

RIGHT-OF-WAY USE PERMIT REQUEST

RW-26-0168

L-7 Canal Right-of-Way, East of Lyons Road

Village of Wellington — Tower Access

Lake Worth Drainage District | Palm Beach County, Florida

1

PROJECT OVERVIEW

What Is Being Requested

APPLICANT

Village of Wellington

PERMIT NO.

RW-26-0168

LOCATION

LWDD L-7 Canal R/W,
east of Lyons Road

ADJACENT SITE

Palm Beach Central High
School

Purpose

The Village of Wellington is requesting authorization to use the Lake Worth Drainage District (LWDD) L-7 Canal right-of-way, east of Lyons Road, to access a proposed cell tower site located behind Palm Beach Central High School. The access supports installation, maintenance, and servicing of tower equipment by the Village and its cell carrier sub-lessees.

The cell tower is proposed to improve cellular coverage in the area.

KEY DRIVER

No existing, cleared access currently serves the tower site — the LWDD right-of-way is the best route.

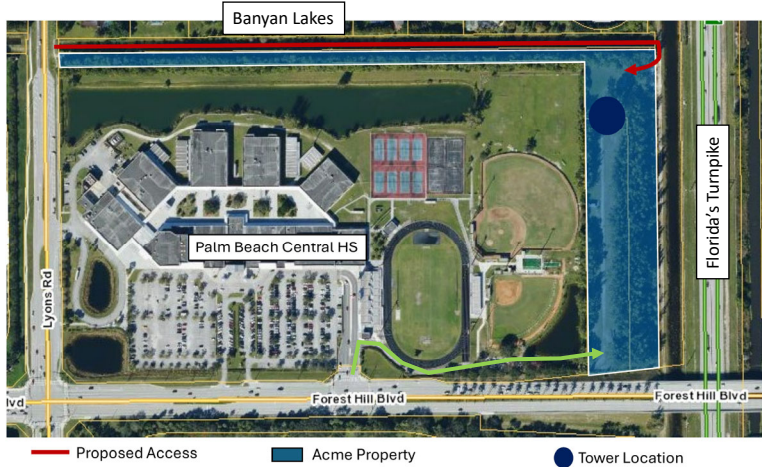
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SITE PLAN

Proposed Access Route



The route runs along the northern canal bank, connecting Lyons Road to the tower parcel at the campus's northeast corner.

- Proposed Access**
Route along the LWDD L-7 Canal right-of-way, east of Lyons Road
- Acme Property**
Village/Acme-owned parcel adjoining the canal and high school campus
- Tower Location**
Existing cell tower site to be serviced via the proposed route
- Easement on School Property**
Existing utilities easement providing access for Wellington; the School District would not amend

EXISTING CONDITIONS

Site Photographs



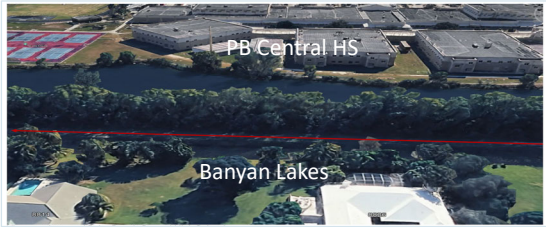
Looking east from Lyons Road along the LWDD R/W



Looking west along the LWDD R/W — existing barricade



Aerial view southeast toward Palm Beach Central HS



Aerial view south toward the high school campus

ACCESS JUSTIFICATION

Why the LWDD Right-of-Way?

Alternative access areas were evaluated as part of the application review:

Alternative access areas?	None are available that have been cleared. The LWDD canal right-of-way remains the only cleared means of reaching the tower site.
Does the applicant have its own property for access?	Wellington/Acme owns a strip of land immediately south of the canal, approximately 50 feet wide, but this area has not been cleared.
Why isn't that property used instead?	It is currently covered with trees and brush that serve as the only landscape buffer between Palm Beach Central High School and the Banyan Lakes community.

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USE PARAMETERS

Who, How Often & For How Long

RIGHT-OF-WAY USERS Tower & Cell Carrier Contractors Perform installation and maintenance of antennas and associated equipment, approximately 4-6 times per year Wellington Utilities Staff Alternative access for Village-managed infrastructure, limited use <i>Access is tied directly to sub-lease maintenance obligations for antennas and associated tower equipment.</i>	TERM OF USE Requested for the full term of the underlying cell tower lease agreement 5 YEARS INITIAL TERM + 7 × 5 YEARS RENEWAL EXTENSIONS = 40 YEARS TOTAL MAXIMUM TERM <i>Right-of-way access request expires concurrently with the lease agreement</i>
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SUMMARY

Request for Right-of-Way Use

- The Village of Wellington requests a right-of-way use permit (RW-26-0168) across the LWDD L-7 Canal, east of Lyons Road.
- Access supports tower and cell carrier maintenance for the duration of the cell tower lease.

Wellington Commitments

- Pay all administrative costs of the permit and any annual expenses.
- Provide maintenance of the right-of-way.
- Allow LWDD to utilize space on the tower assigned to Wellington.

RW-26-0168 | Lake Worth Drainage District | Village of Wellington

**Village of Wellington requests Permanent Access
within LWDD's L-7 & E-2W Canals to the proposed
Tower Site for Wellington Utility Staff and Tower and
Cell Carrier Contractors**

