



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

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

AUGUST 28, 2007

GOVERNING BOARD MEETING

9:00 a.m.

☞ All meetings are open to the public. ☜

- Viewing of the Board meeting is available at each of the service offices.
- 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 and a closed attorney-client session will be held during the lunch break (notice follows ANNOUNCEMENTS).

The current Governing Board agenda and the minutes of previous meetings are on the District's web site: www.WaterMatters.org

TUESDAY, AUGUST 28, 2007

**9:00 A.M. ★ ★ ★ CONVENE MEETING OF THE GOVERNING BOARD ★ ★ ★
AND PUBLIC HEARING
(TAB A)**

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Additions/Deletions to Agenda
5. Ceremony to Honor Former Board Member and Chair Talmadge G. "Jerry" Rice
6. Resolution 07-25, Proclaiming the Week of September 9-15, 2007 as "Water Reuse Week"

MEETING NOTICE

7. Employee Recognition
8. Public Input for Issues Not Listed on the Published Agenda

CONSENT AGENDA (TAB B)

Regulation Committee -- Environmental Resource Permits

9. ERP No. 43023907.001 - Burnt Store Road Parcel – Charlotte County
10. ERP No. 43032764.000 - Hydrologic Restoration of the Lake Wales Ridge WEA's Royce Unit – Highlands County
11. ERP No. 43018888.015 - Waterset - Phase 2 – Hillsborough County
12. ERP No. 43027847.007 - Maury Carter Site – Hillsborough County
13. ERP No. 43001436.033 - Crescent Ridge II – Marion County
14. ERP No. 43006666.007 - Watergrass - Parcels B5, B6, D, E, F, G, H – Pasco County
15. ERP No. 43024788.004 - Suncoast Commercial – Pasco County
16. ERP No. 49028080.034 - Bella Verde - Parcel 8, 18A/B – Pasco County
17. ERP No. 43008227.005 - The Madison – Pinellas County
18. ERP No. 43028704.001 - Silver Companies - Bartow Site – Polk County
19. ERP No. 43032413.000 - Lakeland Oaks Wetland Mitigation – Polk County
20. ERP No. 43031393.000 - Windwood – Sarasota County
21. ERP No. 43030541.000 - Waller Flea Market – Sumter County

Regulation Committee -- Water Use Permits

22. WUP No. 20004817.009 - Peaceful Horse, LLC/Peaceful Horse – Hardee County
23. WUP No. 20005893.006 - Town of Dundee – Polk County
24. WUP No. 20006920.003 - City of Eagle Lake – Polk County
25. WUP No. 20008836.010 - Sarasota County Utilities/Sarasota County Consolidated Permit – Sarasota County

Regulation Committee -- Other

26. Approve Extension of the Well Construction Permitting Agreement between the Southwest Florida Water Management District and Marion County Health Department, and Initiate Rulemaking to Incorporate Amended Agreement into the District Rules
27. Initiate Rulemaking to Amend 40D-4.021, 40D-4.041, and 40D-4.051, Florida Administrative Code (F.A.C.), to Clarify the Definition of "Alteration" and Remove the Definition of "New Surface Water Management System"
28. Initiate Rulemaking to Modify the Basis of Review for Water Use Permit Applications Regarding the District's Agency Action Noticing Procedure, to Remove Obsolete Rule References, and Correct the Number of Days Allowed to File a Petition for Hearing
29. Initiate Rulemaking to Eliminate Requirement for Multiple Copies of Applications Submitted Electronically

Resource Management & Development Committee

30. Fiscal Year 2007 Board Encumbrances
 - a. Land Use and Cover Mapping Project
 - b. Lake Hancock Lake Level Modification Project
 - c. Federal Emergency Management Agency – Cooperating Technical Partner – Mapping Activity Statement for Sumter County
 - d. Federal Emergency Management Agency Map Modernization Management Support
 - e. Judy Tract Hydrologic and Wetlands Restoration Project
 - f. Facilitating Agricultural Resource Management Systems Program
31. Approve Second Amendment to Increase the Project Budget for the Peace River Integrated Model Agreement
32. Perpetual Easements – SWF Parcel Nos. 20-020-084, 20-020-085, 20-020-086, 20-020-087, 20-020-088 – Peace River Integrated Model Project within the Regional Observation and Monitor Well Program (ROMP)
33. Continuation of Public Hearing Requested by James P. Gills, Trustee, on Proposed Minimum and Guidance Levels for Crews Lake in Pasco County

