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"
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
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.:
    Agency Map Modernization and Use of the Information in the Environmental Resource
    Permitting Program

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
<table>
<thead>
<tr>
<th>12:00 p.m.</th>
<th>Notice of Closed Attorney-Client Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Board Conference Rooms A and B</td>
</tr>
<tr>
<td>Meeting Attendees:</td>
<td>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</td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>The meeting is not open to the public.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>

**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.