LWDD Project No. RW-26-0168

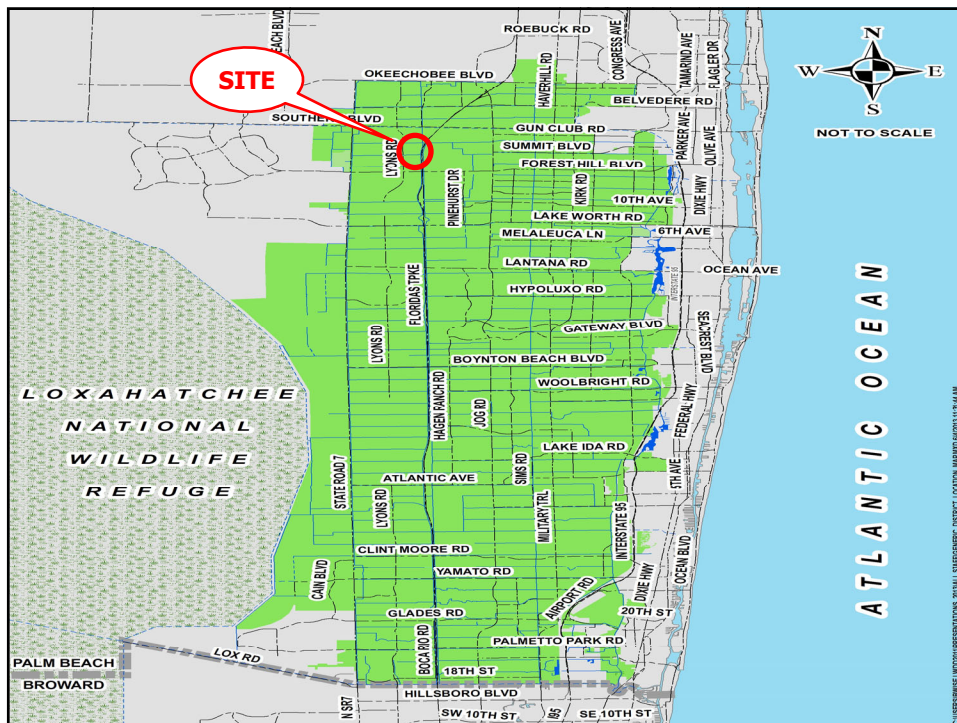
Nicole Smith, Permit Supervisor

Agenda Item #8

Governing Board Meeting – September 16, 2026

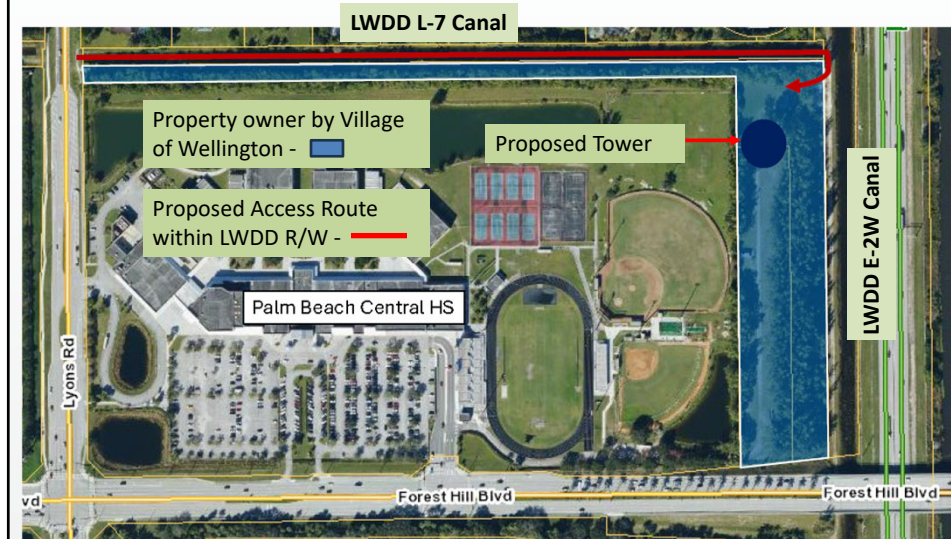


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Location Map

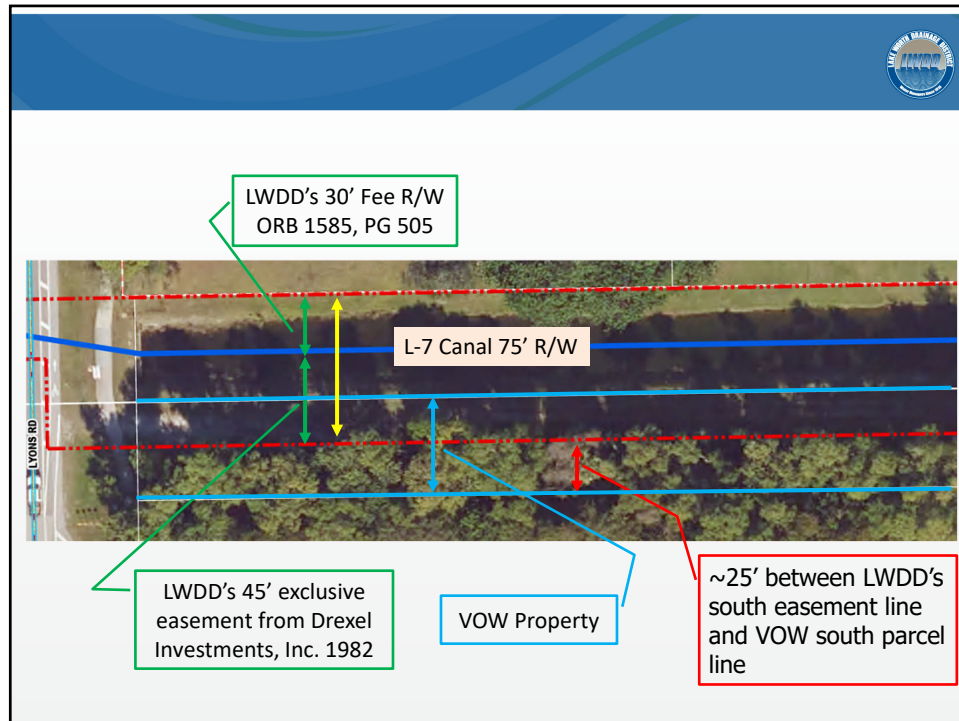


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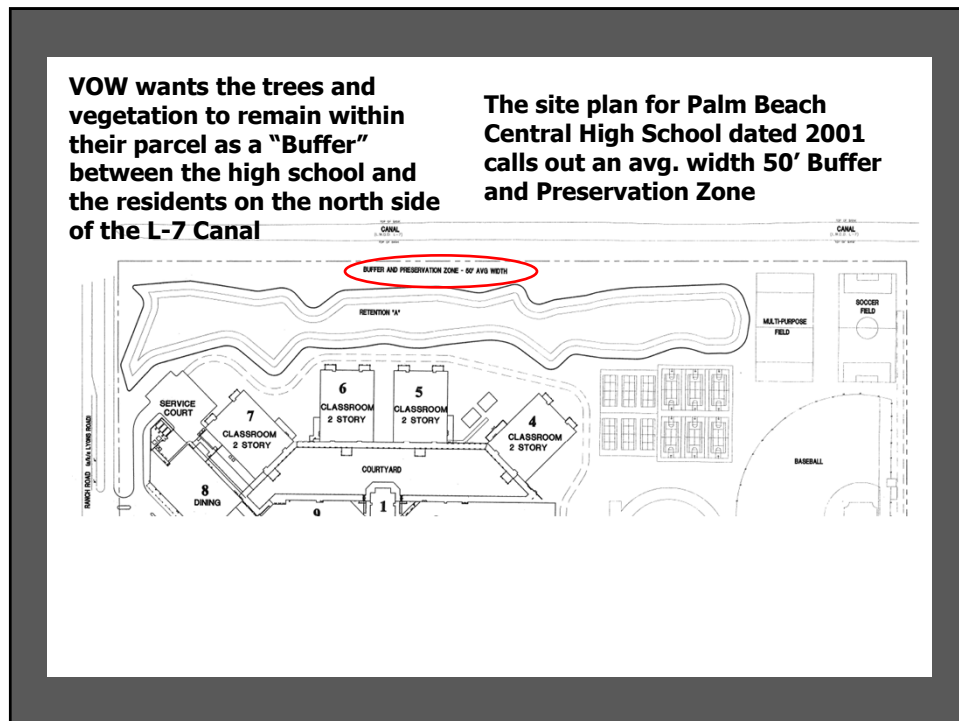
Background

- June 26, 2024: Staff replied to email request for access within the L-7 & E-2W Canal Rights-of-Way for the installation of a tower
- March 5, 2025: Tree contractor contacted LWDD regarding a Temporary Access Permit to clear the trees from the Village of Wellington (VOW) property to provide access to the tower site; staff sent an email with requirements; however, they never applied
- June 16, 2025: Arcadia Infrastructure applied on behalf of VOW for a Temporary Access Permit to allow access for the construction of a Tower outside of LWDD's right-of-way and within the VOW property (**RW-25-0146**)
 - During the review, a copy of the recorded access easement for permanent access to the tower outside of LWDD's right-of-way was requested
- September 7, 2025: Arcadia Infrastructure withdrew the application due to VOW not being able to obtain an easement or show that they have permanent accessible access outside of LWDD's right-of-way
- August 19, 2026: VOW applied for a Right-of-Way Permit for Permanent Access to the proposed tower for the VOW Utility Staff and Tower and Cell Carrier Contractors
- VOW owns property from Lyons Road to access the proposed tower site; that access is encumbered with trees and vegetation. VOW requesting to use LWDD's right-of-way

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RW-26-0168 - L-7 Canal, East of Lyons: Village of Wellington Tower Access
Requested Information:

- Are there alternative areas that can be used for access instead of the L-7 Canal Right-of-Way?
 - Not currently; see next bullet
- Does the applicant have property that can be used for access?
 - Wellington/Acme has property immediately south of the canal.
 - The strip is approximately 50 feet wide
 - Currently, the property is covered with trees and brush that serve as the only landscape buffer between the High School and the Banyan Lakes community
- Who will be using the right-of-way, and how often?
 - Tower and cell carrier contractors;
 - Wellington Utilities staff
- What is the timeframe for the use of the right-of-way?
 - Request is for the term of the lease agreement with the cell tower company
 - Access required for cell carriers as a part of their sublease to maintain antennas and associated equipment
 - Lease Agreement uploaded
 - Term: 5 years + 7, 5-year extensions (40 years; pg 3)
- Please provide proof of denial for access from adjacent property owner(s)
 - Uploaded
- Please provide a copy of the existing access easement between the Village of Wellington and PB Central High School
 - Uploaded
- An exhibit showing the proposed route
 - Uploaded
- Application Fee: \$500.00 (non-refundable) – See attached
 - Paid

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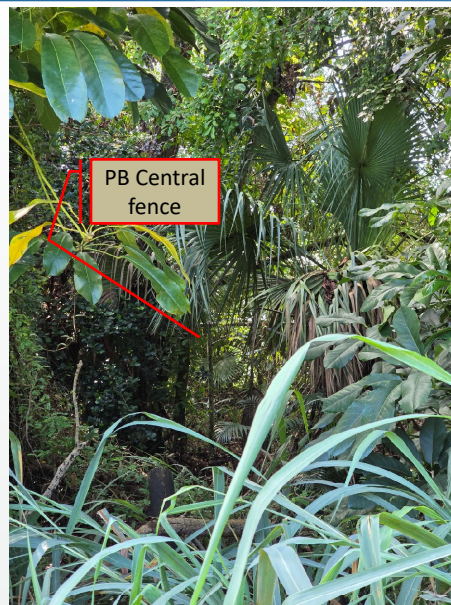
Staff Recommendation



- Denial of the applicant's request for Permanent Access of LWDD's L-7 & E-2W Canal Rights-of-Way to the proposed tower
 - Staff can issue a Right-of-Way Permit for Temporary Access for the construction of the tower
- Non-Refundable Variance Fee: \$500.00 (paid)

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Looking south from L-7 R/W



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Annexation of Hidden Valley Residential – Located east of I-95, North of the L-40E Canal

