



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](http://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

SEPTEMBER 30, 2008

1:00 P.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.
- The Final Budget Public Hearing will be held at 5:01 p.m.

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 the minutes of previous meetings are on the District's web site: [www.WaterMatters.org](http://www.WaterMatters.org)

**1:00 P.M. \* \* \* CONVENE MEETING OF THE GOVERNING BOARD \* \* \*  
AND PUBLIC HEARING  
(TAB A)**

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Additions/Deletions to Agenda
4. Oath of Office for Newly Appointed Board Member
5. District Recognition – Land Resources Volunteer Program – Take Pride in America Volunteer Appreciation Awards

MEETING NOTICE

6. Employee Recognition
7. 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 -- Environmental Resource Permits**

8. ERP No. 43033683.000 - Felicia Station Subdivision – Citrus County
9. ERP No. 43022576.003 - Independence Park – Hillsborough County
10. ERP No. 43012295.005 - FDOT - US 301 - Segment B (From Erie Road to CR 675) – Manatee County
11. ERP No. 43001436.038 - Terralea – Marion County
12. ERP No. 43006666.012 - Watergrass Town Center - North and South Parcels – Pasco County
13. ERP No. 43021274.038 - Meadow Pointe - Parcels N, O and P – Pasco County
14. ERP No. 49034077.000 - Huntley - Zephyrhills Bypass – Pasco County
15. ERP No. 43031338.001 - Gandy Apartment Homes - Phase 1 – Pinellas County
16. ERP No. 43015782.004 - Meadow Lakes, Phase I (**DENIAL**) – Polk County
17. ERP No. 43022222.003 - City of Auburndale - Lake Myrtle Community Park – Polk County
18. ERP No. 43022799.002 - Highland Sand Borrow Pit (Phase 1, 2, 3A, 3B, 4A, 4B) – Polk County
19. ERP No. 43032950.000 - Fish Branch Tree Farm – Polk County
20. ERP No. 43031462.000 - Sarasota County - Englewood Interstate Connector/River Road from South of U.S. 41 to North of Center Road – Sarasota County

### **Regulation Committee -- Water Use Permits**

21. WUP No. 20009926.005 - KML Citrus Development Partnership – Charlotte County
22. WUP No. 20013279.000 - Worlds Wood Golf Resort/World Woods Corporation – Hernando County
23. WUP No. 20002821.007 - Robert J. Flint (Trustee of Gwen Flint Trust) and Flint Properties II, LLC – Manatee/DeSoto Counties

### **Regulation Committee -- Other**

24. Governing Board Concurrence with Executive Director's Issuance of the First Modification to Executive Director Order No. SWF 08-024, Regarding Use by Tampa Bay Water of the Alafia River Project
25. Governing Board Concurrence with Executive Director's Issuance of Executive Director Order No. SWF 08-034, Regarding Emergency Use by the Peace River/Manasota Regional Water Supply Authority of the Englewood Water District, Charlotte County and Sarasota County Interconnects
26. Approve Initiation of Rulemaking to Amend Environmental Resource Permitting Basis of Review to Revise Mitigation Bank Perpetual Maintenance Cost Estimate Requirements and Amend 40D-4.091, F.A.C., to Incorporate Revisions
27. Approve Initiation of Rulemaking to Amend Permit Application Processing Timeframes and Establish Administrative Procedure for Denials of Incomplete Applications

### **Resource Management Committee**

28. Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel No. 15-228-1295
29. Appraisals and Purchase/Sale Agreement -- Lake Hancock Project, SWF Parcel No. 20-530-175
30. Approve Agreement with Fletcher Marine, Inc., for the Sale of Shell Material from the Lake Panasoffkee Restoration Project
31. Resolution 08-13 to Request Funds from the Fiscal Year 2008-2009 General Appropriation Act for the Tampa Bay Restoration and Myakka River Watershed Initiative
32. Resolution 08-14 to Request Water Management Lands Trust Funds for Surface Water Improvement and Management (SWIM) Activities
33. Resolution 08-17 to Request Funds from the Fiscal Year 2008-2009 General Appropriation Act for the West-Central Florida Water Restoration Action Plan

34. Resolution 08-22 for Fiscal Year 2009 Projects and Reallocation of Funds Appropriated by the State in Fiscal Year 2006 and 2008 – Water Protection and Sustainability Trust Fund

**Finance & Administration Committee**

35. Board Travel
36. Budget Transfer Report
37. Fiscal Year 2008 Board Encumbrance for Florida Department of Transportation Mitigation

**General Counsel's Report**

38. Consent Order – Surface Water Activity - Wendy Mozdzer – Polk County

**Executive Director's Report**

39. Approve August 26, 2008 Governing Board Meeting Minutes

<b>RESOURCE MANAGEMENT COMMITTEE (TAB C)</b>
--

**Discussion Items**

40. Consent Item(s) Moved for Discussion
41. Hydrologic Conditions Status Report
42. Update to the Minimum Flows and Levels Priority List and Schedule

