be better. However, this is not a benefit to regional storage as the same quantity of water will be discharged.
5. Claiming more groundwater recharge will result from this proposed development over the agricultural operation previously in place is doubtful, but could be addressed if a hydrogeological analysis were completed. The applicant has not supplied such a study, and the County has not asked for proof of such public benefit.

Very Truly Yours,



Jay G. Foy, P.E.
ITID District Engineer

JGF/lam

- | | | | |
|-----|-------------|---------------|--------------|
| Cc: | S. Abrams | M. Damone | J. Shallman |
| | L. Aghemo | G. Dunkley | K. Todd |
| | R. Bair | J. Hager | H.R. Valeche |
| | V. Baker | R. Higgins | S. Vana |
| | M.L. Berger | C. Jacobs | M. Viator |
| | P. Burdick | M. Perry | G. Webb |
| | J. Carter | J. Santamaria | R. Weissman |



INTEROFFICE MEMO RECEIVED

OCT 01 2014

PLANNING DIVISION

TO: Verdenia Baker, Deputy County Administrator

FROM: *Ken Todd*
Ken Todd, P.E., Water Resource Manager

DATE: September 29, 2014

SUBJECT: Minto West Water Resource "Public Benefit"

County Administration

P.O. Box 1989

West Palm Beach, FL 33402-1989

(561) 355-2030

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**Palm Beach County
Board of County
Commissioners**

Priscilla A. Taylor, Mayor

Paulette Burdick, Vice Mayor

Hal R. Valeche

Shelley Vana

Steven L. Abrams

Mary Lou Berger

Jess R. Santamaria

County Administrator

Robert Weisman

I am writing this memo to offer my comments concerning the letter written to Mayor Taylor by the Indian Trail Improvement District (ITID) engineer, Jay Foy, concerning "public benefits" to the water resources of the area from the proposed Minto West project. In his letter to Mayor Taylor, Mr. Foy opined several clarifications to statements he indicated were made by the Planning Division staff concerning water resource benefits.

Mr. Foy stated that the one inch per day offered by Minto would actually equate to only 0.18 inches for ITID if ITID were to utilize the offer of one inch discharge made by Minto West. That is a true statement and staff has repeatedly said that this offer is not the panacea to ITID's drainage issues. However, given the lack of adequate storage within ITID to meet their desired level of service for drainage, this offer will certainly help and therefore, it is a public benefit. Although Mr. Foy is correct in that ITID is the most obvious recipient of the offer, ITID is one of three governmental entities (all of which are public) that expressed an interest in utilizing the offered capacity. The proposed conditions require Minto West to negotiate with one or more of the three public entities to come to an agreement to utilize the offered capacity.

Next, I would like to address Mr. Foy's statement of the claim that water resource "benefits" from the Minto West project are fatally flawed and misleading. Recently, the South Florida Water Management District (SFWMD) has said that the concepts associated with the former Northern Palm Beach County Plan (an Everglades Restoration component) will still be under consideration for the new Loxahatchee River Restoration Planning effort that will commence in the very near future (replacing the former Northern Palm Beach County Plan) and will include a reservoir on the old Mecca site. This new plan could include possibly moving L-8 Basin water north. It should also be pointed out that Minto's outfall will be to the south with discharges into the C-51 Canal as it is part of the C-51 Basin. This fact will not change part of the planning efforts for the proposed Minto West project.

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Provided a SFWMD Consumptive Use Permit (CUP) and DEP approval are obtained, and the City of West Palm Beach is willing to accept it, the offered one inch per day discharge would be sent east and north. This is not a significant amount of discharge when compared with the entire C-51 Basin. Even if an agreement with the City is not reached, ITID could still benefit by reaching an agreement to send some of its runoff to the Minto system.

The issue of water quality raised in Mr. Foy's letter is another item that needs to be addressed. In the late 1990s SFWMD, ITID, City of West Palm Beach (WPB), and the State of Florida Department of Environmental Protection (DEP) agreed to conduct a pilot study over a three year period to determine if ITID runoff could be diverted to the WPB 'M' Canal. This was done because ITID had water they wanted to get rid of at times during the year and the City was looking for water to supplement their water supply. A temporary pump was constructed at one of ITID's canal to pump directly into the WPB 'M' Canal after rain events during the three year pilot study. At the end of the three year period the pilot study results showed that there were only three water quality parameters that exceeded Class I drinking water standards. Those parameters were dissolved oxygen, iron, and fecal coliform. The dissolved oxygen issue was solved during the pilot study by having the discharge from the ITID canal splash onto large rocks before entering the canal. This increased the dissolved oxygen levels sufficiently to meet standards. The iron issue was not considered to be important because all groundwater in the area contained iron and it was already in the WPB 'M' Canal. The fecal coliform exceedances occurred only twice during the three year study; once after Hurricane Irene and once in an isolated area of the Acreage that was attributed to illegal dumping. Therefore, both of these incidences were considered outliers by the pilot study team. Although the pilot study ended with no formal action being taken to initiate a permanent connection, water quality from ITID was considered acceptable by the Pilot Study team for discharge into the WPB 'M' Canal.

