



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 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 (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.

AGENDA

GOVERNING BOARD MEETING

JUNE 23, 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. District Recognition – 17th Annual Future of the Region Awards
5. District Recognition – Best Places to Work[®] Award
6. Employee Recognition
7. 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

8. ERP No. 43008215.003 - Punta Gorda Crossing – Charlotte County
9. ERP No. 43002187.004 - Highlands County - Sheriff's Office Law Enforcement Facility – Highlands County
10. ERP No. 43027391.001 - The Reserve at Lake LeClaire – Hillsborough County
11. ERP No. 44033938.000 - Gatewood Center (**DENIAL**) – Hillsborough County
12. ERP No. 43028206.005 - The Villas at San Lorenzo – Manatee County
13. ERP No. 43007471.005 - Pinellas County - Bee Branch Drainage Improvements - Phase 2 – Pinellas County
14. ERP No. 43031033.001 - Peace Creek Plaza – Polk County
15. ERP No. 43032198.001 - Poley Creek Development Plan – Polk County

Regulation Committee -- Water Use Permits

16. WUP No. 20009648.007 - Thomas W. Beddard, Lady Moon Farms, Inc./Lady Moon Farms, Inc. – Charlotte County
17. WUP No. 20013339.000 - Marshall Tree Farm, Inc.; Green Tree Maintenance Services, Inc.; Green Tree Property Holdings, Inc./Marshall Tree Farm – Levy County
18. WUP No. 20000493.007 - Cutrale Citrus Juices USA, Inc./Auburndale Plant – Polk County
19. WUP No. 20003206.014 - The Villages Operating Company and The Villages Center Community Development District/The Villages Operating Company and The Villages Center Community Development District – Sumter County

Finance & Administration Committee

20. Board Travel
21. Budget Transfer Report
22. Adoption of Resolutions to Identify New Slate of Officers for Financial Documents

Resource Management Committee

23. Convey Permanent Drainage Easement to Florida Department of Transportation – Lower Hillsborough Flood Detention Area, SWF Parcel No. 13-300-780X
24. Memorandum of Agreement with Pasco County for the Exchange of Property – Weekiwachee Preserve, SWF Parcel Nos. 15-773-209S and 15-773-210
25. Agreement with Florida Fish and Wildlife Conservation Commission – Potts Preserve Wildlife Management Area, SWF Parcel No. 19-484-119X
26. Appraisal and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-194
27. Appraisal and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-200P
28. Supplemental Utility Easement to Progress Energy Florida, Inc. for Additional Service to the Lake Marion Creek – Horseshoe Scrub Tract, SWF Parcel Number 20-597-105X
29. Lease Agreement between Florida Department of Environmental Protection, the District and Charlotte County for the Establishment of a Public Boat Ramp – Charlotte Harbor Preserve State Park, SWF Parcel Number 20-708-129X
30. Approve Resolution 09-11 for the Reallocation of Funds Appropriated by the State in Fiscal Year 2008 – Water Protection and Sustainability Trust Fund
31. Authorize Submission of Preliminary Flood Insurance Rate Maps for the Chassahowitzka River, McKethan, Weeki Wachee Prairie, and Wiscon Watersheds to the Federal Emergency Management Agency
32. Alligator Creek Implementation Projects, Phase II – Second Amendment
33. Lake Parker Southwest Basin Alternative Stormwater Best Management Practice – Construction
34. Facilitating Agricultural Resource Management Systems (FARMS)
 - a. Keystone Grove, LLC - First Amendment – DeSoto and Hardee Counties
 - b. Cornerstone Grove – Hardee County
 - c. Schiller Investments – Charlotte County
 - d. Charles Parsley – DeSoto County

35. Florida Department of Transportation Agreement for the FDOT North Dale Mabry Stormwater Retrofit and Wetland Restoration Project
36. Budget Transfer from the Saddlebag Lake Watershed Project to the Saddle Creek Watershed Project

General Counsel's Report

37. Consent Order – Surface Water Activity - Michael and Arlene Brown – Highlands County
38. Interagency Agreement between SWFWMD and SFWMD for Designation of Regulatory Responsibility - Lake Marion Development Group, LLC – Polk County

Executive Director's Report

39. Approve May 20, 2009 Governing Board Meeting Minutes

REGULATION COMMITTEE (TAB C)

