



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

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

DECEMBER 16, 2008

9:00 A.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.

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 and a briefing session with senior staff 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

**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. Employee Recognition
5. Public Input for Issues Not Listed on the Published Agenda

MEETING NOTICE

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

6. ERP No. 43034196.000 - Legacy Lake Borrow Pit – Charlotte County
7. ERP No. 43013044.006 - FDOT - SR 35 (US 17) from DeSoto County Line to SW Collins – DeSoto County
8. ERP No. 43020690.009 - FDOT - I-4/Lee Roy Selmon Expressway Interchange (South of 7th Avenue) – Hillsborough County
9. ERP No. 44030783.001 - Bayou Pass Phase 3 (**DENIAL**) – Hillsborough County
10. ERP No. 43001436.040 - On Top of the World - South Branch – Marion County
11. ERP No. 43015544.003 - Gulf Landings Boat Docks, Tracts 40B, 40C and 50C – Pasco County
12. ERP No. 43027830.001 - Main Street Landing Boat Docks – Pasco County
13. ERP No. 43033500.001 - FDOT-SR 39 (Buchman Hwy) at Hillsborough River - Temporary Detour Bridge – Pasco County
14. ERP No. 43031900.002 - EVWR/CSXT Rail Terminal Facility – Polk County
15. ERP No. 43032386.000 - Dawn View Estates – Polk County
16. ERP No. 43033931.000 - Ridgeview Place (**DENIAL**) – Polk County

Regulation Committee -- Water Use Permits

17. WUP No. 20006765.010 - L. D. Hancock Marital Trust/Hancock Grove – DeSoto County
18. WUP No. 20003837.011 - Falkner Farms/Falkner Farms – Manatee County
19. WUP No. 20002981.015 - City of Clearwater – Pinellas County
20. WUP No. 20004912.007 - City of Lakeland – Polk County
21. WUP No. 20005393.008 - City of Venice – Sarasota County

Regulation Committee -- Other

22. Approve Exchange of Conservation Easement Areas – Lake Jovita East Pointe Townhomes – Pasco County
23. Approve for Adoption Final Changes to Amendments to 40D-1.659 and 40D-2.091, Florida Administrative Code (F.A.C.), to Incorporate Changes to Chapters 5 and 6 of the Basis of Review in Response to the Joint Administrative Procedures Committee
24. Electrical Power Plant Site Certification – SWFWMD Agency Report on Progress Energy Florida – Levy Nuclear Units 1 & 2 – Main Site and Associated Facilities – Levy County

Resource Management Committee

25. Approve Initiation of Rulemaking to Amend 40D-8.624, F.A.C., to Add Minimum and Guidance Levels for Lake Anoka in Highlands County
26. Approve Initiation of Rulemaking to Amend 40D-8.041, F.A.C., to Establish Minimum Flows for Weeki Wachee River System
27. Authorize Submission of the Preliminary Flood Insurance Rate Maps for the Oman Quarry/Indian Creek, Powell, and Blue Sink Watersheds to the Federal Emergency Management Agency
28. Appraisals and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-151
29. Temporary Construction Easement to Florida Department of Transportation for State Road 39 – Hillsborough River Corridor, SWF Parcel Number 13-444-109X
30. Supplemental Utility Easement to Progress Energy Florida, Inc. for Additional Service to the Withlacoochee River Electric Cooperative Tampa Downs Substation – Cypress Creek Preserve, SWF Parcel Number 13-500-390X
31. Facilitating Agricultural Resource Management Systems (FARMS) Program
 - a. FLM, Inc. Prairie River Ranch Grove Phase II – DeSoto County
 - b. CFI USA, Inc. Venus II Grove – Manatee County

Finance & Administration Committee

32. Board Travel
33. Budget Transfer Report
34. District Strategic Systems Network and Server Upgrades

General Counsel's Report

35. Consent Order – WUP No. 208639.010 - Timber Pines Community Association, Inc. – Hernando County
36. Initiation of Litigation – Surface Water Activity - Edward A. Mariani – Manatee County
37. Initiation of Litigation – Surface Water Activity - Lexington Homes, Inc. (North Green Estates and South Green Estates) – Hillsborough County
38. Initiation of Litigation – ERP No. 46029649.001- Memorial Townhomes, LLC (Memorial Townhomes) – Hillsborough County
39. Initiation of Litigation – ERP No. 44007115.006 - Regency Oaks Preserve, Inc. – Manatee County
40. Settlement Agreement – Lance H. Ham et al. v. City of Plant City, Hillsborough County, and SWFWMD, 13th Judicial Circuit Case No. 05-CA-9419 – Hillsborough County