Minto West will have filter marshes as part of their surface water management system to help "clean up" the potential runoff from ITID and from their own development. The aforementioned pilot study done in the 1990s also showed that the phosphorous concentration from the runoff in the Acreage is a relatively low 50 ppb compared to the 120-150 ppb the City was receiving from Lake Okeechobee to supplement its water supply. Because the volumes of water to be discharged into the WPB 'M' Canal would be small compared to the overall volume of water in the Grassy Waters Preserve, the City of WPB Utilities has expressed to staff they are not overly concerned with the impacts. As an example of how this would work, during the drought of 2011 another pilot study was done involving SFWMD, DEP, the Loxahatchee River District, Palm Beach County and the City of WPB. This pilot study monitored the effects of sending water from the L-8 Reservoir through the WPB 'M' Canal to the C-18 Canal and ultimately supplying water to the Loxahatchee River. The L-8 Reservoir, at that time, received its water mainly from the L-8 Basin which includes a significant portion of the Acreage.



The results showed that there was significant seepage out of the WPB 'M' Canal as water flowed east, indicating the groundwater was being recharged along the canal route (which included areas within ITID). Additionally, for the first time in five (5) years the Loxahatchee River met its Minimum Flow and Level (even with the WPB 'M' Canal seepage while in the midst of one of the worst droughts on record). This clearly shows a regional public benefit can be achieved by sending water into the WPB 'M' Canal. Mr. Foy stated in his letter that there is no regional storage benefit offered by Minto. That would be a true statement if you narrowly define "regional storage". I believe it can easily be said that the regional system the SFWMD operates encompasses a much larger area than just the SFWMD C-51 Canal. As clearly shown from the above pilot study results, several of the aforementioned entities that would benefit from storage/discharge are part of that regional system operated by SFWMD. So, I respectfully disagree with that assertion.

Minto has conceptually designed their surface water management system utilizing only one inch per day removal rate. This system will be operated by Seminole Improvement District (SID) serving the entire Minto West community and meeting SFWMD criteria. As was previously discussed, Minto/SID has said they do not need the other one inch they have permitted under their current SFWMD Environmental Resource Permit (ERP). The proposed Zoning conditions require Minto to allow offsite flow (if a negotiated agreement is reached within five years) to enter into their system.

To be able to accept this additional one inch of discharge, Minto anticipates that an additional 250 acres of lake would be needed on their site. The proposed conditions require that Minto make available at no cost to another governmental entity the land that is needed for the additional storage area to meet the one inch of discharge that is being offered by Minto. The agreement with the other parties would also address such issues as construction, maintenance and operation. Additionally, a SFWMD permit modification would be required for the revision to the SFWMD ERP or CUP. Finally, if no agreement is reached, the proposed Zoning conditions require Minto to modify their SFWMD ERP to retain only one inch of the two inches of discharge that they are allowed in their current SFWMD permit. The other inch reverts back to the SFWMD to utilize in a manner that would best meet their rules and criteria. There is a public benefit to that option.

The issue of groundwater recharge is another area I respectfully disagree with Mr. Foy. Mr. Foy stated that the Minto West project providing more groundwater recharge in this geographical area than the former on-site agricultural operation is doubtful. However, from a conceptual standpoint, there is volumetrically far more water available to seep (recharge) to the surrounding groundwater system in a lake system than in a ditch system. He is correct in that a hydrological study would be necessary to determine the actual amount. But, again there is a public benefit associated with this concept of groundwater recharge as evidenced by the previously mentioned pilot studies.



