

Governing Board Meeting

Agenda

August 25, 2015

9:00 AM

Tampa Service Office

7601 US Hwy. 301 • Tampa, Florida
(813) 985-7481

Southwest Florida
Water Management District


WATERMATTERS.ORG • 1-800-423-1476



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

An Equal
Opportunity
Employer

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 Bureau Chief at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4703; or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Final Agenda

GOVERNING BOARD MEETING

AUGUST 25, 2015

9:00 AM

Tampa Service Office

7601 US HWY. 301, TAMPA, FL 33637
(813) 985-7481

☞ All meetings are open to the public. ☜

MEETING NOTICE

- Viewing of the Board meeting will be available at each of the District offices and through the District's web site (www.watermatters.org) -- follow directions to use internet streaming.
- Public input will be taken only at the meeting location.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer.

Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

Unless specifically stated, scheduled items will not be heard at a time certain.

The current Governing Board agenda and minutes of previous meetings are on the District's web site: www.WaterMatters.org

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or 1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Service Office
7601 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or 1-800-836-0797 (FL only)

9:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)

1. *Call to Order*
2. *Invocation and Pledge of Allegiance*
3. *Additions/Deletions to Agenda*
4. *Public Input for Issues Not Listed on the Published Agenda*

CONSENT AGENDA (TAB B)***Regulation Committee***

5. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20002842.011 - Citrus County Board of County Commissioners / Citrus County Utilities (Citrus County)
 - b. WUP No. 20005789.009 - Hernando County Board of County Commissioners / Hernando County Water System (Hernando County)
 - c. WUP No. 20006505.012 - Polk County Board of County Commissioners / Northwest Regional Utilities Service Area (Polk County)
 - d. WUP No. 20008985.008 - Gaylon Lawrence / Valencia Groves (DeSoto County)
 - e. WUP No. 20010420.009 - Peace River Manasota Regional Water Supply Authority / Peace River Water Treatment Plant (DeSoto County)
 - f. WUP No. 20020511.000 - Walton Acquisitions FL, LLC / Panasoffkee Preserve (Sumter County)

Operations, Lands and Resource Monitoring Committee

6. Approve Agreement Between Tampa Bay Water and the Southwest Florida Water Management District for the Chito Branch Surplus Property, SWF Parcel Nos. 11-709-145S and 11-709-146S
7. Approve Sale of Surplus Lands – Flying Eagle Preserve, SWF Parcel No. 19-334-148S
8. Approve Sale of Surplus Lands – Panasoffkee/Outlet Tract, SWF Parcel No. 19-441-110S
9. Approve Amendment to Cooperative Agreement with Florida Forest Service

Resource Management Committee

10. Scope Change for Citrus County Fort Island Trail Wastewater Force Main Project (P100)
11. Stormwater Improvements - Water Quality - Citrus County - Hunter Springs Water Quality Improvement Project - Scope Change (W453)
12. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Revised Minimum and Guidance Levels for Moon Lake in Pasco County (P256)
13. Timber Oaks Stormwater Retention Facility (N736) Cooperative Funding Request

Finance/Outreach & Planning Committee

14. Board Encumber for Scientific Modeling System
15. Budget Transfer Report

General Counsel's Report

16. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Interagency Agreement Between the South Florida Water Management District and the Southwest Florida Water Management District -- Designation of Regulatory Responsibility for a Water Use Permit – 4 Seasons Golf Resort, LLC – Polk County
 - b. Approval – Settlement Agreement and Order – Unauthorized Construction Activities – Lake Charlotte Ranch, LLC – Highlands County
 - c. Concurrence with Executive Director's Authorization to Appear as an Amicus Curiae on Behalf of St. Johns River Water Management District in Putnam County Environmental Council v. St. Johns River Water Management District, FLWAC Case No. WMD-09-005
 - d. Board Designated Encumbrance - Legal Services, Expert Testimony/Analysis, and Administrative Law Judge
17. Rulemaking

