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# 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 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

**MONDAY, NOVEMBER 26, 2007**

**9:00 A.M. -- GOVERNING BOARD MEETING**

**1:00 P.M. -- JOINT WORKSHOP OF THE  
GOVERNING BOARD AND  
TAMPA BAY WATER  
BOARD OF DIRECTORS**

**QUORUM HOTEL WESTSHORE**  
ROYAL PALM BALLROOM SECTIONS IV & V  
700 NORTH WESTSHORE BOULEVARD  
TAMPA, FLORIDA 33609  
813-289-8200

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

- Viewing of the Board meeting will not be available at 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.**

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)

**MEETING NOTICE**

# MONDAY, NOVEMBER 26, 2007

## QUORUM HOTEL WESTSHORE

ROYAL PALM BALLROOM SECTIONS IV & V  
700 NORTH WESTSHORE BOULEVARD, TAMPA, FLORIDA 33609 -- 813-289-8200

**9:00 A.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. District Recognition
  - a. Land Resources Volunteer Program – District Volunteer of the Year Award
  - b. Florida Audubon Society “Florida Special Places” Award to Fritz H. Musselmann
5. Public Input for Issues Not Listed on the Published Agenda

### CONSENT AGENDA (TAB B)

#### Regulation Committee -- Environmental Resource Permits

6. ERP No. 43008452.001 - Duncan Road Development – Charlotte County
7. ERP No. 49032732.000 - Village at Lemon Bay – Charlotte County
8. ERP No. 43032356.000 - DeSoto Park – DeSoto County
9. ERP No. 46031193.000 - Mantanzas Avenue Townhomes (**DENIAL**) – Hillsborough County
10. ERP No. 46031730.000 - Cedar Ridge Subdivision (**DENIAL**) – Hillsborough County
11. ERP No. 43030391.001 - Willow Trail – Manatee County
12. ERP No. 49031880.004 - River Club Park of Commerce - Phase 7 – Manatee County
13. ERP No. 43032397.000 - Woodland Hammock – Manatee County
14. ERP No. 43031654.000 - Barber Sand Mine – Marion County
15. ERP No. 43032697.000 - Preserve at Blue Run – Marion County
16. ERP No. 46031508.000 - Romanzo Condominium (**DENIAL**) – Pinellas County
17. ERP No. 43030448.001 - Winter Haven Commercenter - Phase 1 – Polk County
18. ERP No. 43032726.000 - Braddock Preserve – Polk County

#### Regulation Committee -- Water Use Permits

19. WUP No. 20004695.004 - Crystal River South Power Plant/Florida Power Corporation, Progress Energy FL, Inc., and Crystal River South Unit 1, 2 and 3 – Citrus County
20. WUP No. 20005270.009 - Town of Lake Placid – Highlands County
21. WUP No. 20013099.000 - Sun’ n Lake Improvement District/Sun’ n Lake of Sebring – Highlands County
22. WUP No. 20003417.009 - Balm Road Farms/Ag-Mart Produce, Inc. – Hillsborough County
23. WUP No. 20004352.006 - South Central Hillsborough County Regional Wellfield/Tampa Bay Water – Hillsborough County
24. WUP No. 20007724.007 - Blossom Grove/FLM, Inc. – Manatee County
25. WUP No. 20003182.005 - Aloha Utilities Seven Springs Service Area/Aloha Utilities, Inc. – Pasco County
26. WUP No. 20013041.000 - Lucerne Commercial/Lucerne Commercial, LLC (**DENIAL**) – Polk County

#### Regulation Committee -- Other

27. Governing Board's Concurrence with Executive Director's Issuance of Second Modification to Executive Director Order No. 07-045 (PR/MRWSA – Peace River Diversions)

