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
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. 20003837.040 - 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

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
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
   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. Annual Report to the County 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.