LWDD Project No. RW-26-0136

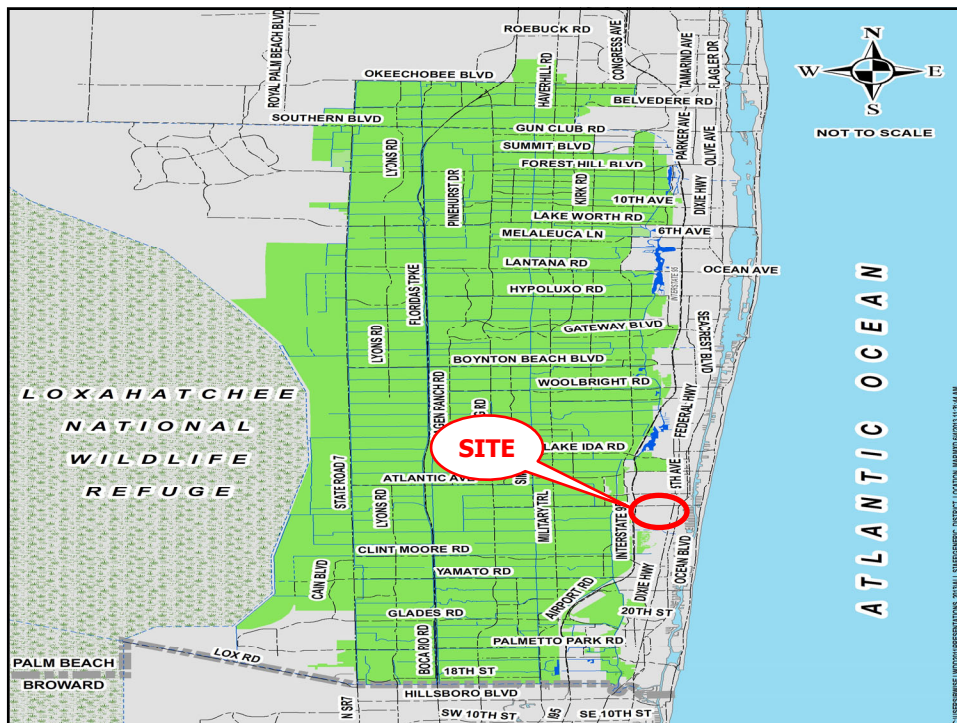
Nicole Smith, Permit Supervisor

Agenda Item #9

Governing Board Meeting – September 16, 2026



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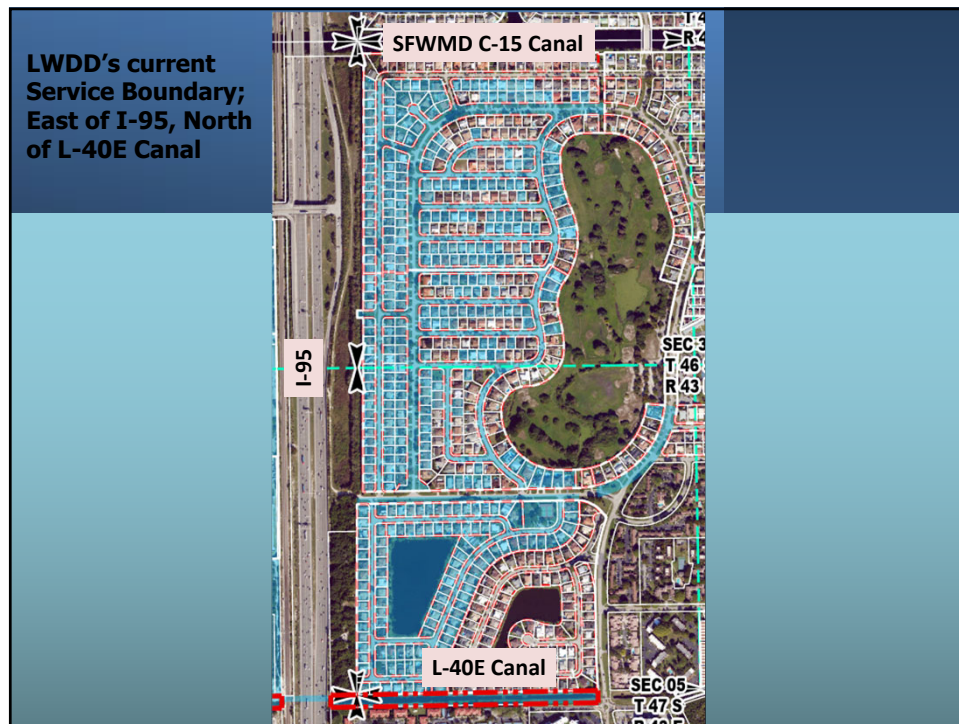
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Background



- This 56-acre project is located east of I-95, north of LWDD's L-40E Canal
- The current property owner, Boca Raton Executive Country Club Corp., is under contract with Toll Brothers for the sale of the property, which proposes to develop the site into 67 residential lots
- November 16, 2016: LWDD's Board of Supervisors approved this parcel to annex into LWDD's Boundary
 - The Service Agreement was never executed, and the project was never developed
- July 7, 2026: Toll Brothers applied for a Drainage Connection Permit
- This project will drain to the south through an existing drainage canal and into LWDD's L-40E Canal, and thus receiving services from LWDD
- Boca Raton Executive Country Club Corp. agrees to annex into LWDD's boundary

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Staff Recommendation



- Approval to annex the 56-acre site of Hidden Valley Residential into LWDD's jurisdictional boundaries during the next recodification and enter into a Service Agreement with Boca Raton Executive Country Club Corp. per Board Resolution 26-04:
- Subject to:
 - LWDD Operating Policies
 - Legal Description (Provided)
 - Certification of Title (Provided)
 - Execution the Service Agreement and Board Resolution 26-04 with LWDD
 - Applicable fees (Paid)

6

Prepared by:
MARK A. PERRY, P.A.
50 SE Fourth Avenue
Delray Beach, FL 33483

PCN: 06-43-46-32-07-00-0010

**RESOLUTION NO. 26-04 OF THE
LAKE WORTH DRAINAGE DISTRICT**

WHEREAS, BOCA RATON EXECUTIVE COUNTRY CLUB CORP, a Florida Profit Corporation existing under the laws of the State of Florida, whose address is 10001 E. Broadview Drive, Bay Harbor Islands, Florida 33154, has petitioned **LAKE WORTH DRAINAGE DISTRICT** to have certain lands, which are fully described in said Petition, annexed and included into the boundaries of LAKE WORTH DRAINAGE DISTRICT, and such lands are to be subject to the jurisdiction and control of LAKE WORTH DRAINAGE DISTRICT; and

WHEREAS, it is determined that said lands described in said Petition are contiguous to the boundaries of LAKE WORTH DRAINAGE DISTRICT, and can be served by LAKE WORTH DRAINAGE DISTRICT; and

WHEREAS, the Petitioner has requested to have said lands included within the boundaries and subject to the jurisdiction and control of LAKE WORTH DRAINAGE DISTRICT; and

WHEREAS, LAKE WORTH DRAINAGE DISTRICT deems and does determine it is for the best interest of LAKE WORTH DRAINAGE DISTRICT and BOCA RATON EXECUTIVE COUNTRY CLUB CORP that said lands be included in the boundaries of said District.

BE IT FURTHER RESOLVED:

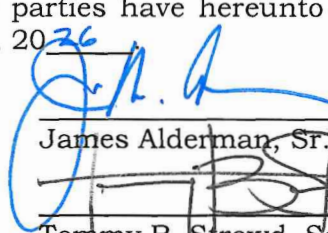
That the boundaries of LAKE WORTH DRAINAGE DISTRICT are extended to include the lands located in Palm Beach County, Florida, as described in the attached Exhibit 'A'.

BE IT FURTHER RESOLVED:

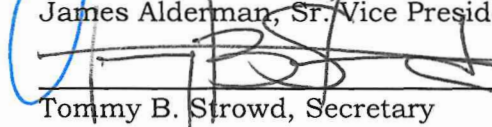
That said lands are forthwith and hereafter subject to the jurisdiction and control of LAKE WORTH DRAINAGE DISTRICT, as provided in Florida Statutes, Chapter 298 and Chapter 2009-258, Laws of Florida.

