



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)
TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

The Southwest Florida Water Management District (District) does not discriminate upon the basis of any individual's disability status. This nondiscrimination policy involves every aspect of the District's functions including one's access to participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodations as provided for in the Americans with Disabilities Act should contact the General Services Department at (352) 796-7211 or 1-800-423-1476 (FL only), extension 4527, TDD only 1-800-231-6103 (FL only).

AGENDA

GOVERNING BOARD MEETING

MARCH 31, 2009

9:00 A.M.

☞ All meetings are open to the public. ☜

- Viewing of the Board meeting is available at each of the District offices.
- Public input will be taken only at the Brooksville office.
- 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

9:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)

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

MEETING NOTICE

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 -- Environmental Resource Permits

7. ERP No. 43034212.000 - San Casa Residential Development – Charlotte County
8. ERP No. 43033790.000 - Sunwoods Hardee Excavation – Hardee County
9. ERP No. 43021639.004 - FDOT State Road 93A (I75) from Fowler Avenue to Bruce B. Downs Boulevard – Hillsborough County
10. ERP No. 43023130.002 - Sheldon and Ehrlich Commercial – Hillsborough County
11. ERP No. 49026991.002 - Lake Hutto South – Hillsborough County
12. ERP No. 44033237.000 - The Jono Center at Twin Oaks (**DENIAL**) – Hillsborough County
13. ERP No. 43022520.003 - Watson Borrow Pit – Levy County
14. ERP No. 43023803.002 - FDOT - State Road 679 (Pinellas Bayway Structure E) from South of Madonna Boulevard to South of State Road 682 (FM 4107552) – Pinellas County
15. ERP No. 49000493.008 - Polk City Business Park, Phase I – Polk County
16. ERP No. 49015782.004 - Meadow Lakes, Phase I - Conceptual – Polk County
17. ERP No. 44021471.001 - Oasis Sun Resort (**DENIAL**) – Polk County
18. ERP No. 43030439.002 - Cabot Commerce Center – Polk County
19. ERP No. 43030911.001 - Laurel Road Townhomes – Sarasota County

Regulation Committee -- Water Use Permits

20. WUP No. 20004091.011 - Bentley-Brahman Ranch, Inc./Bentley-Brahman Ranch – Hardee County
21. WUP No. 20000966.003 - Hickory Hills, LLC and Two Rivers Ranch, Inc./Hickory Hill – Hernando County
22. WUP No. 20008481.004 - Marion Utilities, Inc. and Spruce Creek North, LLC/Marion Utilities - Spruce Creek – Marion County
23. WUP No. 20010413.004 - Pasco Cogen, Ltd. and JDR Properties, Inc./Pasco Cogen, Ltd. and JDR Properties of Pasco – Pasco County

Regulation Committee -- Other

24. Governing Board Concurrence with Executive Director's Issuance of Second Modification to Executive Director Order No. SWF 08-043 Relating to Use of Tampa Bypass Canal for Augmentation of the Hillsborough River Reservoir
25. Governing Board Concurrence with Executive Director's Issuance of First Modification to Executive Director Order No. SWF 09-008, Relating to Tampa Bay Water's Use of the Tampa Bypass Canal Lower Pool
26. Approve Rulemaking to Adopt Revised Water Use Permit Application Forms for Water Management Information System (WMIS)

Resource Management Committee

27. Amendment to Lease Agreement – Lake Hancock Project, SWF Parcel No. 20-503-103X
28. Appraisals and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-153
29. Appraisals and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-204P
30. Appraisals and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-218

Finance & Administration Committee

31. Board Travel
32. Budget Transfer Report

Outreach & Planning Committee

33. Audubon Society's Florida Coastal Islands Sanctuaries 75th Anniversary

General Counsel's Report

34. Initiation and Approval of Rulemaking to Amend 40D-1.139, Florida Administrative Code (F.A.C.), Americans With Disabilities Act and Discrimination in Federally Funded Programs Public Grievance Procedures
35. Initiation of Litigation – ERP No. 46012777.003 - Zerep Enterprises, Inc. (Dr. Perez Office) – Hillsborough County
36. Initiation of Litigation – ERP No. 44000722.001 - Fatima Enterprises, LLC (MLK Plaza) – Hillsborough County

37. Initiation of Litigation – Well Construction - License No. 9376 - Robert Barfield – Hillsborough County
38. Settlement Agreement – SWFWMD v. Jessie Dean Sanders, et. al., 10th Judicial Circuit Court Case No. 09-CA-1794 (Lake Hancock Project, SWF Parcel No. 20-503-197) – Polk County
39. Final Order – Suggs vs. SWFWMD, DOAH Case No. 08-3530 – Sumter County

Executive Director's Report

40. Approve February 24, 2009 Governing Board Meeting Minutes

REGULATION COMMITTEE (TAB C)