**Submit & File Report**

43. Scientific Peer Review of the Proposed Minimum Flows and Levels for the Weeki Wachee River System
44. Lake Hancock Land Acquisition Update

**Routine Reports**

45. Florida Forever Funding Status Report
46. Minimum Flows and Levels Status Report
47. Structure Operations Status Report
48. Watershed Management Program and Federal Emergency Management Agency Map Modernization Status Report
49. Significant Water Supply and Resource Development Projects

<b>REGULATION COMMITTEE (TAB D)</b>
-------------------------------------

**Discussion Items**

50. Consent Item(s) Moved for Discussion
51. Consideration of Water Shortage Order No. SWF 07-02
52. Approve Initiation of Rulemaking to Amend Rule 40D-4.091, F.A.C., and Chapters 4 and 7 of the Environmental Resource Permitting Basis of Review Regarding Water Quantity Criteria

**Submit & File Reports – None**

**Routine Reports**

53. Southern Water Use Caution Area Quantities
54. Water Production Summary
55. Public Supply Benchmarks
56. Overpumpage Report
57. Resource Regulation Significant Initiatives Report

<b>OUTREACH &amp; PLANNING COMMITTEE (TAB E)</b>
--

**Discussion Item**

58. Progress Energy's Proposed Levy County Nuclear Facility

**Submit & File Reports – None**

**Routine Reports**

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

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

**Discussion Items**

- 63. Consent Item(s) Moved for Discussion
- 64. Fiscal Year 2009 Budget Update

**Submit & File Report**

- 65. Treasurer's Report, Payment Register, and Contingency Reserves Report

**Routine Report**

- 66. Management Services Status Report

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

**Discussion Items**

- 67. Consent Item(s) Moved for Discussion
- 68. Final Order – ERP No. 44024788.007 - Octavio Blanco v. GPG, Inc. and SWFWMD, DOAH Case No. 08-3053 – Pasco County
- 69. Final Order – Administrative Complaint and Order - SWFWMD v. Jose Aristizabal and Liliana Urrea Aristizabal - DOAH Case No. 07-3207 – Highlands County

**Submit & File Reports – None**

**Routine Reports**

- 70. Litigation Report
- 71. Rulemaking Update

**REPORTS (TAB H)**

- 72. Green Industry Advisory Committee Liaison Report
- 73. Agricultural Advisory Committee Liaison Report
- 74. Environmental Advisory Committee Liaison Report
- 75. Tampa Bay Estuary Program Policy Board Liaison Report
- 76. Executive Director's Report
- 77. Chair's Report
  - a. Performance Evaluations of the Executive Director and Inspector General – Process Overview
  - b. Other

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

**ADJOURNMENT**

**5:01 P.M. \*\*\* CONVENE FINAL FY2009 BUDGET HEARING \*\*\* OF THE GOVERNING BOARD**

**ANNOUNCEMENTS**

- 2008 Water Congress – Orlando ..... September 25-26, 2008
- Polk County's Nature Discovery Center Grand Opening ..... October 31, 2008
- State of the Water Resources Workshop – Tampa ..... November 21, 2008
- Public Land Acquisition & Management Partnership Conference and Basin Board Land Resources Committee Meeting – Jacksonville ..... December 3-5, 2008

- Governing Board Meeting and Workshop Schedule:  
 Joint Workshop of the Governing Board and Peace River/Manasota  
 Regional Water Supply Authority – Sarasota ..... October 27, 2008  
 Meeting – Sarasota ..... October 28, 2008  
 Meeting – Tampa ..... November 18, 2008  
 Meeting – Brooksville ..... December 16, 2008
  
- Basin Board Meeting and Workshop Schedule:  
 Alafia River – Tampa ..... October 2, 2008  
 Peace River – Bartow ..... October 3, 2008  
 Hillsborough River – Tampa ..... October 7, 2008  
 Pinellas-Anclote River – Dunedin ..... October 8, 2008  
 Northwest Hillsborough – Tampa ..... October 9, 2008  
 Coastal Rivers – Brooksville ..... October 14, 2008  
 Manasota – Sarasota ..... October 15, 2008  
 Withlacoochee River – Brooksville ..... October 16, 2008
  
- Basin Board Education Committee Meeting – Tampa ..... November 4, 2008
  
- Advisory Committee Meeting Schedule:  
 Industrial – Tampa ..... October 21, 2008  
 Public Supply – Tampa ..... October 21, 2008  
 Well Drillers – Tampa ..... October 22, 2008  
 Green Industry – Tampa ..... November 20, 2008  
 Agricultural – Tampa ..... November 20, 2008  
 Environmental – Tampa ..... December 8, 2008

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.