

LEHTINEN RIEDI BROOKS MONCARZ
ATTORNEYS AT LAW
A PROFESSIONAL ASSOCIATION

November 13, 2009

Ms. Donna Kramer
Public Records Custodian
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Re: Public Records Act Request

Via regular mail, fax, and e-mail

Dear Ms. Kramer:

On behalf of the Miccosukee Tribe of Indians of Florida ("Tribe"), I hereby request, pursuant to Chapter 119 of the Florida Statutes, that the South Florida Water Management District ("SFWMD") make available for inspection and copying, the below identified public records. The term public records includes, but is not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, including without limitation e-mails and records of oral communications.

The documents requested by the Tribe may be in the possession of Ken Ammon, Tommy Strowd, Carol Wehle, Tom Olliff, Ruth Clemmons, Governing Board members, the legal department, the Everglades restoration and/or ACCELER8 department, the real estate department, intergovernmental affairs, and any employees who worked on the EAA Reservoir Project and/or the expansion of Compartments B and C for the Stormwater Treatment Areas 5 and 6. The Tribe seeks the following documents and public records:

1) Any and all documents evidencing the current ownership of the land on which the EAA Reservoir Project was to be built, including without limitation all deeds or titles and maps that identify the ownership of the land on which Phase 1 of the EAA Reservoir Project was being constructed.

2) Any and all records evidencing how the District came into ownership or possession of any of the land on which the EAA Reservoir Project was to be built, and on which Phase 1 was being built, including all documents related to the transfer of ownership of any of the subject land from the United States to the District.

3) Any and all intergovernmental agreements between the United States (including all its agencies and agents) and the District concerning the transfer of ownership or control of any of the land on which the EAA Reservoir was to be built, and on which Phase 1 was being built, from the United States to the District, including any documents that show what the District and/or the State paid to the United States or any of its agencies or cost shared for the Talisman property or any other land under fee title to the United States.

4) Any and all documents that show the amount of money and/or cost share that the SFWMD and/or the State contributed toward any of the lands acquired with 1996 Farm Bill funds pursuant to Public Law 104-127 on which the EAA Reservoir Project was to be built and on which Phase I was being built.

5) Any and all cost share agreements between the United States and the SFWMD and/or the State or any of its agencies concerning the Talisman property bought with the funds under Section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127, 110 Stat. 1022) ("Farm Bill") funds on which the EAA Reservoir Project was to be built, including the Framework Agreement among the Department of the Interior, Department of the Army, Florida Department of Environmental Protection and the District.

6) Any and all intergovernmental agreements between the United States and the SFWMD and/or the State of Florida concerning the use the District was to make of any and all property on which the EAA Reservoir Project was to be built.

7) Any and all communications between the United States (including all its agencies and agents) and the District and/or the State of Florida concerning the use the District was to make of the Talisman property on which the EAA Reservoir Project was to be built.

8) Any and all documents that restrict the use of the Talisman property on which the EAA Reservoir Project was to be built, including the Framework Agreement among the Department of the Interior, Florida Department of Environmental Protection, and the District that governed the interim use of the lands acquired with 1996 Farm Bill funds pursuant to Public Law 104-127.

9) Any and all records between the United States (including all its agencies and agents) and the District and/or the State of Florida concerning the suspension and/or termination of the construction of Phase 1 of the EAA Reservoir Project.

10) Any and all records that show and/or discuss which portions of the land where the EAA Reservoir Phase 1 was being built were acquired by the District and which portions were acquired with Farm Bill funds.

11) Any and all records concerning any and all federal grants awarded by the United States (including its agencies and agents, including the Department of the Interior ("DOI") and the Fish and Wildlife Service ("FWS") and including the Talisman lands on which the EAA Reservoir was to be built.

12) Any and all records, and/or agreements, and/or grants between the United States (including all its agencies and agents, such as the DOI, FWS and/or the State of Florida concerning changing the use of the Talisman lands bought with Farm Bill funds from the EAA Reservoir Project

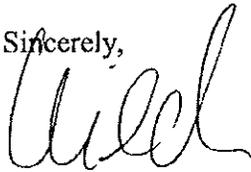
to the expansion of Compartments B and C).

13) The Cooperation Agreement between the Department of the Interior, the Nature Conservancy, and the District concerning the Talisman property that was acquired with Farm Bill and other funds on or about 1999.

14) Grant Agreement FB-4 between the District and the Department of the Interior.

We request that you provide us with information with regard to anticipated costs as soon as possible and prior to production or reproduction. We ask that the documents that we have requested be provided to us in an electronic format (or the web address be provided) to help facilitate the release of this public information, as envisioned under the Public Records Act. If the documents responsive to this request are voluminous, it is our intention to review the documents and select those that we would like to have copied. Please call me (305) 279-1166 if you have any questions about this request. Thank you in advance for your prompt cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Claudio Riedi". The signature is fluid and cursive, with a large initial "C" and "R".

Claudio Riedi, Esq.