- a. Approval of Publication of Notice of Repeal Regarding Portions of Chapter 40D-4, F.A.C., and All of Chapters 40D-40 and 40D-400, F.A.C., to Repeal District ERP Rules that Were Superseded by the Statewide Environmental Resource Permitting Rules in Chapter 62-330, F.A.C.
- b. Initiation and Approval of Rulemaking to Amend Rule 40D-1.659, F.A.C., to Update and Reorganize the Forms, Instructions, and Agreements Incorporated by Reference

Executive Director's Report

18. Approve Governing Board Meeting Minutes - July 28, 2015
19. Annual Calendar of Fiscal Year 2015-16 Meeting Dates

RESOURCE MANAGEMENT COMMITTEE (TAB C)

Discussion

20. Consent Item(s) Moved for Discussion

Submit & File Reports

21. Request to Lower Current Water Levels in Lake Pretty

Routine Reports

22. Minimum Flows and Levels Status Report
23. Significant Water Resource and Development Projects

GENERAL COUNSEL'S REPORT (TAB D)

Discussion

24. Consent Item(s) Moved for Discussion
25. Consideration of Final Order – ERP No. 43041746.000 – Joseph McClash, Petitioner and Sierra Club, Inc. and Suncoast Waterkeeper, Inc., Intervenor v. Land Trust No. 97-12 and SWFWMD – DOAH Case No. 12-2161 / Manasota 88, Inc., Petitioner, and Sierra Club, Inc. and Suncoast Waterkeeper, Inc., Intervenor v. Land Trust No. 97-12 and SWFWMD – DOAH Case No. 14-5038 / Florida Institute for Saltwater Heritage, Inc., Petitioner, and Sierra Club, Inc. and Suncoast Waterkeeper, Inc., Intervenor v. Land Trust No. 97-12 and SWFWMD – DOAH Case No. 14-5135 – Manatee County

Submit & File Reports - None

Routine Reports

26. August 2015 - Litigation Report
27. August 2015 - Rulemaking Update

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB E)

Discussion

28. Consent Item(s) Moved for Discussion

Submit & File Reports - None

Routine Reports

29. Treasurer's Report and Payment Register
30. Monthly Financial Statement
31. Monthly Cash Balances by Fiscal Year
32. Comprehensive Plan Amendment and Related Reviews Report
33. Development of Regional Impact Activity Report
34. Significant Activities Report

REGULATION COMMITTEE (TAB F)

Discussion

35. Consent Item(s) Moved for Discussion
36. Denials Referred to the Governing Board - August 2015

Submit & File Reports - None

Routine Reports

37. Overpumpage Report - August 2015
38. Individual Permits Issued by District Staff - August 2015

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE (TAB G)

Discussion

- 39. Consent Item(s) Moved for Discussion
- 40. Hydrologic Conditions Report

Submit & File Reports

- 41. Surplus Lands Biennial Assessment Quarterly Update

Routine Reports

- 42. Structure Operations
- 43. Significant Activities

COMMITTEE/LIAISON REPORTS (TAB H)

- 44. Joint Industrial/Public Supply Advisory Committee
- 45. Other Committee/Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 46. Executive Director's Report

CHAIR'S REPORT (TAB J)

- 47. Employee Milestones
- 48. Other

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

ANNOUNCEMENTS

<http://www.swfwmd.state.fl.us/calendar>

- Governing Board Meetings Schedule:

Meeting - Tampa	September 29, 2015
Meeting - Brooksville	October 27, 2015
Meeting - Tampa	November 17, 2015
Meeting - Tampa	December 15, 2015
- Governing Board Public Budget Hearings Schedule:

Tentative Budget - Tampa	September 15, 2015
Final Budget - Tampa	September 29, 2015
- Advisory Committee Meeting Schedule:

Agricultural & Green Industry - Tampa	September 10, 2015
Well Driller - Tampa	October 7, 2015
Environmental - Tampa	October 13, 2015
Industrial & Public Supply - Tampa	November 12, 2015

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.