



An Equal Opportunity Employer

# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
On the Internet at: [WaterMatters.org](http://WaterMatters.org)

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Director at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us).

## AGENDA

### GOVERNING BOARD MEETING

**SEPTEMBER 29, 2009**

**9:00 A.M. -- WORKSHOP – SOUTHERN WATER USE CAUTION AREA RECOVERY STRATEGY AND UPPER PEACE RIVER RECOVERY PROJECTS**

**12:30 P.M. -- GOVERNING BOARD MEETING**

**5:01 P.M. -- FINAL FISCAL YEAR 2010 BUDGET HEARING**

#### TAMPA SERVICE OFFICE

7601 US HIGHWAY 301 NORTH  
TAMPA, FLORIDA 33637-6759  
813-985-7481 OR 1-800-836-0797

*☞ All meetings are open to the public. ☜*

- Viewing of the Board meeting will be available at each of the District offices.
- Public input will be taken only at the Tampa meeting location.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Unless specifically stated, scheduled items will not be heard at a time certain.

At the discretion of the Board, items may be taken out of order to accommodate the needs of the Board and the public.

**The meeting will recess for lunch at a time to be announced.**

The current Governing Board agenda and minutes of previous meetings are on the District's web site: [www.WaterMatters.org](http://www.WaterMatters.org)

**MEETING NOTICE**

**Bartow Service Office**  
170 Century Boulevard  
Bartow, FL 33830-7700  
863-534-1448 or 1-800-492-7862

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, FL 34240-9711  
941-377-3722 or 1-800-320-3503

**Tampa Service Office**  
7601 US Highway 301 North  
Tampa, FL 33637-6759  
813-985-7481 or 1-800-836-0797

**9:00 A.M. WORKSHOP – SOUTHERN WATER USE CAUTION AREA RECOVERY STRATEGY AND UPPER PEACE RIVER RECOVERY PROJECTS**

11:30 A.M. LUNCH

**12:30 P.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)**

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Additions/Deletions to Agenda
4. Employee Recognition
5. Public Input for Issues Not Listed on the Published Agenda

**CONSENT AGENDA (TAB B)**

All matters listed under the Consent Agenda are considered routine and action will be taken by one motion, second of the motion and approval by the Board. If discussion is requested by a Board member, that item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

**Regulation Committee**

6. Governing Board Concurrence with Executive Director's Issuance of Third Modification to Executive Director Order No. SWF 08-024 Regarding Use by Tampa Bay Water of the Alafia River Project
7. Approve Rulemaking to Adopt and Incorporate by Reference Revised Water Use Permit Application – Public Supply Supplemental Form and New Small General Water Use Permit Application Public Supply Attachment Form
8. Approve Well Construction Permitting Agreement Between SWFWMD and Marion County Health Department and Approve Rulemaking to Incorporate Agreement by Reference in Rule 40D-1.002, Florida Administrative Code (F.A.C.)
9. Initiate and Approve Rulemaking to Repeal 40D-24, Xeriscape Incentive Program, F.A.C.
10. Board Encumbrance – Florida Department of Transportation Mitigation

**Resource Management Committee**

11. Appraisals, Purchase/Sale Agreements and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel Nos. 15-228-1314, 1325, 1326, and 1327
12. Appraisals and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-141P
13. Authorize Submission of the Preliminary Flood Insurance Rate Maps for the Chassahowitzka and McKethan Watersheds to the Federal Emergency Management Agency
14. Pop Stansell Stormwater Treatment and Habitat Restoration
15. Board Encumbrance – Lake Hancock Outfall Structure P-11

**Finance & Administration Committee**

16. Board Travel
17. Budget Transfer Report
18. Information Resources Department Fiscal Year 2010 Sinking Fund Transfers
  - a. Planned Replacement of Personal Computers
  - b. Planned Upgrade and Expansion of Network Servers
  - c. Voice Over Internet Protocol Prototype

**General Counsel's Report**

19. Report to the Legislature in Compliance with Section 120.74, Florida Statutes
20. Interagency Agreement between SWFWMD and SJRWMD for Designation of Regulatory Responsibility - City of Ocala – Marion County
21. Consent Order – Surface Water Activity - John S. Rudniansyn, Trustee – Marion County
22. Initiation of Litigation – Surface Water Activity - Wayne Evans – Hillsborough County
23. Initiation of Litigation – Well Construction - License No. 9247 - Waylon Howard, Jr. – Hillsborough County

**Executive Director's Report**

24. Approve August 25, 2009 Governing Board Meeting Minutes
25. Approve Resolution 09-22, Commending Patricia M. Glass for Her Service as a Member of the Southwest Florida Water Management District Governing Board

**REGULATION COMMITTEE (TAB C)****Discussion Items**

26. Consent Item(s) Moved for Discussion
27. Hydrologic Conditions Status Report
28. Consider Districtwide Modified Phase II Water Shortage Order No. 07-02
29. Consider Modified Phase III Water Shortage Order No. 08-044 for Hillsborough, Pasco and Pinellas Counties
30. Consider Modified Phase III Water Shortage Order No. 09-009 for Charlotte, DeSoto, Manatee and Sarasota Counties
31. Authorize Initiation of Rulemaking to Amend 40D-21, Water Shortage Plan, F.A.C., to Incorporate Refinements Based on Experience with Recent Water Shortages
32. Initiation and Approval of Rulemaking to Extend the Duration of Formal Determinations of Wetlands and Other Surface Waters
33. Approve Amendments to 40D-2.091, Documents Incorporated By Reference, F.A.C., and Part B, Basis of Review, of the Water Use Permit Information Manual, 40D-1.659, Forms and Instructions, 40D-2.021, Definitions, F.A.C., and 40D-2.321, Duration of Permits, F.A.C., to Enhance Water Conservation Provisions for Water Use Permits
34. Denials Referred to the Governing Board