Discussion Items

41. Consent Item(s) Moved for Discussion
42. Hydrologic Conditions Status Report
43. Consideration of Water Shortage Orders
 - a. Consideration of Implementing Phase IV Water Shortage Restrictions for the Service Areas of Tampa Bay Water, Including Wholesale Customers of its Member Governments
 - b. Tampa Bay Water Request to Continue Use of the Consolidated Wellfields Under Emergency Water Shortage Conditions
 - c. Review of Modified Phase III Implementation by Pasco County and City of New Port Richey

Submit & File Reports – None

Routine Reports

44. Southern Water Use Caution Area Quantities
45. Water Production Summary
46. Public Supply Benchmarks
47. Overpumpage Report
48. Resource Regulation Significant Initiatives

RESOURCE MANAGEMENT COMMITTEE (TAB D)
--

Discussion Items

49. Consent Item(s) Moved for Discussion
50. Appraisals and Exchange Agreement – Weekiwachee Preserve, SWF Parcel Nos. 15-773-202, 15-773-207S and 15-773-208
51. Approve Initiation of Rulemaking to Amend Rules 40D-8.031 and 40D-8.041, F.A.C., to Clarify Hillsborough River Segment References and Waterbodies for which Minimum Flows and Levels and Guidance Levels are Not Established and Approve a Board Directive Regarding Management Activities that will Help Maintain Water Levels in the Middle Hillsborough River as High as Practical
52. Authorize Submission of the Preliminary Flood Insurance Rate Maps for the Toachodka Watershed to the Federal Emergency Management Agency
53. Findings from the Study to Assess the Feasibility of Using Reclaimed Water for Direct and Indirect Aquifer Recharge in the Tampa Bay Area
54. Structure S-353 Tie-Back Berm – Response to Chester Bradshaw Inquiry

Submit & File Report

55. Fiscal Year 2010 Water Supply and Water Resource Development Projects

Routine Reports

56. Florida Forever Funding
57. Minimum Flows and Levels
58. Structure Operations
59. Watershed Management Program and Federal Emergency Management Agency Map Modernization
60. Significant Water Supply and Resource Development Projects

FINANCE & ADMINISTRATION COMMITTEE (TAB E)

Discussion Items

61. Consent Item(s) Moved for Discussion
62. Fiscal Year 2008 Comprehensive Annual Financial Report

Submit & File Report

63. Fiscal Year 2010 Budget Update

Routine Reports

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

65. Management Services Significant Activities

OUTREACH & PLANNING COMMITTEE (TAB F)**Discussion Items**

66. Consent Item(s) Moved for Discussion

67. 2011 - 2015 Strategic Plan Update

68. Florida Water StarSM Gold Certification

69. Legislative Update

Submit & File Reports

70. Florida-Friendly Landscaping Month Proclamation

71. Meteorologist Meetings on Hydrologic Conditions

Routine Reports

72. Comprehensive Plan Amendment and Related Reviews

73. Development of Regional Impact Reviews

74. Speakers Bureau

75. Significant Activities

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

76. Consent Item(s) Moved for Discussion

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

77. Litigation Report

78. Rulemaking Update

EXECUTIVE DIRECTOR'S REPORT (TAB H)

79. Executive Director's Report

COMMITTEE/LIAISON REPORTS (TAB H)

80. Green Industry Advisory Committee

81. Agricultural Advisory Committee

82. Environmental Advisory Committee

83. Joint Basin Board Education Committee/Land Resources Committee Meeting

CHAIRMAN'S REPORT (TAB H)

84. Chairman's Report

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

ANNOUNCEMENTS

- Governing Board Meeting and Workshop Schedule:
 Tour (precedes workshop) – The Villages April 27, 2009
 Joint Workshop of the Governing Board and Withlacoochee
 Regional Water Supply Authority – Wildwood April 27, 2009
 Meeting – Brooksville April 28, 2009
 Meeting – Sebring May 20, 2009
 Meeting – Brooksville June 23, 2009
- Peace River/Manasota Regional Water Supply
 Water Conservation Policy Summit – Sarasota April 3, 2009
- Basin Board Meeting Schedule:
 Peace River – Sarasota April 3, 2009
 Pinellas-Anclote River – Clearwater April 8, 2009
 Alafia River – Tampa April 9, 2009
 Hillsborough River – Tampa April 9, 2009
 Manasota – Sarasota April 15, 2009
 Coastal Rivers – Brooksville April 16, 2009
 Withlacoochee River – Brooksville April 16, 2009
- Advisory Committee Meeting Schedule:
 Industrial – Tampa April 14, 2009
 Public Supply – Tampa April 14, 2009
 Well Drillers – Tampa April 22, 2009
 Green Industry – Tampa May 28, 2009
 Agricultural – Tampa May 28, 2009
 Environmental – Tampa June 8, 2009

ADJOURNMENT

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.