Robert P. Diffenderfer
rdiffenderfer@llw-law.com

Reply To:
West Palm Beach Office

October 8, 2014

The Honorable Priscilla Taylor, Mayor
Palm Beach County Board of County Commissioners
301 North Olive Avenue
West Palm Beach, FL 33401

Re: Jay Foy – Indian Trail Improvement District
Letter dated September 18, 2014

Dear Mayor Taylor:

I am writing in response to the September 18, 2014 Indian Trail Improvement District letter (by Jay Foy), addressed to you. The letter attempts to minimize any public benefit associated with Minto West's offer to provide space for and accommodate off-site flows on its property in order to alleviate flooding, increase storage, cleanse water or augment flows to the east. I think the geographical context is important to understand when discussing benefits. At present, Seminole Improvement District (SID) is the entity which holds the permits for and is responsible for managing both water use and surface water drainage for the Minto West site. Minto West is roughly co-extensive with SID. The Minto West property is not hydraulically connected to the ITID system. The SID system has a current permitted discharge capacity of 2"/day from the Minto West property directly down the M-2 Canal to the C-51. This discharge can occur on peak, that is, while it is still raining and flooding. This is a very high level of service for drainage and keeps the Minto West property much drier than the surrounding area. For example, during Tropical Storm Isaac, the SID system performed as intended and no flood water remained on site more than about 24 hours after the rain quit. ITID by contrast, remained flooded in areas for weeks. ITID has only a .28"/day unconditional permitted discharge, with the balance highly conditioned upon down stream conditions, in contrast to the SID 2"/day discharge.

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WEST PALM BEACH
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West Palm Beach, Florida 33401

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Additionally, SID is an authorized user of M Canal water for irrigation. There are several intakes into the SID system along the northern Minto West property boundary. All of the Minto West property is currently devoted to agriculture in one form or another but in a post-developed state irrigation demands will be much diminished and may be satisfied from the on-site system of lakes. The Minto West project as proposed will contain greater than 55% open space. There is therefore a large land envelope on the Minto West property which can be utilized for the storage, treatment or movement of water. The Minto West project design makes that possibility viable; under the current use there are simply no means to address those issues.

In short, what Minto West is offering is an opportunity, given the project design and spatial needs, to accomplish an important water management function for any of a number of users. ITID is but one of those potential users and, frankly, given the state of drainage in its system, seemed the most likely to want to use the opportunity.

The County Water Resource Manager, Ken Todd, has responded to Mr. Foy's letter with a memorandum dated September 29, 2014 to Verdenia Baker, a copy of which is attached. Mr. Todd's memorandum comprehensively addresses the points raised by Mr. Foy so I will not repeat those points here. There are a couple matters however that I did want to address, for context.

Minto has offered to accommodate 168 cfs off-site flow from some third party. While identifying ITID as a potential user, Mr. Foy states that it "only" amounts to .18" for ITID. That is mathematically correct, and appears small in comparison to SID's level of service, but given ITID's currently permitted .28"/day unconditional discharge capacity this represents a 64% increase. While Mr. Foy says this will only benefit ITID about once every five years that is really the same thing as saying that it will only benefit ITID every time it floods. In other words, the benefit will exist every time the drainage is needed.

In addition, this benefit has previously been acknowledged by ITID. In an email memorandum to the ITID district manager dated December 28, 2013, Mr. Foy stated, with regard to the potential benefit to be derived from accommodating ITID drainage in the Minto system, "[d]on't let the above give you the opinion that this is minor and/or doesn't help: it would help. Also please note that the increase would be on peak and not have to wait until the C-51 canal recedes." A copy of that email is attached.

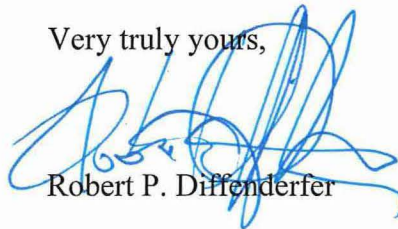
Both Mr. Todd and Mr. Foy discuss the planning and regulatory issues associated with implementing any solution which involves the historic basin boundaries of the L-8 or C-51 canals, and the related CERP planning for moving water toward the Loxahatchee River. We all recognize that a high level of coordination with South Florida Water Management District and

Honorable Priscilla A. Taylor
October 8, 2014
Page 3

the other interested parties will be required, and that any plan must be permissible, and permitted. That said however, it is precisely the location of the Minto West property and the large land envelope for water management facilities that even makes the possibility of a broader solution, and these discussions, possible.

We look forward to working with the County and SFWMD on these issues. If you have any questions or if I may be of any assistance, please don't hesitate to call me.