28. Continue Rulemaking Public Hearing for the Final Approval of Amendments to 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
29. Approve Initiation of Rulemaking to Amend Rules 40D-4.331, 40D-40.331, 40D-1.607, and 40D-1.659, F.A.C., to Adopt Application Form for Minor Environmental Resource Permit Modifications and Allow Extension of Permit Duration without Fee
30. Approve Initiation Rulemaking to Amend Rule 40D-1.659, F.A.C., to Incorporate Supplemental Environmental Resource Permit Application Forms Addressing Home Owner/Property Owner Association Documentation Requirements Pursuant to Section 2.6.2 of the Basis of Review for Environmental Resource Permitting
31. Approve Initiation of Rulemaking to Amend Rule 40D-4.091, F.A.C. to Incorporate by Reference "Operating Agreement between the U.S. Army Corps of Engineers and the Southwest Florida Water Management District (SWFWMD) Located within the Geographical Limits of the SWFWMD in Florida, Pursuant to Programmatic General Permit (PGP) PGP-SAJ-95"
32. Approve the Proposed Electronic Transaction Agreement and Approve Initiation of Rulemaking to Amend Rule 40D-1.659, F.A.C., to Adopt the Electronic Transaction Agreement by Reference
33. Approve Initiation of Rulemaking to Repeal Section 1.14, Permit Compliance, of the Water Use Permit Information Manual Part B, Basis of Review
34. Approval to Initiate Rulemaking to Amend Rules 40D-1.659 and 40D-2.091, F.A.C., to Incorporate by Reference Revised Information Submittal Requirements for Small General Water Use Permit Renewal and Modification Applications
35. Approve Initiation of Rulemaking to Amend Rule 40D-2.801, F.A.C., to Correct the Legal Description of the Northern Tampa Bay Water Use Caution Area (NTBWUCA) and Amend Water Use Permit Information Manual Part B, Basis of Review Section 7.3, Which Describes the NTBWUCA
36. Approval to Initiate Rulemaking to Amend Rules 40D-1.603, 40D-2.361 and 40D-2.091, F.A.C., and Section 1.11 of the Water Use Permit Information Manual Part B, Basis of Review, to Clarify Timeliness of Renewal Applications

#### **Finance & Administration Committee**

37. Board Travel
38. Budget Transfer Report

#### **Resource Management & Development Committee**

39. Appraisal and Purchase/Sale Agreement, Lake Hancock Project, SWF Parcel No. 20-503-154
40. Appraisal and Purchase/Sale Agreement, Lake Hancock Project, SWF Parcel No. 20-503-201
41. Appraisal and Purchase/Sale Agreement, Lake Hancock Project, SWF Parcel No. 20-503-216
42. Construction of New Reservoir – RV Griffin Reserve, SWF Parcel Nos. 20-223-124X, 20-223-125X, 20-223-129X, 20-223-130X and 20-223-104X
43. Resolution Requesting Encumbrance of Fiscal Year 2008 Budgeted Funds from the Water Management Lands Trust Fund for Preacquisition; Management, Maintenance and Capital Improvements; and Payments in Lieu of Taxes
44. Facilitating Agricultural Resource Management Systems (FARMS) Program
  - a. Lykes Brothers – Lake Placid Grove Phase 1A, Highlands County
  - b. Lykes Brothers – Camp Mack Grove, Polk County
  - c. LallyMix Farms, LLP, Hardee County
  - d. Sun Grown Citrus, LP, Polk County
  - e. Berry Bay Farms at Jay Mar, Inc., Hillsborough County
45. Continue Public Hearing Requested by James P. Gills, Trustee, on Proposed Minimum and Guidance Levels for Crews Lake in Pasco County

#### **General Counsel's Report**

46. Consent Order – Surface Water Activity – Sebring Retail Associates, LLC (Shops at Shelby Crossing) – Highlands County
47. Consent Order – Surface Water Activity – Riviera Dunes Retail Partners, LLC – Manatee County
48. Consent Order – Surface Water Activity – Nancy Allman and James M. O'Leary – DeSoto County
49. Consent Order – WUP No. 20009400.008 – Russ Putnal – Manatee County