IN WITNESS WHEREOF, the parties have hereunto executed this Resolution this the 16th day of September ____, 2026

Corporate Seal



James Alderman, Sr. Vice President



Tommy B. Strowd, Secretary

EXHIBIT "A"

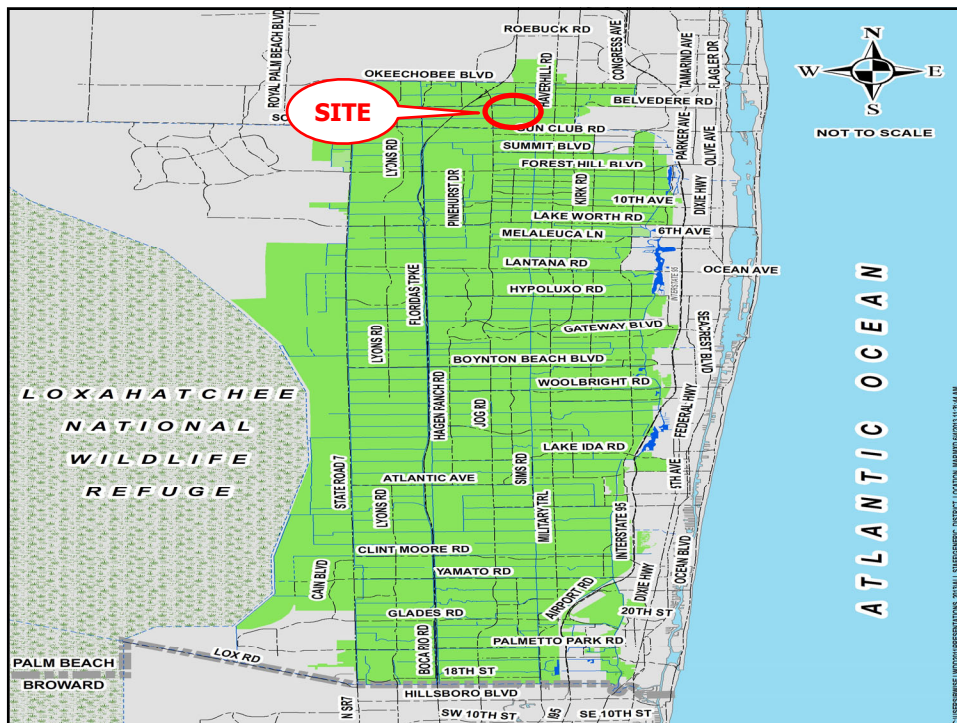
All of Hidden Valley Golf Course, according to the plat thereof as recorded in Plat Book 25, Page 112, public records of Palm Beach County, Florida. Said lands situate and lying in Palm Beach County, Florida and contains 55.12 acres and/or 2,401,027 square feet, more or less

**Palm Beach County - Proposed Mast Arm
Signalization Pole, Pedestrian Pole, and Pull
Boxes within the L-3 Canal Right-of-Way**
LWDD Project No. RW-26-0149

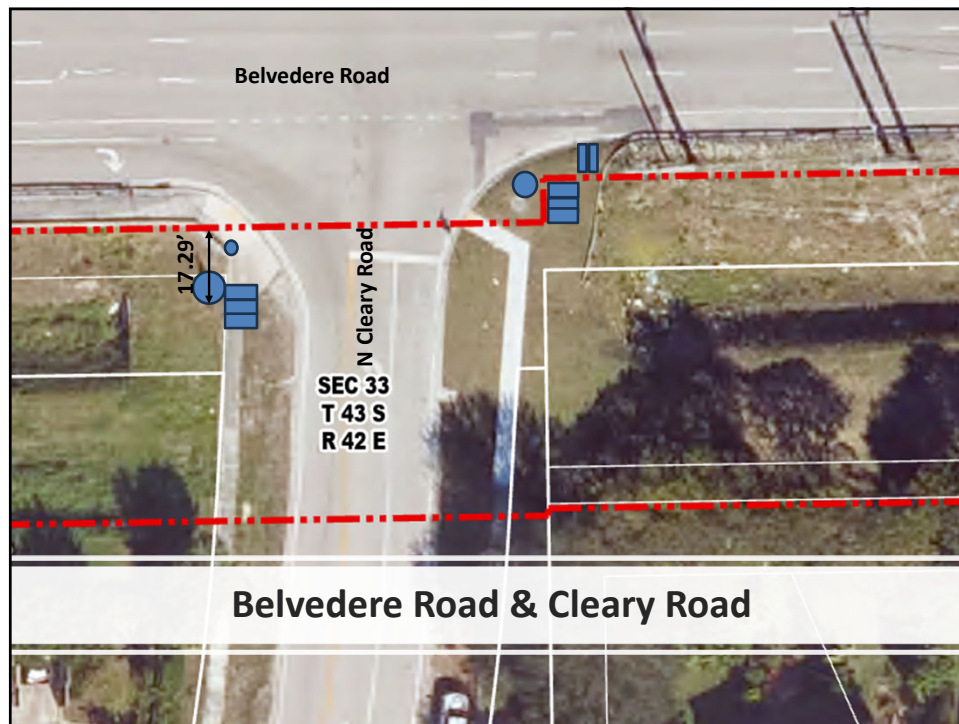
Nicole Smith, Permit Supervisor
Agenda Item #10
Governing Board Meeting – September 16, 2026



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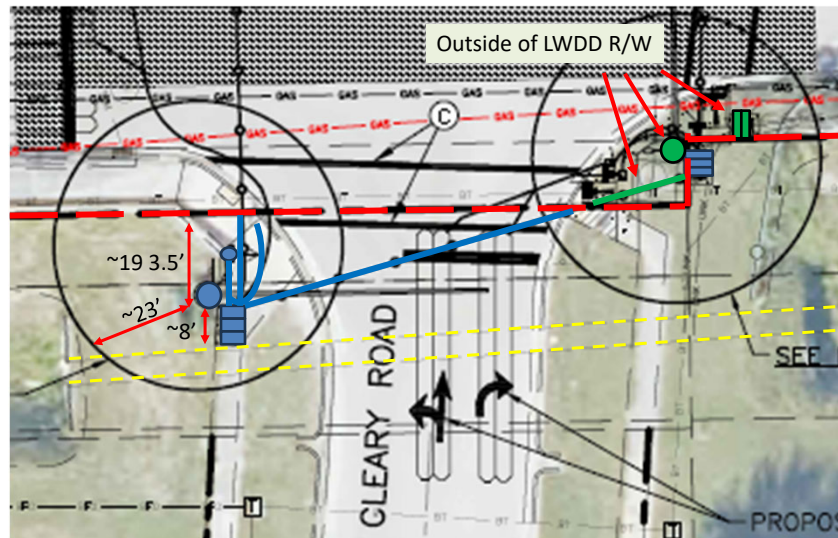
Background



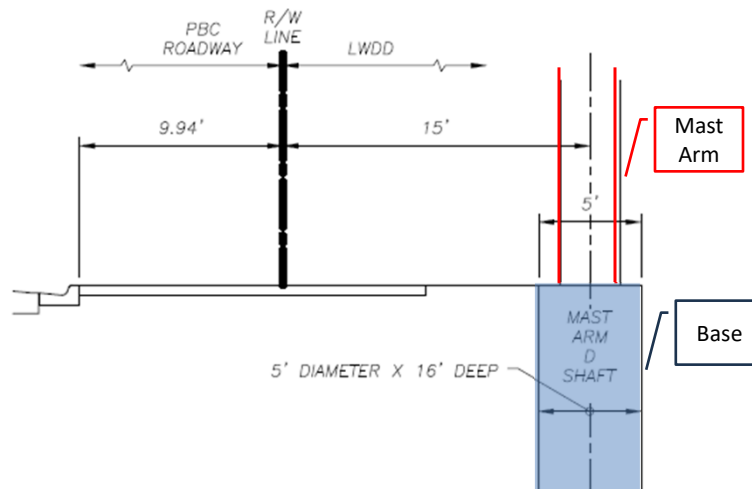
- July 20, 2026: LWDD Inspector located the installation of the base for a mast arm and installed conduit within the L-3 Canal Right-of-Way
 - Inspector had them stop work and advised them to apply for a permit
- July 24, 2026: Palm Beach County (PBC) consultant Simmons & White Inc. submitted a permit application to LWDD requesting to install one mast arm, pull boxes, and conduit within the L-3 Canal Right-of-Way at the intersection of Belvedere Road and N Cleary Road
- July 28, 2026: The first RAI letter was sent to the applicant
- August 25, 2026: Revised plans and answers to A-G uploaded
 - September 1, 2026: LWDD, PBC, and Simmons & White met to discuss the revised plans; additional revisions were requested
 - September 2026: Revised plans submitted

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Plans



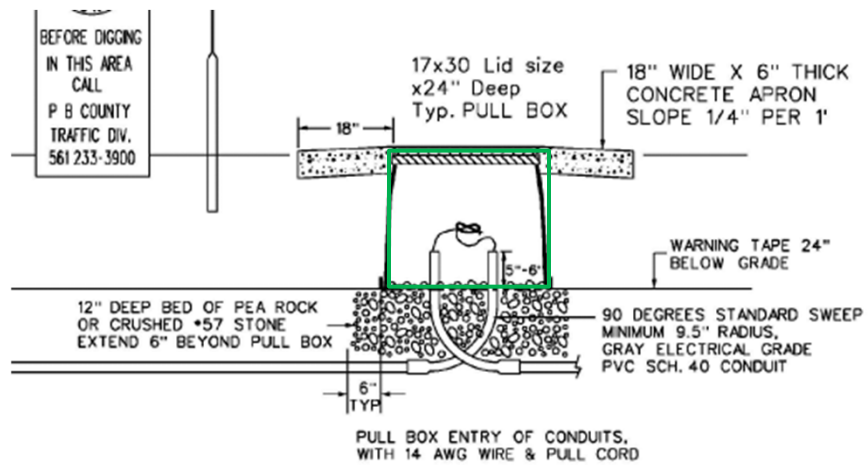
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Details of the Mast Arm Base