Very truly yours,



Robert P. Diffenderfer

RPD/lb

Enclosures

cc: Paulette Burdick, Vice Mayor
Commissioner Hal Valeche
Commissioner Shelley Vana
Commissioner Steven Abrams
Commissioner Mary Lou Berger
Commissioner Jess Santamaria
John Carter
L. Aghemo
R. Bair
V. Baker
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G. Dunkley
J. Foy
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R. Higgins
C. Jacobs
M. Perry
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G. Webb
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INTEROFFICE MEMO

TO: Verdenia Baker, Deputy County Administrator

FROM: *Ken Todd*
Ken Todd, P.E., Water Resource Manager

DATE: September 29, 2014

SUBJECT: Minto West Water Resource "Public Benefit"

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**Palm Beach County
Board of County
Commissioners**

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County Administrator

Robert Weisman

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From: "StormwaterJ" <stormj@fdn.com>
Date: December 28, 2013 at 11:17:36 AM EST
To: "Jim Shallman" <jshallman@indiantrail.com>, "Mary M Viator" <viator@caldwellpacetti.com>
Cc: "Alan Ballweg" <aballweg@yahoo.com>, "Bob Higgins" <bhiggins@higgins-eng.com>, "Joe Capra" <jcapra@gocaptec.com>
Subject: RE: Addressing Previously Stated ITID Concerns

Jim,

I have looked at the Minto letter and do not want ITID to remember the drainage numbers as quoted. The numbers as quoted are correct if one uses only the Upper Basin as benefitting from the discharge from our L Canal through to the M-2 Canal through to the C-51 Canal. I talked to Bob Higgins about this we did discuss that the benefit would probably be used to inure to the Upper Basin after we could open the Roach and 40th St structures as the Lower Basin could get the benefit of these 2 structures. These 2 structures would also benefit the Upper Basin after they are open. However ITID has never presented discharge numbers using the Upper and Lower Basins as separate to the best of my memory and until the Roach and 40th St structure are opened the benefits are to all of the M-1 Basin, not to just the Upper Basin. I therefore do not want us to think of the benefit as an increase of 0.39"/day or 150% increase as this is based on the 16 square miles of just the Upper Basin without the school or ACP. Counting the Lower Basin, the contractual Units, and the school and ACP but without the SE Corbett area; the total drainage area of the M-1 Basin is 31.3 square miles. Our current discharge is 274 CFS which is 0.33"/day without SE Corbett. We have traditionally quoted our discharge rate when citing in/day to include SE Corbett. Our M-1 Basin Discharge including the 3500 Acres of SE Corbett is 0.28"/day which we typically say is 1/4"/day. Recalculating the benefits based on the 31.3 square miles which excludes SE Corbett as this discharge is supposed to be rerouted in the future yields the following:

Discharge rate = 274 + 168 CFS = 442 CFS.

In other units = 0.53"/day

Increase from 0.33"/day w/o SE Corbett = 0.53 - 0.33 = 0.20"/day

Percent increase based on the 31.3 square miles but excluding SE Corbett is therefore $100 \times 0.20 / 0.33 = 60.6\%$ (not 150%).

Don't let the above give you the opinion that this is minor and/or doesn't help; it would help. Also please note that the increase would be on peak and not have to wait until the C-51 Canal recedes.

One other comment that only becomes important if this is allowed in the future: I would design a variable gravity structure that could be regulated to yield the full 168 CFS under low head with a large opening. The opening would have to be closed as the head difference increased. Should the permitting agency not like this an alternate is a pump that essentially yields the same discharge regardless of stages. In other words, I would want to take advantage of the full 168 CFS at all times. As a comparison: our M-1 impoundment only discharges 274 CFS when it is full with the gates set per permit. This does not happen for about 1 day after all 5 pumps are on. After the impoundment is full (24.5') we can use only 1 pump with a second pump cycling on and off not to exceed 24.5' in the impoundment. If we were allowed the full 274 CFS all the time it would take us longer to fill the impoundment as there is more discharge and we could keep all 5 pumps on longer.

I also talked to Bob yesterday about the permitability of this and we agreed there are no guarantees. I based my opinion on the facts that this would change the current C-51 Basin boundaries and although the same discharge rate into C-51 would exist and the C-51 Canal, S-319 Pump Station, and STA 1-E were all designed for this rate, STA 1-E was not designed for the volume of flow or phosphorous loading that would occur from increased volumes of water resulting from the increased boundary area. Converting the agriculture to other uses typically reduces phosphorous loading and ITIDs' phosphorous is already low, so there probably won't be an increase in loading, but that will have to be proven to SFWMD and all the interested parties which may include those with vested interests in the Comprehensive Everglades Restoration Plan. I'm not sure what the increase in volume issue would cause. This would also need analyses to determine if the hydroperiods of the STA or Everglades are negatively affected. I can't see how this would hurt the Everglades but the STA may not be able to take the volume without modifications.

I agree with the benefits of reduced withdraw from the "M" Canal although this could reduce the potential of WPB accepting water from the L-8 Basin (or ITID if ITID was of the mind to pursue this in the future).

