



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](http://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 2379 Broad Street, Brooksville, FL 34604-6899; telephone (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](mailto:ADACoordinator@swfwmd.state.fl.us).

## AGENDA

### GOVERNING BOARD MEETING

OCTOBER 29, 2009

**10:00 A.M. -- JOINT WORKSHOP WITH THE PEACE RIVER/  
MANASOTA REGIONAL WATER SUPPLY  
AUTHORITY**

**1:00 P.M. -- GOVERNING BOARD MEETING**

### CHARLOTTE HARBOR EVENT & CONFERENCE CENTER

75 TAYLOR STREET  
PUNTA GORDA, FLORIDA 33950  
941-639-5833

*☞ All meetings are open to the public. ☜*

- Viewing of the Board meeting will be available through the District's web site ([www.watermatters.org](http://www.watermatters.org)) -- follow directions to use internet streaming.
- Public input will be taken only at the Punta Gorda meeting location.
- 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](http://www.WaterMatters.org)

**Bartow Service Office**  
170 Century Boulevard  
Bartow, FL 33830-7700  
863-534-1448 or 1-800-492-7862

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, FL 34240-9711  
941-377-3722 or 1-800-320-3503

**Tampa Service Office**  
7601 US Highway 301 North  
Tampa, FL 33637-6759  
813-985-7481 or 1-800-836-0797

**MEETING NOTICE**

<b>10:00 A.M. JOINT WORKSHOP</b>
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12:00 P.M. LUNCH

<b>1:00 P.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)</b>
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1. Call to Order
2. Pledge of Allegiance and Invocation
3. Additions/Deletions to Agenda
4. Public Input for Issues Not Listed on the Published Agenda

<b>CONSENT AGENDA (TAB B)</b>
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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**

5. Approve Water Use Permit Application Supplemental - Public Supply Form and Small General Water Use Permit Application – Public Supply Attachment Form

**Resource Management Committee**

6. Appraisals, Purchase/Sale Agreements and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel Nos. 15-228-1306, 1328, 1329 and 1330
7. Appraisal and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-229P
8. Appraisals and Purchase/Sale Agreement – Myakka Prairie Project, SWF Parcel No. 21-199-106C
9. Appraisals and Purchase/Sale Agreement – Myakka Prairie Project, SWF Parcel No. 21-199-107C
10. Non-Exclusive Perpetual Easement to City of St Petersburg for Clam Bayou Paved Multi-Use Trail – SWF Parcel Number 16-728-127X
11. Land Use and Management Plan for the Circle B Bar Reserve
12. Five-Year Water Resource Development Work Program
13. Minimum Flows and Levels Priority List and Schedule Update
14. Approve Initiation of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code (F.A.C.), to Establish Minimum Flows for Dona Bay/Shakett Creek below Cow Pen Slough
15. Town of Dundee Reclaimed Water Use System
16. Pinellas County Spray Nozzle Replacement Project – Second Amendment
17. Facilitating Agriculture Resource Management Systems (FARMS)
  - a. Belmont Properties, LLC – Charlotte County
  - b. D & J Blueberry Farms, LLC – Citrus County
  - c. FLM Prairie River Ranch IIa - Culverts – DeSoto County
  - d. Roper Growers Cooperative – DeSoto County
  - e. Floyd W. Williams Blueberry Farm – Hillsborough County
  - f. Blueberry Hill, LLC, - Lake County
  - g. Splendid Blue Farms, LLC – Sumter County

**Finance & Administration Committee**

18. Board Travel
19. Budget Transfer Report
20. Approve Resolution No. 09-24 for the Fiscal Year 2010 Budget Amendment to include Reallocated Funds from Water Protection and Sustainability Trust Fund

**General Counsel's Report**

21. Consent Order – ERP No. 46026659.000 - Automated Petroleum and Energy Company, Inc. (APEC - Highway 301 Gas/Convenience) – Hillsborough County
22. Consent Order – WUP No. 2011771.00 - Tampa Bay Water – Hillsborough, Pasco, and Pinellas Counties
23. Consent Order – Surface Water Activity - Wayne Evans – Hillsborough County

**Executive Director's Report**

24. Approve Governing Board Minutes
  - a. September 15, 2009 First Public Budget Hearing for the Tentative Fiscal Year 2010 Annual Service Budget
  - b. September 29, 2009 Southern Water Use Caution Area Recovery Strategy and Upper Peace River Recovery Projects Workshop
  - c. September 29, 2009 Regular Monthly Meeting
  - d. September 29, 2009 Second Public Budget Hearing for the Final Fiscal Year 2010 Annual Service Budget