Finance & Administration Committee

34. Board Travel
35. Budget Transfer Report
36. Fiscal Year 2007 Annual Service Budget Third Amendment
37. General Services Department Fiscal Year 2007 Encumbrances for Facilities
38. Information Resources Department Fiscal Year 2007 Encumbrances
 - a. Imaging and Workflow Software
 - b. Data Management and Retrieval Software
 - c. Multi-Year Funded Projects
 - d. Residual FY2007 Computer Sinking Fund
39. Information Resources Department Fiscal Year 2008 Sinking Fund Transfers
 - a. Planned Replacement of Personal Computers
 - b. Planned Upgrade and Expansion of Communications Network and Servers

General Counsel's Report

40. Consent Order – Surface Water Activity – John P. Heinen, Trustee of the John P. Heinen Revocable Trust Agreement and Linda F. Heinen, Trustee of the Linda F. Heinen Revocable Trust Agreement – Polk County
41. Consent Order – Surface Water Activity – Relick Ranch, LLC; Lake Placid Land Holdings X, LLC; RSK Ranch, LLC; PSK Ranch, LLC; Bear Run of Highlands County, LLC; CA Ranch, LLC; Andrew Ranch, LLC; Bear Pointe, LLC – Highlands County
42. Consent Order – Surface Water Activity – Terra Ceia Vest, LLC (Estates at Tillet Bayou/Bayshore Drive) – Manatee County
43. Consent Order – Surface Water Activity – Central Suburban, Inc. – Polk County

Executive Director's Report

44. Approval of Minutes – July 31, 2007 Governing Board Meeting
45. Annual Calendar of Fiscal Year 2008 Board Meeting Dates

RESOURCE MANAGEMENT & DEVELOPMENT COMMITTEE (TAB C)**Discussion Items**

46. Consent Item(s) Moved for Discussion
47. Minimum Flows for Tampa Bypass Canal, Sulphur Springs and the Lower Hillsborough River
 - a. Adopt Amendments to Rule 40D-8, F.A.C., Establishing Minimum Flows for Sulphur Springs
 - b. Adopt Amendments to Rule 40D-8, F.A.C., Establishing Minimum Flows for the Tampa Bypass Canal
 - c. Adopt Amendments to Rule 40D-8, F.A.C., Establishing Minimum Flows for the Lower Hillsborough River
 - d. Adopt Amendments to Rule 40D-80, F.A.C., Incorporating the Recovery Strategy to Achieve the Minimum Flows for the Lower Hillsborough River
 - e. Adopt Amendments to Rule 40D-2, F.A.C., Establishing a Reservation of Water from the Morris Bridge Sink
 - f. Approve Joint Funding Agreement with City of Tampa
48. Proposed Minimum Flow Updates Prior to Submission for Scientific Peer Review
 - a. Lower Alafia River
 - b. Estuarine Reaches of the Lower Peace River and Shell Creek

The following item will be considered at 2:30 p.m.:

49. Status of District's Watershed Management Program, Federal Emergency Management Agency Map Modernization and Use of the Information in the Environmental Resource Permitting Program
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Submit & File Reports – None**Routine Reports**

50. Significant Water Supply and Resource Development Projects
51. Land Resources Department Significant Activities

- 52. Florida Forever Funding Status Report
- 53. Minimum Flows and Levels Status Report
- 54. Hydrologic Conditions Status Report
- 55. Structure Operations Status Report

REGULATION COMMITTEE (TAB D)

Discussion Items

- 56. Consent Item(s) Moved for Discussion
- 57. Amended Final Agency Action Water Use Permit No. 20011796.002 – Tampa Bypass Canal Water Supply Project (including Hillsborough River Water Source)
- 58. Demand Management Activities – Governing Board Concurrence with Executive Director's Issuance of Emergency Orders
 - a. Executive Director Order No. SWF 07-042 for Increased Withdrawals from the Tampa Bypass Canal and the Hillsborough River
 - b. Executive Director Order No. SWF 07-043 for Increased Withdrawal from the Alafia River
 - c. Executive Director Order No. SWF 07-045 for Increased Withdrawal from the Peace River
- 59. Authorization to Publish Notice of Proposed Rule to Amend 40D-2.091, 40D-2.321 and 40D-2.801(3)(c), Florida Administrative Code (F.A.C.), and Part B, Basis of Review, of the Water Use Permit Information Manual to Establish the Central Florida Coordination Area and to Provide Regulations for the Area
- 60. Rule Adoption to Amend 40D-2.091, F.A.C., and Part B, Basis of Review, of the Water Use Permit Information Manual to Expand the Southern Water Use Caution Area Per Capita Requirements Districtwide