Executive Director's Report

41. Approval of Minutes – November 18, 2008 Governing Board Meeting

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

42. Consent Item(s) Moved for Discussion
43. Hydrologic Conditions Status Report
44. Review of Analytical Process for Water Shortage Actions and Public Dissemination of Information
45. Long-Range Water Supply and Water Resource Development Funding Plan Update

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

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

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

51. Consent Item(s) Moved for Discussion
52. Approve for Adoption Proposed Amendments to Chapter 40D-22, F.A.C., Year-Round Water Conservation Measures, In Accordance with Interdistrict Consistency Initiative
53. Implementation of Water Shortage Order No. SWF 08-044 – Modified Phase III Extreme Water Shortage Declaration
54. Approve for Adoption Proposed Amendments to Sections 1.7.23, 3.2.7 and 3.3.1.5 of the Environmental Resource Permit (ERP) Basis of Review (BOR) as well as Appendix 5 of the ERP BOR to Maintain Protection for the Bald Eagle

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

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

OUTREACH & PLANNING COMMITTEE (TAB E)**Discussion Items**

60. Merger of the Northwest Hillsborough and Hillsborough River Basins
61. Florida Power & Light's Clean Energy Story
62. Legislative Update

Submit & File Reports – None

Routine Reports

- 63. Comprehensive Plan Amendment and Related Reviews
- 64. Development of Regional Impact Activities
- 65. Speakers Bureau
- 66. Significant Activities

FINANCE & ADMINISTRATION COMMITTEE (TAB F)

Discussion Items

- 67. Consent Item(s) Moved for Discussion
- 68. Fiscal Year 2010 Budget Development Process
- 69. Strategic Systems and Water Management Information System Initiative Semi-Annual Update

Submit & File Reports – None

Routine Reports

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

GENERAL COUNSEL'S REPORT (TAB G)

Discussion Items

- 72. Consent Item(s) Moved for Discussion
- 73. Final Order – Blanco v. NNP-Bexley, Ltd. and SWFWMD, DOAH Case No. 08-1972 – Pasco County

Submit & File Reports – None

Routine Reports

- 74. Litigation Report
- 75. Rulemaking Update

REPORTS (TAB H)

- 76. Environmental Advisory Committee Liaison Report
- 77. Basin Board Land Resources Committee Liaison Report
- 78. Executive Director's Report
- 79. Chair's Report
 - a. Performance Evaluations of the Executive Director and Inspector General

★ ★ ★ RECESS PUBLIC HEARING ★ ★ ★

ANNOUNCEMENTS

- Governing Board Meeting and Workshop Schedule:

Joint Workshop of the Governing Board and	
Tampa Bay Water – Tarpon Springs	January 26, 2009
Meeting – Tarpon Springs/Brooksville	January 26-27, 2009
Meeting – Brooksville	February 24, 2009
Joint Workshop of the Governing Board and Withlacoochee	
Regional Water Supply Authority – Wildwood	March 30, 2009
Meeting – Brooksville	March 31, 2009

- Basin Board Meeting Schedule:

Northwest Hillsborough – Tampa	December 9, 2008
Hillsborough River – Tampa	February 3, 2009
Pinellas-Anclote River – New Port Richey	February 4, 2009
Alafia River – Tampa	February 5, 2009
Northwest Hillsborough – Tampa	February 5, 2009
Peace River – Lakeland	February 6, 2009

Manasota – Sarasota	February 11, 2009
Coastal Rivers – Brooksville	February 12, 2009
Withlacoochee River – Brooksville	February 12, 2009

- Advisory Committee Meeting Schedule:

Industrial – Tampa	January 6, 2009
Public Supply – Tampa	January 6, 2009
Well Drillers – Tampa	January 14, 2009
Green Industry – Tampa	February 26, 2009
Agricultural – Tampa	February 26, 2009
Environmental – Tampa	March 9, 2009

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.