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Details of Pull Box



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Base of the Mast Arm – Looking North



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Field Picture – Looking West from Cleary Road



6800 Belvedere Rd, West Palm Beach, FL 33413, USA

260°W (T) • 26.691958, -80.153897 ±0m ▲ 0m



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Looking West from Cleary Road



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Distance between R/W & S. side of the base



11

Distance between Wing Wall and the Base of the Mast Arm



12

Distance between Wing Wall and Base of Mast Arm



13

Distance between back of Wall and Base of Mast Arm



14

Looking South from Belvedere Road



15

Looking West from the center of Cleary Road



16

Items A-G



- a. Can the proposed utility line be installed within the petitioner's property?
No. The roadway edge is at the County's ROW line, and the side street Cleary Road is within Lake Worth Drainage District (LWDD) ROW. The existing Turnpike overpass structure that flies Belvedere Road restricts construction of the mast arm as well.
- b. Does an easement(s) currently exist in adjacent plats and/or developments for the installation of the proposed utility line?
No.
- c. Can the proposed utility line be installed within road rights-of-way within the proposed area?
No. The roadway edge is at the county's ROW line and the side street Cleary Road is with Lake Worth Drainage District ROW.
- d. Can the proposed utility line be installed within the required landscape buffer(s) of adjacent plats and/or developments?
No.
- e. Have other alternate routes for the installation of the proposed utility line been investigated?
Yes. Acceptable location for pole determined by soft digs. There are multiple utility conflicts in this corner. Additionally, the bridge structure on Belvedere and the slope of the berm at the edge of the LWDD/ Palm Beach County ROW line make constructability of the mast arm impossible.
- f. Are there any undeveloped parcels of land in which the proposed utility line can be installed?
No.
- g. Has each adjacent property owner, or the adjacent Homeowners' Association(s) (HOA), if applicable, provided a letter of denial to allow the proposed utility line to be installed within their property?
Not applicable.

17

Explanation



Corrected LWDD ROW Profiles and details have been added to the updated plans per the LWDD markups provided on August 25th, 2026. Note that the bridge structure and slope of the existing ground in the southwest corner make installing the mast arm within 5 feet of the Right-of-way line, as noted in the makeups, impossible. See attached images for reference.

Looking west along Belvedere Road from the SW corner of intersection. Per LWDD comments, the suggested mast arm location (within 5' from ROW) would be under fallen sign and in a hole, with overpass structure impeding installation.



Looking north across Belvedere Road from the SW corner of intersection.



18

Staff Recommendation



- Approval to issue a Right-of-way permit to Palm Beach County for the installation of proposed mast arm, pedestrian pole, and pull boxes at the SW Quad of Belvedere Road and N Cleary Road and pull boxes at the SE Quad:
- Subject to:
 - LWDD Operating Policies
 - Right-of-Way Permit Fees:
 - Mast Arm: \$3,550.00 (\$1,775.00 x2) installation without a permit
 - Underground Conduit: \$1,760.00 (88' x \$20.00)
 - Pull Boxes: \$1,800.00 (6 boxes x \$300.00 each)
 - Construct canal maintenance berm for vehicular access between Cleary Road and headwall
 - Stabilize 10' of the canal bank with rock-rubble on the north and south side of the western headwall
 - Approval of plans by staff

19

Questions



20



21



Presentation to Lake Worth Drainage District

Belvedere Road and North Cleary Road Signal Installation

September 16, 2026

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INDEX OF SHEETS		COUNTY OF PALM BEACH STATE OF FLORIDA			
SHEET No.	DESCRIPTION	SIGNALIZATION PLANS		100% PLANS	
T-1	KEY SHEET	BELVEDERE ROAD AND CLEARY ROAD P.B.C. PROJECT #2022723 P.B.C. INTERSECTION #29063		100% PLANS	
T-2	TABULATION OF QUANTITIES				
T-3	GENERAL NOTES				
T-4 & T-5	SIGNALIZATION PLANS				
T-5A	PAVEMENT MARKING PLAN				
T-6	MAST ARM TABULATION				
T-7	MAST ARM ASSEMBLIES				
T-8	SIGNAL DETAILS				
STANDARDS AND SPECIFICATIONS: FLORIDA DEPARTMENT OF TRANSPORTATION, STANDARD PLANS LATEST EDITION AND STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION LATEST EDITION, LATEST EDITION PALM BEACH COUNTY TYPICALS FOR PAVEMENT MARKINGS, SIGNING, AND GEOMETRICS, 2022 PALM BEACH COUNTY TRAFFIC SIGNAL INSTALLATION STANDARDS AND DETAILS, AS AMENDED BY CONTRACT DOCUMENTS.		LOCATION MAP SEC. 33, TWP. 43S., RGE. 42E. BELVEDERE ROAD = 50 M.P.H. SPEED LIMIT CLEARY ROAD = 40 M.P.H. SPEED LIMIT		ENGINEER'S CERTIFICATION I HEREBY CERTIFY THAT THE ATTACHED PLANS AND DESIGN ARE IN SUBSTANTIAL COMPLIANCE WITH THE DESIGN STANDARDS AND CRITERIA IN EFFECT ON THE DATE FOR PALM BEACH COUNTY ENGINEERING DEPARTMENT AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION.	
MAINTENANCE OF TRAFFIC: FOR INDEX #7 USE F.D.O.T. STANDARD PLANS 102-400, 601, 602, 603, 604, 613, 615, 660 & 661		DATE: _____ PROFESSIONAL ENGINEER #56825 _____ PATRICIA BARR, P.E.		REVISION 1: LWD PERMIT UPDATES ON SOUTHEAST CORNER 8/5/26	
APPLICABLE DESIGN STANDARDS REVISIONS: For Design Standards Modifications click on "Design Standards" at the following web site: https://www.fdot.gov/designstandards/current/		LOCATION MAP SEC. 33, TWP. 43S., RGE. 42E. BELVEDERE ROAD = 50 M.P.H. SPEED LIMIT CLEARY ROAD = 40 M.P.H. SPEED LIMIT		ENGINEER'S CERTIFICATION I HEREBY CERTIFY THAT THE ATTACHED PLANS AND DESIGN ARE IN SUBSTANTIAL COMPLIANCE WITH THE DESIGN STANDARDS AND CRITERIA IN EFFECT ON THE DATE FOR PALM BEACH COUNTY ENGINEERING DEPARTMENT AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION.	
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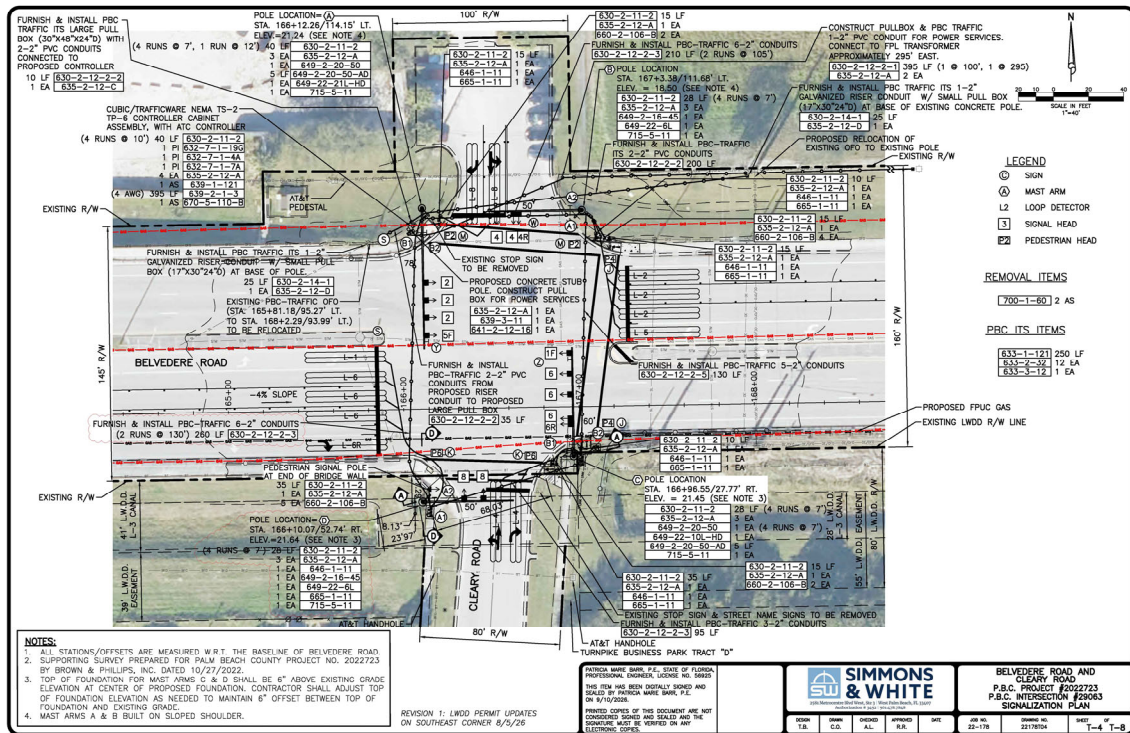