Submit & File Report

- 61. Overview of Trends in Resource Regulation

Routine Reports

- 62. Overpumpage Activities
- 63. Southern Water Use Caution Area Quantities
- 64. Water Production Supply Summary
- 65. Resource Regulation Significant Initiatives Report

FINANCE & ADMINISTRATION COMMITTEE (TAB E)

Discussion Items

- 66. Consent Item(s) Moved for Discussion
- 67. Fiscal Year 2008 Budget Update

Submit & File Reports

- 68. Inspector General's Report – Chemistry Laboratory Managerial Audit
- 69. Treasurer's Report, Payment Register, and Contingency Reserves Report

Routine Reports

- 70. Management Services Status Report
- 71. July 2007 Interim Report on Workforce and Vendor Diversity

OUTREACH & PLANNING COMMITTEE (TAB F)

Discussion Item

- 72. Fiscal Year 2009 Strategic Plan Update

Submit & File Report

- 73. Legislative Update

Routine Reports

- 74. Significant Activities Report
- 75. Comprehensive Plan Amendment and Related Reviews Report
- 76. Review of Developments of Regional Impact

GENERAL COUNSEL’S REPORT (TAB G)

Discussion Items

77. Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports

78. Litigation Summary and Report

79. Rulemaking Update

REPORTS (TAB H)

- 80. Agriculture Advisory Committee Liaison Report
- 81. Green Industry Advisory Committee Liaison Report
- 82. Special Joint Meeting of the Environmental and Public Supply Advisory Committees Liaison Report
- 83. Executive Director’s Report
- 84. Chair’s Report

★ ★ ★ RECESS PUBLIC HEARING ★ ★ ★

ANNOUNCEMENTS

- Governing Board Meeting and Workshop Schedule:
 Joint Governing Board and Basin Boards
 Strategic Planning Workshop – Tampa September 11, 2007
 Tentative Budget Hearing – Tampa September 11, 2007
 Meeting – Brooksville September 25, 2007
 Final Budget Hearing – Brooksville September 25, 2007
 Joint Governing Board and Peace River/Manasota
 Regional Water Supply Authority Workshop – Sarasota October 29, 2007
 Meeting – Sarasota October 30, 2007

- Basin Board Meeting/Workshop Schedule:
 Coastal Rivers – Brooksville October 2, 2007
 Pinellas-Anclote River – Largo October 3, 2007
 Alafia River – Tampa October 4, 2007
 Peace River – Bartow October 5, 2007
 Northwest Hillsborough – Tampa October 9, 2007
 Withlacoochee River – Brooksville October 11, 2007
 Hillsborough River – Tampa October 15, 2007
 Manasota – Sarasota October 17, 2007

- Advisory Committee Meeting Schedule:
 Environmental – Tampa September 12, 2007
 Well Drillers – Tampa October 10, 2007
 Industrial – Tampa October 16, 2007
 Public Supply – Tampa October 16, 2007

12:00 p.m. Notice of Closed Attorney-Client Session

Location: Board Conference Rooms A and B

Meeting Attendees: SWFWMD Governing Board Members; Executive Director David L. Moore;
General Counsel William S. Bilenky; Deputy General Counsel Karen West;
Assistant General Counsel Joseph Ward; Frank Miller, Esquire

Closed attorney-client session pursuant to Section 286.011(8), Florida Statutes, to discuss strategy related to litigation in Southwest Florida Water Management District v. City of Weeki Wachee, et al. in the Circuit Court, Fifth Judicial Circuit, Case No. H-27-CA-2004-366RT.

The subject matter of the meeting shall be confined to pending litigation.

The meeting is not open to the public.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter.

No portion of the meeting shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

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. 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.