I also agree with the benefits of the lakes.

I continue to cite traffic as the major issue for ITID but Captec and I are far from making any recommendation on this.

Jay



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October 6, 2014

RECEIVED

OCT 10 2014

PLANNING DIVISION

Verdenia C. Baker, Deputy County Administrator
Palm Beach County
301 North Olive Avenue
West Palm Beach, FL 33401

**RE: Indian Trail Improvement District
Minto West - Water Resources
SJE Project #91084.222**

Dear Ms. Baker;

Since Ken Todd addressed his memo (copy attached) to you regarding my water resources letter to Mayor Taylor, I am also writing to you. Ken and I have known each other for decades and have great respect for each other as water resources engineers. I actually agree with most of Ken's response but need to comment and clarify the following:

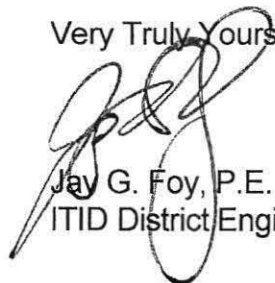
1. The discharge of 168 CFS (168 cfs is 1"/day for Minto but is only 0.18"/day for ITID due to ITID's much larger area) offered by Minto West is a public benefit. We agree my point is simply that 168 CFS has some but not significant benefit to ITID.
2. The water resources benefits offered by Minto are misleading. I agree with Ken's response as stated. However, I quote some of the wording: "the concepts", "will be under consideration", "Planning effort will commence in the very near future", "plan could include possible", "Provided a SFWMD...Permit and DEP approval are obtained". It is extremely misleading to give credit for future possibilities as definite benefits now. Let me put it this way: I could possibly win the lottery should I pick the winning numbers and buy a lottery ticket. As this statement does not mean I will win the lottery, neither do Ken's statements mean these benefits will occur. I therefore reiterate stating the Minto West project is a current water resources public benefit is pure speculation.
3. Water quality - I was the representative for ITID for the pilot pump project and Ken is absolutely correct: the project was very successful. However, this answer does not address the fatal flaw, as Grassy Waters Preserve is a rainfall driven ecosystem. Both WPB and DEP concluded that water quality must not only meet drinking water standards, it must meet the Everglades standard of 10 ppb Phosphorous. This is the fatal flaw, not providing the quantity of water and meeting drinking water standards.
4. I agree littoral plantings will be a permit requirement. These are not, however, flow through STA's and will most likely be limited to emergent vegetation. The water quality treatment from emergent vegetation cannot reach the required phosphorous water quality goal of 10 ppb. Both submerged vegetation and PASTAs would have to be added in a few hundred

acre STA to meet the required phosphorous level of 10 ppb. Furthermore, the phosphorous concentration in SID waters is higher than ITID and the proposed development has not addressed this issue. My point is a separate STA would be needed and none is proposed. In addition, this is a Corps of Engineers process and will take decades. Minto's development plans will be complete by then and it will be too late to require them to provide an STA. Again, this should not be considered a possible benefit as proposed.

5. I agree a regional benefit can be achieved by supplying water to the WPB "M" Canal. This is not the problem. Again, the water quantity is what is espoused as the benefit; however, this quantity of water **must** also meet water quality requirements.
6. I agree with Ken that regional storage benefits could occur with different routings of water. However to claim that Minto provides regional storage is a different claim. The Minto lake levels will not be varied in response to water resources needs. These lakes will have a fixed water control elevation. Minto will not allow their lakes to be pulled below their control elevation in the dry season for water resources benefits. I respectfully disagree with the claim that Minto provides a regional storage benefit.
7. The 1"/day benefit is again espoused in two paragraphs on the last page, again I agree.
8. Regarding the 250 acres of additional lake: this overstates what Minto is giving and is required by giving the 1"/day. This is not a separate benefit and should not be stated as such.
9. Regarding groundwater recharge: we agree a hydrogeological study would be needed to properly answer this assertion. Claiming there **is** more groundwater recharge without the study is not appropriate. Please remember the comparison for the zoning approval is between the State approved Agricultural Enclave and the Minto West proposed 4546 SF units, et al. As there are no plans for the Ag Enclave, no comparison or water resource benefits can properly be claimed. Please do not claim a groundwater water resources benefit with nothing more than conjecture.

I trust the above helps you understand my comments.

Very Truly Yours,



Jay G. Foy, P.E.
ITID District Engineer

JGF/lam

Enc:

Cc: K. Todd

cc/enc: M. Perry

J. Shallman

M. Viator