#### **Executive Director's Report**

50. Approval of Minutes – October 30, 2007 Governing Board Meeting

## REGULATION COMMITTEE (TAB C)

### **Discussion Items**

51. Consent Item(s) Moved for Discussion
52. Approve Modification to Water Shortage Restrictions
  - a. Overview of Districtwide Hydrologic Conditions
  - b. Third Modification to Water Shortage Order No. SWF 07-02 (Water Shortage Restrictions)
  - c. Fiscal Year 2008 Drought Communications Plan

### **Submit & File Reports – None**

### **Routine Reports**

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

## FINANCE & ADMINISTRATION COMMITTEE (TAB D)

### **Discussion Items**

59. Consent Item(s) Moved for Discussion
60. Fiscal Year 2008 Budget Update

### **Submit & File Report**

61. Treasurer's Report, Payment Register, and Contingency Reserves Report

### **Routine Reports**

62. Management Services Status Report
63. October 2007 Interim Report on Workforce and Vendor Diversity (*Ripples*)

## RESOURCE MANAGEMENT & DEVELOPMENT COMMITTEE (TAB E)

### **Discussion Items**

64. Consent Item(s) Moved for Discussion
65. Appraisals, Purchase/Sale Agreement and Resolution Requesting Funds, Myakkahatchee Creek, SWF Parcel Nos. 21-694-102 and 21-694-103C
66. Recommended Changes to Governing Board Policy 130-4, Cooperative Funding Initiative
67. Tampa Bay Estuary Program

### **Submit & File Reports – None**

### **Routine Reports**

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

## OUTREACH & PLANNING COMMITTEE (TAB F)

### **Discussion Items**

74. Consent Item(s) Moved for Discussion
75. Fiscal Years 2009-2013 Strategic Plan Approval

### **Submit & File Report**

76. Legislative Update

**Routine Reports**

- 77. Significant Activities Report
- 78. Speakers Bureau
- 79. Comprehensive Plan Amendment and Related Reviews Report
- 80. Review of Developments of Regional Impact

**GENERAL COUNSEL’S REPORT (TAB G)**

**Discussion Items**

- 81. Consent Item(s) Moved for Discussion

**Submit & File Reports – None**

**Routine Reports**

- 82. Litigation Report
- 83. Rulemaking Update

**REPORTS (TAB H)**

- 84. Basin Board Education Committee
- 85. Executive Director’s Report
- 86. Chair’s Report

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

**ANNOUNCEMENTS**

- Governing Board Meeting and Workshop Schedule:
  - Meeting – Brooksville ..... December 18, 2007
  - Meeting – Brooksville ..... January 29, 2008
  - Meeting – Brooksville ..... February 26, 2008
- Basin Board Meeting Schedule:
  - Pinellas-Anclote River – Dunedin ..... December 3, 2007
  - Alafia River – Tampa ..... December 4, 2007
  - Northwest Hillsborough – Tampa ..... December 4, 2007
  - Hillsborough River – Tampa ..... December 10, 2007
  - Manasota – Sarasota ..... December 12, 2007
  - Withlacoochee River – Brooksville ..... December 13, 2007
  - Coastal Rivers – Brooksville ..... December 13, 2007
  - Peace River – Bartow ..... December 14, 2007
- Advisory Committee Meeting Schedule:
  - Environmental – Tampa ..... December 10, 2007
  - Industrial – Tampa ..... January 8, 2008
  - Public Supply – Tampa ..... January 8, 2008
  - Well Drillers – Tampa ..... January 16, 2008
  - Green Industry – Tampa ..... February 28, 2007
  - Agricultural – Tampa ..... February 28, 2007
- Public Land Acquisition and Management Conference – Sarasota ..... December 5-7, 2007
- Basin Board Land Resources Committee – Sarasota ..... December 7, 2007

**ADJOURNMENT**

**1:00 P.M.    \*\*\* JOINT WORKSHOP OF THE GOVERNING BOARD AND \*\*\***  
**TAMPA BAY WATER BOARD OF DIRECTORS**  
 (TAB I)

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.