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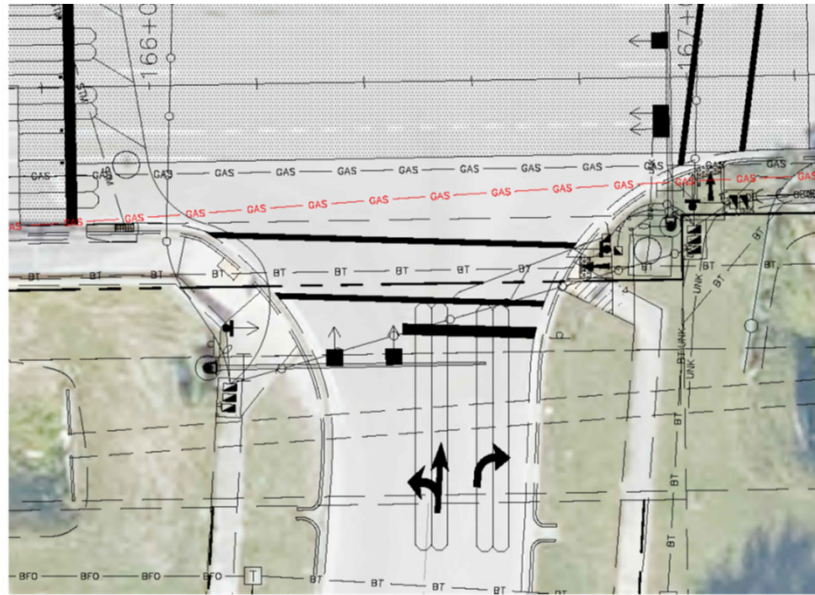


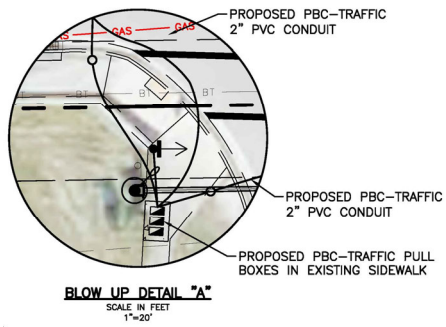
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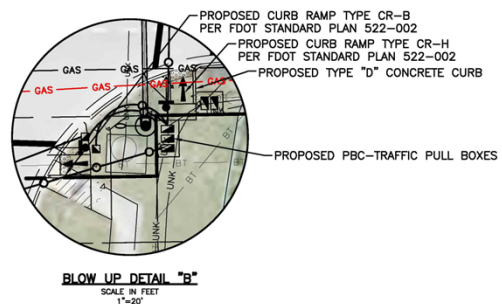


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Questions



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AMENDMENT AND EXTENSION OF LEGAL SERVICES AGREEMENT

THIS AMENDMENT AND EXTENSION OF LEGAL SERVICES AGREEMENT ("Amendment") is entered into by and between the LAKE WORTH DRAINAGE DISTRICT ("LWDD") and MARK A. PERRY, P.A. ("Law Firm").

WHEREAS, LWDD and the Law Firm entered into a Legal Services Agreement for the three-year period beginning October 1, 2023 and ending September 30, 2026 ("Agreement"); and

WHEREAS, the parties desire to extend the Agreement through September 30, 2027, with the existing terms and conditions continuing for the first six (6) months of the extension and revised service and compensation terms becoming effective April 1, 2027;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. **EXTENSION OF TERM:** The term of the Agreement is hereby extended for an additional one- year period, commencing October 1, 2026, and ending September 30, 2027.
2. **OCTOBER 1, 2026 THROUGH MARCH 31, 2027:** For the period beginning October 1, 2026, and ending March 31, 2027, all terms and conditions of the Agreement, including the existing service schedule, contracted hours, compensation, and rates in effect as of September 30, 2026, shall remain unchanged and in full force and effect.
3. **APRIL 1, 2027 THROUGH SEPTEMBER 30, 2027:** Effective April 1, 2027, the contracted legal service schedule shall be reduced from eight (8) hours per week to six (6) hours per week.

The regular service schedule shall generally consist of two (2) days per week at three (3) hours per day. The specific weekly schedule, including service hours for Board meetings, shall continue to be designated and approved by the Executive Director consistent with the Agreement.

Beginning April 1, 2027, LWDD shall pay the Law Firm a flat monthly amount of Six Thousand Five Hundred Dollars (\$6,500.00) for contracted legal services. This amount represents annualized compensation of Seventy-Eight Thousand Dollars (\$78,000.00), based upon fifty (50) weeks of services at six (6) hours per week, for a total of three hundred (300) contracted service hours annually.

Consistent with the existing Agreement, regularly scheduled services shall not be required for two (2) weeks during each twelve-month period.

4. **ADDITIONAL LEGAL SERVICES:** Effective April 1, 2027, legal services requested in excess of the contracted service hours shall be compensated at the rate of Two Hundred Sixty Dollars and Forty-Seven Cents (\$260.47) per hour and invoiced in accordance with the Agreement.

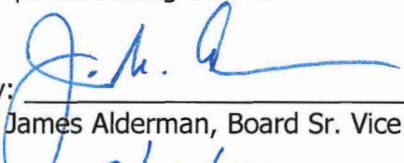
5. **CONTINUATION OF EXISTING TERMS:** Except as expressly modified by this Amendment, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

In the event of a conflict between this Amendment and the Agreement, the terms of this Amendment shall control.

6. **EFFECTIVE DATE:** This Amendment shall become effective October 1, 2026.

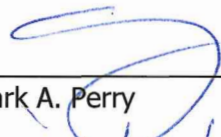
IN WITNESS WHEREOF, the parties have executed this Extension.

LAKE WORTH DRAINAGE DISTRICT,
a Special Taxing District

By: 
James Alderman, Board Sr. Vice President

Date: 9/16/26

MARK A. PERRY, P.A.
a Florida Professional Services Corporation

By: 
Mark A. Perry

Date: 9/16/26

Executive Director Comment

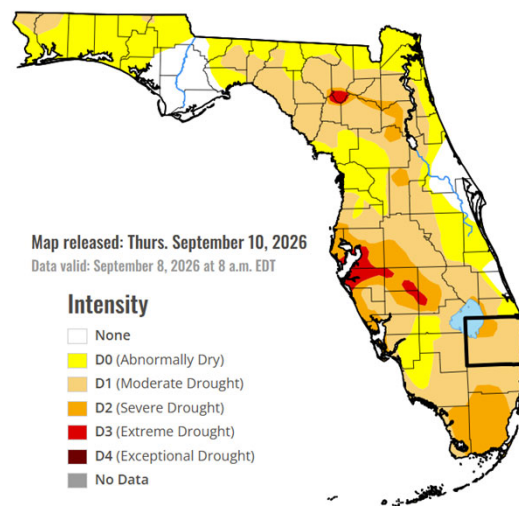
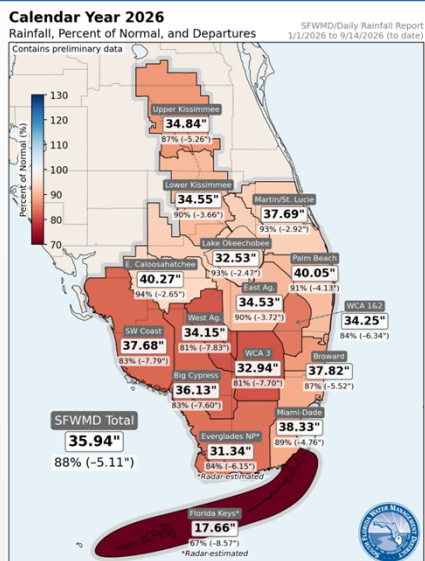
Tommy B. Strowd, P.E.