Discussion Items

40. Consent Item(s) Moved for Discussion
41. Hydrologic Conditions Status Report
42. Consider Districtwide Phase II Water Shortage Order No. 07-02, as Modified; and a Temporary Order for Year-Round Conservation Measures
43. Consider Phase III Water Shortage Order No. 08-044, as Modified, for Pinellas, Pasco and Hillsborough Counties
44. Consider Phase III Water Shortage Order No. 09-009 for Charlotte, DeSoto, Sarasota and Manatee Counties
45. Consider Phase IV Water Shortage Order No. 09-012 for Tampa Bay Water and Its Member Governments, their Wholesale Customers and Aloha Utilities
46. Update on Rulemaking to Amend 40D-1.607, F.A.C., Permit Processing Fee; 40D-2.091, F.A.C., Publications Incorporated By Reference; 40D-2.301, F.A.C., Conditions for Issuance of Permits; 40D-2.321, F.A.C., Duration of Permits; and Sections 1.9 and 2.2, Part B, Basis of Review, of the Water Use Permit Information Manual; and Adoption of 40D-2.322, F.A.C., Compliance Reports, relating to Water Use Permit Durations, including 20-Year Permits and Projects Requiring Environmental Resource Permits and Water Use Permits

Submit & File Reports – None

Routine Reports

47. Southern Water Use Caution Area Quantities
48. Water Production Summary
49. Public Supply Benchmarks
50. Overpumpage Report
51. Resource Regulation Significant Initiatives

FINANCE & ADMINISTRATION COMMITTEE (TAB D)

Discussion Items

52. Consent Item(s) Moved for Discussion
53. Fiscal Year 2010 Recommended Annual Service Budget

Submit & File Report

54. April 2009 Interim Report on Workforce and Vendor Diversity

Routine Reports

55. Treasurer's Report, Payment Register, and Contingency Reserves
56. Management Services Significant Activities

OUTREACH & PLANNING COMMITTEE (TAB E)
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Discussion Items

57. 2010 Regional Water Supply Plan Update
58. Northern County Utility Technical Assistance Project

Submit & File Reports – None

Routine Reports

- 59. Comprehensive Plan Amendment and Related Reviews
- 60. Development of Regional Impact Reviews
- 61. Speakers Bureau
- 62. Significant Activities

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

- 63. Consent Item(s) Moved for Discussion
- 64. Approve Initiation of Rulemaking to Amend Chapter 40D-8, F.A.C., to Establish Minimum Flows for the Estuarine Reaches of the Lower Peace River
- 65. Water Supply Development within the Peace River/Manasota Regional Water Supply Authority Region and Its Impact on the Fiscal Year 2010 Budget
- 66. Proposed Plan for Acquiring Access Rights Necessary for the Long-Term Maintenance of the Peace Creek Canal Watershed – Polk County

Submit & File Report

- 67. Conservation Easement Automation – Completion Notice

Routine Reports

- 68. Florida Forever Funding
- 69. Minimum Flows and Levels
- 70. Structure Operations
- 71. Watershed Management Program and Federal Emergency Management Agency Map Modernization
- 72. Significant Water Supply and Resource Development Projects

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

- 73. Consent Item(s) Moved for Discussion
- 74. Delegate Permitting to the Executor Director and Authorize Initiation of Rulemaking and Approval of Rule Amendments to Implement Senate Bill 2080 if it Becomes Law or in the Alternative, Authorization to Reinstitute Prior Delegation Rulemaking with Minor Changes
- 75. Public Participation in Board Meetings

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

- 76. Litigation Report
- 77. Rulemaking Update

EXECUTIVE DIRECTOR'S REPORT (TAB H)

- 78. Executive Director's Report

COMMITTEE/LIAISON REPORTS (TAB H)

- 79. Green Industry Advisory Committee
- 80. Agricultural Advisory Committee
- 81. Environmental Advisory Committee

CHAIR'S REPORT (TAB H)

- 82. Chair's Report

*** RECESS PUBLIC HEARING ***

ANNOUNCEMENTS

- Governing Board Meeting and Workshop Schedule:
 Meeting – Bartow July 28, 2009
 Meeting – Brooksville August 25, 2009
 Tentative Budget Hearing – Tampa September 15, 2009
 Meeting and Final Budget Hearing – Brooksville September 29, 2009
- Basin Board Education Committee – Tampa July 7, 2009
- Basin Board Land Resources Committee – Dade City July 13, 2009
- Basin Board Meeting Schedule:
 Pinellas-Anclote River – New Port Richey August 5, 2009
 Alafia River – Tampa August 6, 2009
 Hillsborough River – Tampa August 6, 2009
 Peace River – Bartow August 7, 2009
 Manasota – Sarasota August 12, 2009
 Coastal Rivers – Brooksville August 13, 2009
 Withlacoochee River – Brooksville August 13, 2009
- Advisory Committee Meeting Schedule:
 Industrial – Tampa July 14, 2009
 Public Supply – Tampa July 14, 2009
 Well Drillers – Tampa – CANCELED July 22, 2009
 Green Industry – Tampa August 27, 2009
 Agricultural – Tampa August 27, 2009
 Environmental – Tampa September 14, 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.