



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 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 18, 2007

9:00 a.m.

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

- Viewing of the Board meeting is available at each of 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 and a closed attorney-client session will be held during the break (notice follows ANNOUNCEMENTS).**

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)

**TUESDAY, DECEMBER 18, 2007**

**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 – Award from North American Lake Management Society for Research Related to Minimum Flows and Levels

MEETING NOTICE

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

## CONSENT AGENDA (TAB B)

### Regulation Committee -- Environmental Resource Permits

7. ERP No. 43032695.000 - The Preserve at Charlotte Harbor – Charlotte County
8. ERP No. 43033161.000 - Jack's Branch Subdivision – Charlotte County
9. ERP No. 46031947.000 - Drew Park Townhomes (***DENIAL***) – Hillsborough County
10. ERP No. 43030040.000 - Estuary Golf Estates – Manatee County
11. ERP No. 43023781.018 - Concord Station Sunlake Boulevard North of Mentmore – Pasco County
12. ERP No. 43023781.022 - Concord Station Sunlake Boulevard from SR 54 to Mentmore Boulevard – Pasco County
13. ERP No. 43028022.001 - Legacy Hills – Pasco County
14. ERP No. 43029915.002 - McAlpin Excavation – Pinellas County
15. ERP No. 49000887.089 - Trammell Crow Residential at Lakeside Village – Polk County
16. ERP No. 43027132.001 - Hunterfield Wetland Mitigation Relocation – Polk County
17. ERP No. 49028690.001 - Lakeland Central Park - Conceptual – Polk County
18. ERP No. 49028690.002 - Lakeland Central Park – Polk County
19. ERP No. 49029630.002 - The Meadows – Polk County
20. ERP No. 43030664.000 - Loughman Crossing at County Road 54 – Polk County
21. ERP No. 43031157.000 - Waterside East – Sarasota County
22. ERP No. 43032133.001 - Cocoplum Village Shops – Sarasota County

### Regulation Committee -- Water Use Permits

23. WUP No. 20000985.007 - Balm Farm/Diehl Family Limited Partnership and Belmont, LLC – Hillsborough County
24. WUP No. 20001415.009 - Plant City Phosphate Complex/C.F. Industries, Inc. – Hillsborough County
25. WUP No. 20007345.005 - Mosaic Fertilizer, LLC and Manatee County – Manatee County
26. WUP No. 20011440.002 - Bear Bay East/John Falkner – Manatee County

### Regulation Committee -- Other

27. Final Approval of Changes to the Proposed 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
28. Electrical Power Plant Site Certification – SWFWMD Agency Report on Progress Energy Florida's Crystal River Nuclear Unit 3 Uprating – Citrus County
29. Electrical Transmission Line Certification – SWFWMD Agency Report on Tampa Electric Company's Willow Oak-Wheeler-Davis Transmission Line – Hillsborough and Polk Counties

### Resource Management & Development Committee

30. Five-Year Water Resource Development Work Program
31. Resolution Requesting Encumbrance of Funds within the Water Management Lands Trust Fund for Lake Hancock Preacquisition Costs
32. Interlocal Agreement with Pasco County, Appraisals, Purchase/Sale Agreement and Resolution Requesting Funds – Weekiwachee Preserve, SWF Parcel No. 15-773-143
33. Utility Easement to the DeSoto County Utilities Department – RV Griffin Reserve, SWF Parcel No. 20-223-127X
34. Facilitating Agricultural Resource Management Systems (FARMS) Program
  - a. Citrus Creek Grove, LLC – Charlotte County
  - b. Walters Grove – Charlotte County
  - c. Keystone Groves, LLC – DeSoto County
  - d. Twenty-Twenty Groves, Inc. – Hardee County
  - e. Hopewell Business Center, LLC – Hillsborough County
  - f. Spring Valley Tree Farm, Inc. – Hillsborough County
  - g. McClure Properties, LTD – Manatee County

35. Peace River Regional Reservoir Expansion and Peace River Facility Expansion
36. Approve Initiation of Rulemaking to Amend Rules 40D-8.041, F.A.C., to Establish Minimum Flows for the Upper Hillsborough River and Crystal Springs
37. Approve Initiation of Rulemaking to Amend Rules 40D-8.041, F.A.C., to Establish Minimum Flows for the Braden River
38. Initiate Rulemaking to Amend 40D-8.624, F.A.C., to Add Minimum and Guidance Levels for Lakes Angelo, Denton, Placid, Tulane, and Verona in Highlands County; Lakes King, King-East, and Linda in Pasco County; and Crooked Lake in Polk County
39. Continue Public Hearing Requested by James P. Gills, Trustee, on Proposed Minimum and Guidance Levels for Crews Lake in Pasco County

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

40. Board Travel
41. Budget Transfer Report

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

42. Consent Order – ERP No. 44025778.003 – Cameron-Wingate Development, LLC
43. Consent Order – Surface Water Activity - David R. Spiker, Pamela J. Spiker and AAA Top Quality Asphalt, L.L.C. – Polk County