Item #12

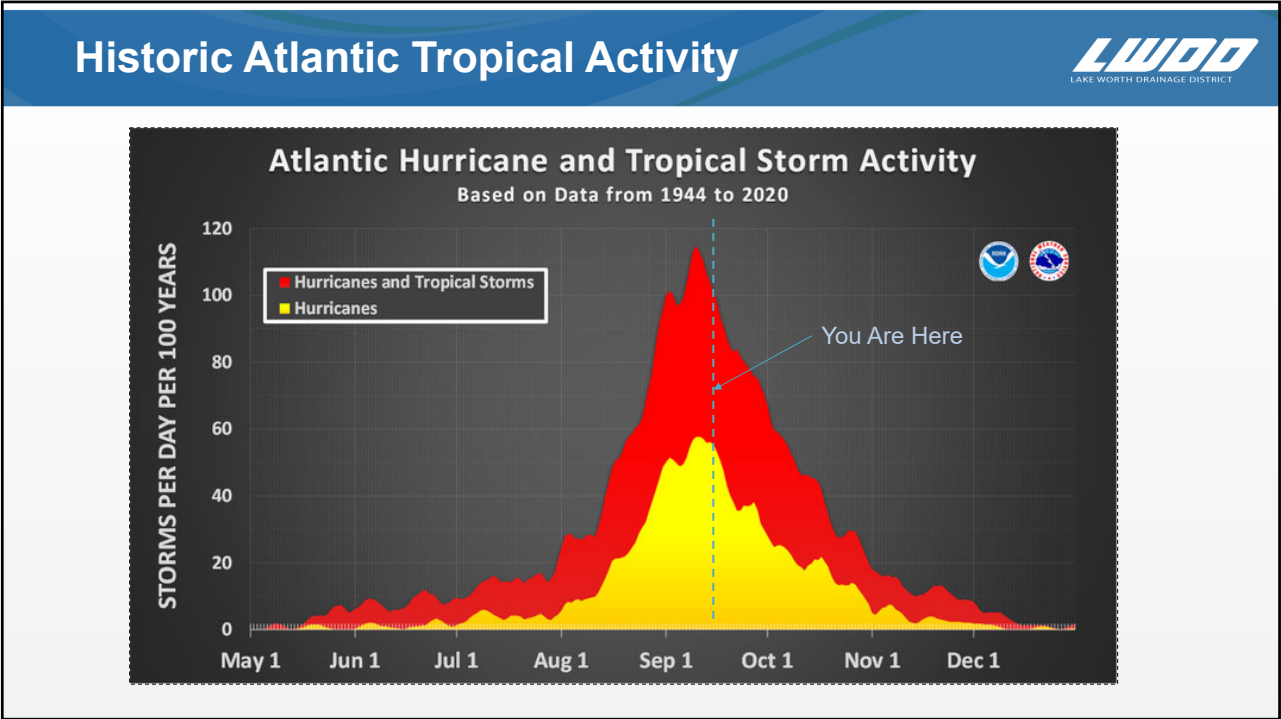


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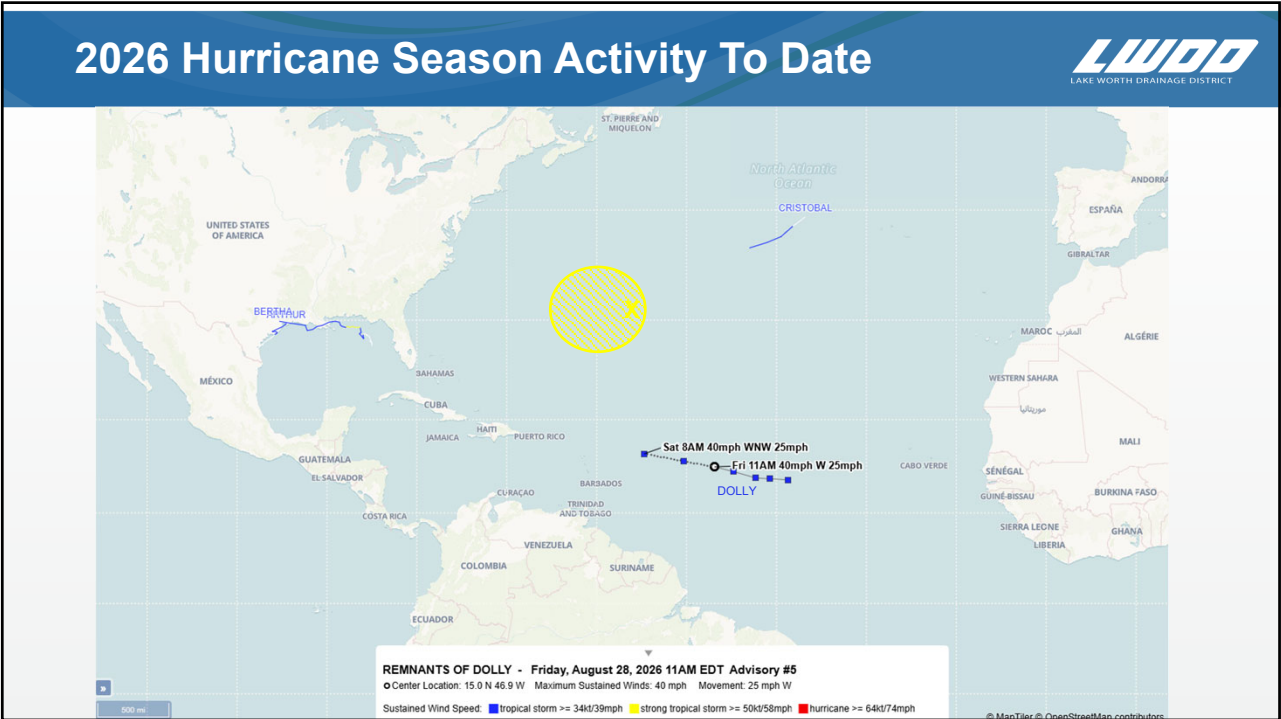
Persistent Dry Conditions