**REGULATION COMMITTEE (TAB C)****Discussion Items**

25. Consent Item(s) Moved for Discussion
26. Hydrologic Conditions Status Report
27. Consider Phase III Water Shortage Order No. SWF 09-009 for Charlotte, Desoto, Manatee and Sarasota Counties
28. Consider City of Tampa Petition for Variance from Rules 40D-80.073(4)(b)3.a. and 40D-80.073(4)(b)3.b., F.A.C., Relating to Lower Hillsborough River Recovery Strategy
29. Request for Authorization to File an Amicus Curiae Brief Regarding Development of Numeric Nutrient Criteria for Florida's Waters
30. Denials Referred to the Governing Board

**Submit & File Report**

31. Individual Permits Issued by District Staff

**Routine Reports**

32. Southern Water Use Caution Area Quantities
33. Overpumpage Report
34. Resource Regulation Significant Initiatives

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

35. Consent Item(s) Moved for Discussion
36. Surface Water Improvement and Management Program – Charlotte Harbor
37. Biological Control Agent for Invasive Old World Climbing Fern Released in Flatford Swamp

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

38. Florida Forever Funding
39. Minimum Flows and Levels
40. Structure Operations
41. Watershed Management Program and Federal Emergency Management Agency Map Modernization
42. Significant Water Supply and Resource Development Projects

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

43. *Get Outside!* Campaign

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

44. Comprehensive Plan Amendment and Related Reviews
45. Development of Regional Impact Reviews
46. Speakers Bureau
47. Significant Activities

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

**Discussion Items**

- 48. Consent Item(s) Moved for Discussion
- 49. Office of Inspector General – 2010 Audit Plan

**Submit & File Reports** – None

**Routine Reports**

- 50. Treasurer's Report, Payment Register, and Contingency Reserves
- 51. Management Services Significant Activities

**GENERAL COUNSEL’S REPORT (TAB G)**

**Discussion Items**

- 52. Consent Item(s) Moved for Discussion
- 53. Appearance as “Friend of the Court” (Amicus Curiae) in Appeal to Florida Supreme Court in St. Johns River Water Management District v. Koontz , Case No. SC09-713

**Submit & File Reports** – None

**Routine Reports**

- 54. Litigation Report
- 55. Rulemaking Update

**EXECUTIVE DIRECTOR’S REPORT (TAB H)**

- 56. Executive Director’s Report

**COMMITTEE/LIAISON REPORTS (TAB H)**

- 57. Industrial Advisory Committee
- 58. Public Supply Advisory Committee
- 59. Well Drillers Advisory Committee

**CHAIR’S REPORT (TAB H)**

- 60. Chair’s Report

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

**ANNOUNCEMENTS**

- Governing Board Meeting and Workshop Schedule:
  - Meeting – Brooksville ..... November 17, 2009
  - Joint Workshop with Basin Boards – Thonotosassa ..... December 15, 2009
  - Meeting – Thonotosassa ..... December 15, 2009
  - Meeting – Brooksville ..... January 26, 2010
  - Joint Workshop with Tampa Bay Water – Tarpon Springs ..... February 22, 2010
  - Meeting – Tarpon Springs ..... February 22, 2010
- Basin Board Education Committee – Tampa ..... November 4, 2009
- Basin Board Land Resources Committee – Dade City ..... December 1, 2009
- Basin Board Meeting and Workshop Schedule:
  - Joint Workshop with Basin Boards – Thonotosassa ..... December 15, 2009
  - Pinellas-Anclote River – New Port Richey ..... February 3, 2010
  - Alafia River – Tampa ..... February 4, 2010
  - Hillsborough River – Tampa ..... February 4, 2010

Peace River – Bartow .....	February 5, 2010
Manasota – Sarasota .....	February 10, 2010
Coastal Rivers – Brooksville .....	February 11, 2010
Withlacoochee River – Brooksville .....	February 11, 2010

- Advisory Committee Meeting Schedule:

Joint Green Industry & Agricultural – Tampa .....	November 5, 2009
Environmental – Tampa .....	December 7, 2009
Joint Industrial/Public Supply – Tampa .....	January 12, 2010
Well Drillers – Tampa .....	January 13, 2010
Green Industry – Tampa .....	February 25, 2010
Agricultural – Tampa .....	February 25, 2010

**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.