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

44. Approval of Minutes – November 26, 2007 Governing Board Meeting

### **REGULATION COMMITTEE (TAB C)**

#### **Discussion Items**

45. Consent Item(s) Moved for Discussion
46. Enhanced Public Supply Water Conservation
47. Water Conserving Rate Structure Requirements, Programs and Implementation
48. Water Shortage Rule – Variance Provisions for Local Plans
49. Water Shortage Actions – Peace River/Manasota Regional Water Supply Authority and the Potential Need for Additional Conservation Actions

#### **Submit & File Reports**– None

#### **Routine Reports**

50. Demand Management
51. Overpumpage Report
52. Southern Water Use Caution Area Quantities
53. Water Production Supply Summary
54. Public Supply Benchmarks
55. Resource Regulation Significant Initiatives Report

### **RESOURCE MANAGEMENT & DEVELOPMENT COMMITTEE (TAB D)**

#### **Discussion Items**

56. Consent Item(s) Moved for Discussion
57. Adopt Recommended Changes to Governing Board Policy 130-4, Cooperative Funding Initiative
58. Tampa Bay Estuary Program

#### **Submit & File Reports** – None

#### **Routine Reports**

59. Significant Water Supply and Resource Development Projects
60. Watershed Management Program and Federal Emergency Management Agency Map Modernization Status Report
61. Florida Forever Funding Status Report
62. Minimum Flows and Levels Status Report
63. Hydrologic Conditions Status Report
64. Structure Operations Status Report

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

**Discussion Items**

- 65. Consent Item(s) Moved for Discussion
- 66. Financial and Budget Update
- 67. District Climate Change Initiative Status Report
- 68. Strategic Systems and Water Management Information System Initiative Semi-Annual Update

**Submit & File Report**

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

**Routine Report**

- 70. Management Services Status Report

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

**Discussion Items**

- 71. Consent Item(s) Moved for Discussion
- 72. Florida Department of Environmental Protection Surface Water Quality Classification System

**Submit & File Report**

- 73. Legislative Update

**Routine Reports**

- 74. Significant Activities Report
- 75. Speakers Bureau
- 76. Comprehensive Plan Amendment and Related Reviews Report
- 77. Review of Developments of Regional Impact

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

**Discussion Items**

- 78. Consent Item(s) Moved for Discussion

**Submit & File Reports – None**

**Routine Reports**

- 79. Litigation Summary and Report
- 80. Rulemaking Update

**REPORTS (TAB H)**

- 81. Basin Board Land Resources Committee
- 82. Executive Director's Report
- 83. Chair's Report – Performance Evaluations of the Executive Director and Inspector General

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

**ANNOUNCEMENTS**

**Governing Board Meeting and Workshop Schedule:**

- Meeting – Brooksville ..... January 29, 2008
- Meeting – Brooksville ..... February 26, 2008
- Meeting – Tampa ..... March 25, 2008

**Basin Board Meeting Schedule:**

- Pinellas-Anclote River – New Port Richey ..... February 6, 2008
- Alafia River – Tampa ..... February 7, 2008
- Northwest Hillsborough – Tampa ..... February 7, 2008
- Peace River – Bartow ..... February 8, 2008
- Hillsborough River – Tampa ..... February 11, 2008

- Manasota – Sarasota ..... February 13, 2008
- Withlacochee River – Brooksville ..... February 14, 2008
- Coastal Rivers – Weeki Wachee ..... February 14, 2008
- Joint Governing and Basin Boards Planning Workshop – Thonotosassa ..... February 22, 2008
- Basin Board Education Committee – Tampa ..... March 11, 2008
- Basin Board Land Resources Committee – New Port Richey ..... March 20, 2008
- Advisory Committee Meeting Schedule:
- Industrial – Tampa ..... January 8, 2008
- Public Supply – Tampa ..... January 8, 2008
- Well Drillers – Tampa ..... January 16, 2008
- Green Industry – Tampa ..... February 28, 2008
- Agricultural – Tampa ..... February 28, 2008
- Environmental – Tampa ..... March 10, 2008

**12:00 p.m. Notice of Closed Attorney-Client Session**

Location: Board Conference Rooms A and B

Meeting Attendees: SWFWMD Governing Board Members; Executive Director David L. Moore;  
General Counsel William S. Bilenky; Deputy General Counsel Karen West;  
Assistant General Counsel Joseph Ward

Closed attorney-client session pursuant to Section 286.011(8), Florida Statutes, to discuss strategy related to litigation in Southwest Florida Water Management District v. City of Weeki Wachee, et al. in the Circuit Court, Fifth Judicial Circuit, Case No. H-27-CA-2004-366RT. The subject matter of the meeting shall be confined to pending litigation.

**The meeting is not open to the public.**

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the meeting shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

**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. 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.