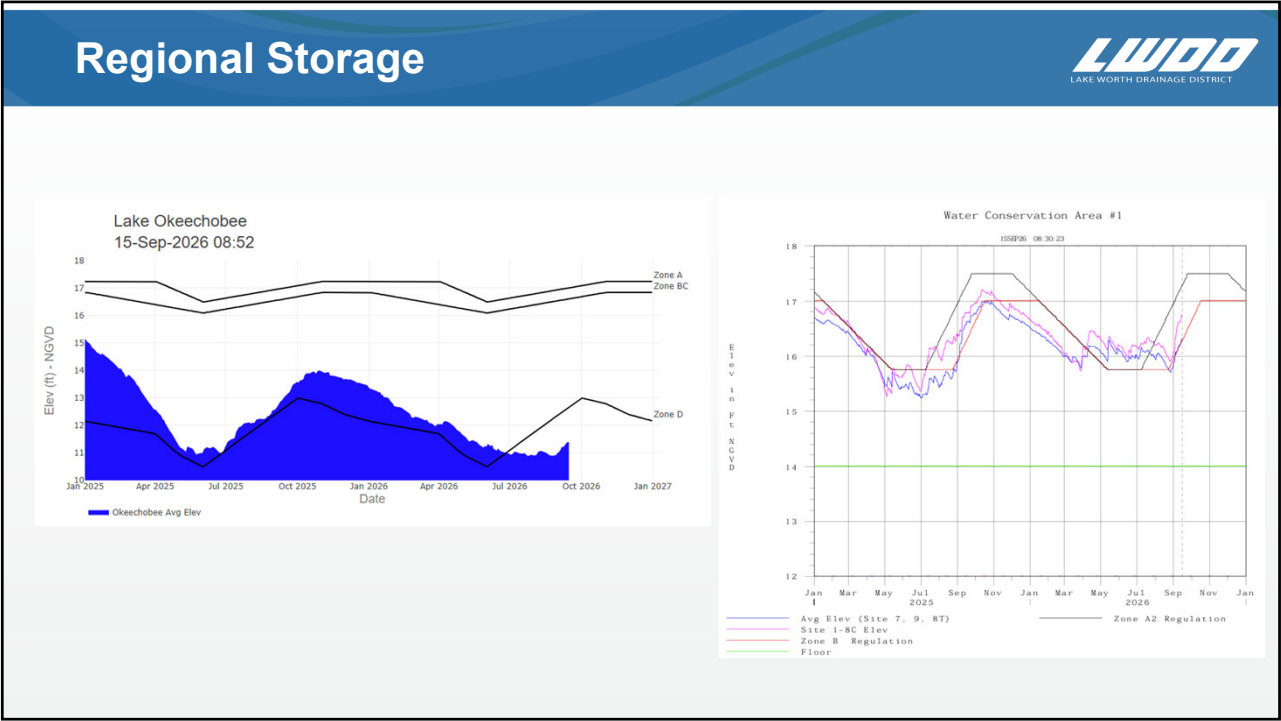
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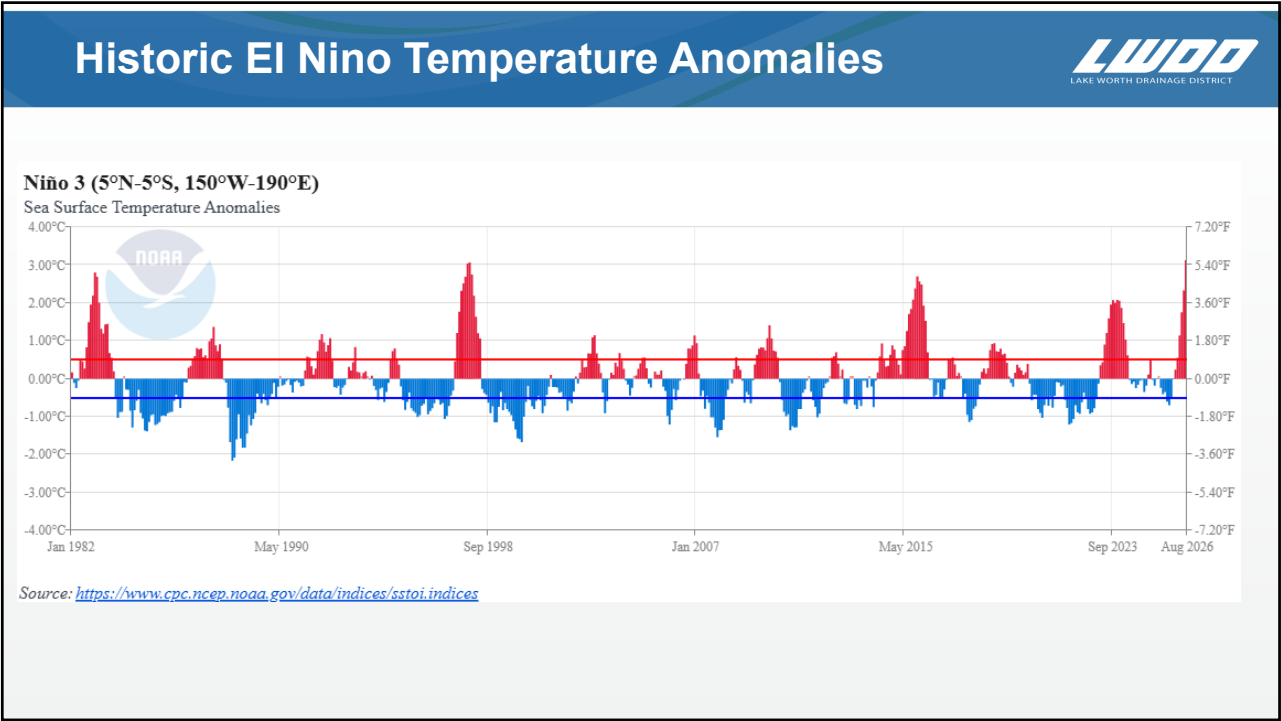
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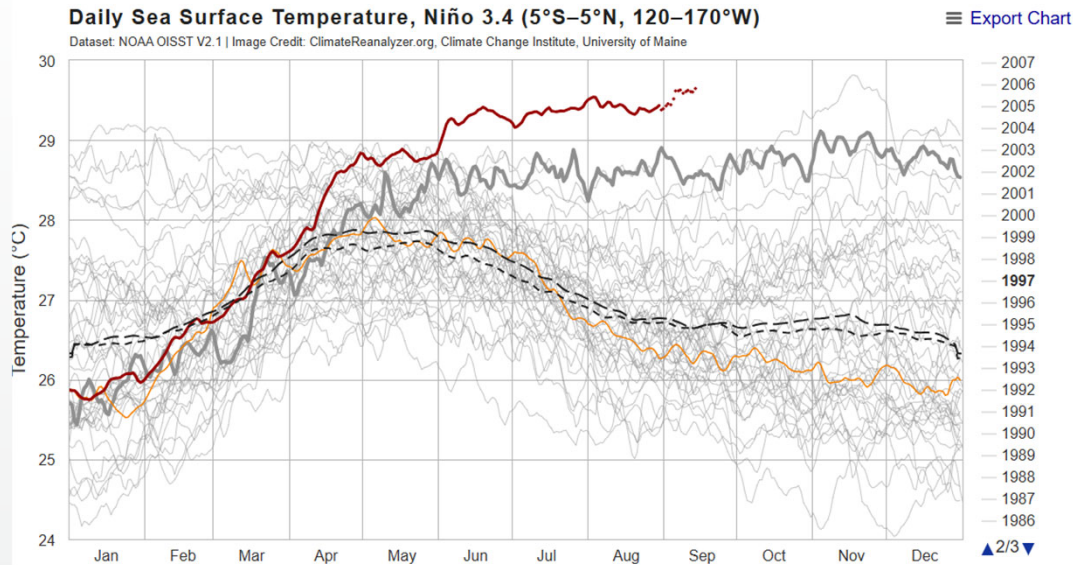


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Historic El Ninos



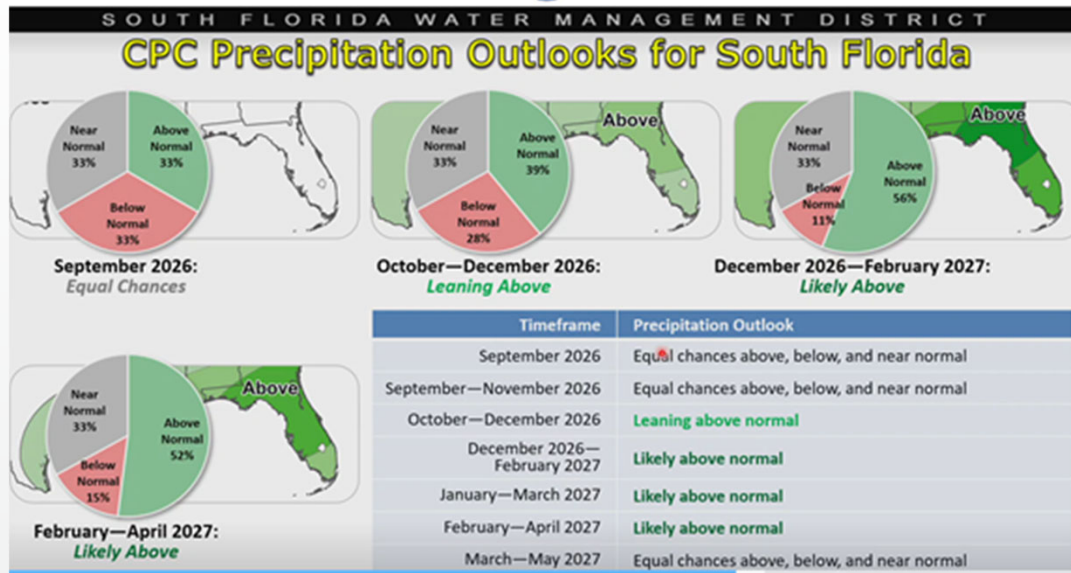
7

Anticipated El Nino Effects on Dry Season Rainfall

- El-Nino will enhance normal of the dry season rainfall.
- Specifically, a very strong El-Nino will move the Jet-Stream meaningfully south with that increasing the movement of moisture from the Gulf of Mexico providing additional water.
- The experience with the three very strong El-Nino indicates that we can expected about 14 to 37 inches of rain in the 2026 through 2027 dry season which is meaningfully more than the average of about 13 inches.

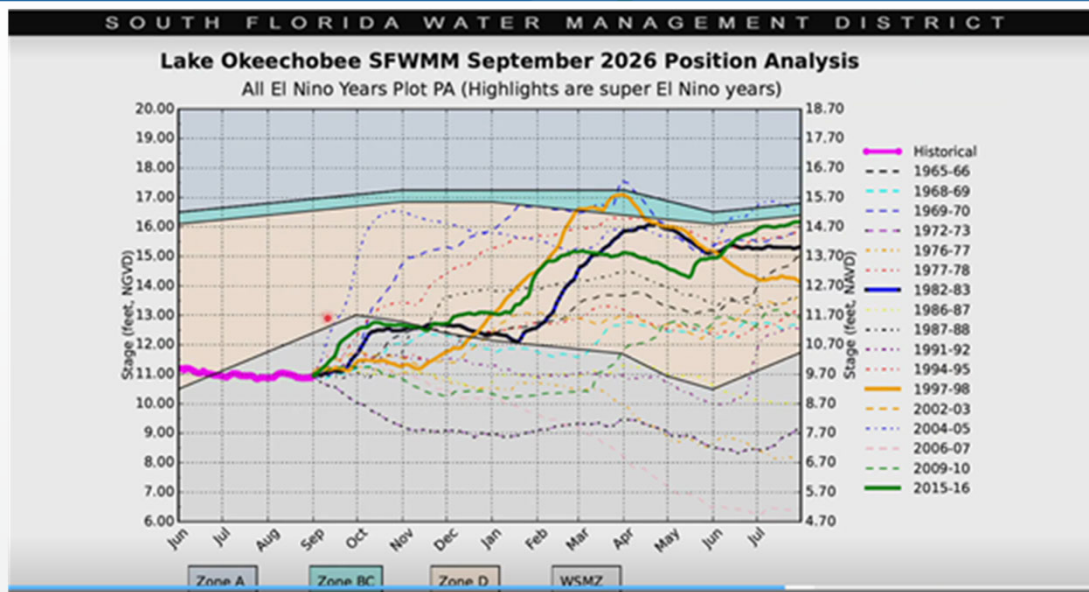
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Climate Prediction Center Outlook



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Lake Okeechobee Stage Outlook



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11