**Submit & File Report**

35. Individual Permits Issued by District Staff

**Routine Reports**

36. Southern Water Use Caution Area Quantities
37. Overpumpage Report
38. Resource Regulation Significant Initiatives

**RESOURCE MANAGEMENT COMMITTEE (TAB D)****Discussion Items**

39. Consent Item(s) Moved for Discussion
40. Lake Hancock Outfall Treatment Project
41. Minimum Flows and Levels Priority List and Schedule Update

**Submit & File Report – None****Routine Reports**

42. Florida Forever Funding
43. Minimum Flows and Levels
44. Structure Operations
45. Watershed Management Program and Federal Emergency Management Agency Map Modernization
46. Significant Water Supply and Resource Development Projects

**OUTREACH & PLANNING COMMITTEE (TAB E)****Discussion Item**

47. 2011 – 2015 Strategic Plan Update

**Submit & File Report – None****Routine Reports**

48. Comprehensive Plan Amendment and Related Reviews
49. Development of Regional Impact Reviews
50. Speakers Bureau
51. Significant Activities

**FINANCE & ADMINISTRATION COMMITTEE (TAB F)**

**Discussion Items**

52. Consent Item(s) Moved for Discussion

**Submit & File Report**

53. Fiscal Year 2010 Budget Update

54. Office of Inspector General – Chemistry Laboratory Managerial Audit

**Routine Reports**

55. Treasurer's Report, Payment Register, and Contingency Reserves

56. Management Services Significant Activities

**GENERAL COUNSEL'S REPORT (TAB G)**

**Discussion Items**

57. Consent Item(s) Moved for Discussion

**Submit & File Reports – None**

**Routine Reports**

58. Litigation Report

59. Rulemaking Update

**EXECUTIVE DIRECTOR'S REPORT (TAB H)**

60. Executive Director's Report

**COMMITTEE/LIAISON REPORTS (TAB H)**

61. Environmental Advisory Committee

62. Green Industry Advisory Committee

**CHAIR'S REPORT (TAB H)**

63. Chair's Report

a. Performance Evaluations of the Executive Director and Inspector General – Process Overview

b. Approve Policy 110-8, Governing Board Member Duties and Responsibilities

c. Other

**\*\*\* RECESS PUBLIC HEARING \*\*\***

**ADJOURNMENT**

**5:01 P.M. \*\*\* CONVENE FINAL FY2010 BUDGET HEARING \*\*\*  
OF THE GOVERNING BOARD**

**ANNOUNCEMENTS**

- Governing Board Meeting and Workshop Schedule:  
 Workshop, Meeting and Final Budget Hearing – Tampa .....September 29, 2009  
 Joint Workshop with PR/MRWSA – Punta Gorda ..... (Thursday) October 29, 2009  
 Meeting – Punta Gorda ..... (Thursday) October 29, 2009  
 Meeting – Brooksville ..... November 17, 2009  
 Joint Workshop with Basin Boards – Thonotosassa ..... December 15, 2009  
 Meeting – Thonotosassa ..... December 15, 2009

- Basin Board Meeting and Workshop Schedule:  
 Joint Coastal Rivers & Withlacoochee River – Brooksville ..... October 13, 2009  
 Joint Alafia River, Hillsborough River &  
 Pinellas-Anclote River – St. Petersburg ..... October 15, 2009  
 Joint Manasota & Peace River – Arcadia ..... October 21, 2009
- Basin Board Education Committee – Tampa ..... November 4, 2009
- Basin Board Land Resources Committee – Dade City ..... December 1, 2009
- Advisory Committee Meeting Schedule:  
 Well Drillers – Tampa ..... October 14, 2009  
 Industrial – Tampa ..... October 20, 2009  
 Public Supply – Tampa ..... October 20, 2009  
 Joint Green Industry & Agricultural – Tampa ..... November 5, 2009  
 Environmental – Tampa ..... December 7, 2009

The Governing Board may take action on any matter on the printed agenda including such items listed as reports, discussions, or program presentations. The Governing Board may make changes to the printed agenda only for good cause as determined by the Chair, and stated in the record.

If a party decides to appeal any decision made by the Board with respect to any matter considered at a hearing or these meetings, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you wish to address the Board concerning any item listed on the agenda or an issue that does not appear on the agenda, please fill out a speaker's card at the reception desk in the lobby and give it to the recording secretary. Your card will be provided to the Chair who will call on you at the appropriate time during the meeting. When addressing the Board, please step to the podium, adjust the microphone for your comfort, and state your name for the record. Comments will be limited to three minutes per speaker. In appropriate circumstances, the Chair may grant exceptions to the three-minute limit.

The Board will accept and consider written comments from any person if those comments are submitted to the District at

Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, Florida 34604-6899

The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.