

APPROVED

MINUTES OF THE JOINT WORKSHOP

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT GOVERNING BOARD AND PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY BOARD OF DIRECTORS

PUNTA GORDA, FLORIDA

OCTOBER 29, 2009

The Governing Board of the Southwest Florida Water Management District (SWFWMD) and the Peace River Manasota Regional Water Supply Authority (PRMRWSA) Board of Directors met in a workshop session at 10:05 a.m. on October 29, 2009, at the Charlotte County Event and Conference Center in Punta Gorda. The following persons were present:

SWFWMD Board Members Present

Todd Pressman, Chair
Ronald E. Oakley, Vice Chair
Hugh Gramling, Secretary
Sallie Parks, Treasurer
Carlos Beruff, Member
Bryan Beswick, Member
Jennifer E. Closshey, Member
Neil Combee, Member
Albert G. Joerger, Member
Maritza Rovira-Forino, Member
H. Paul Senft, Member
Douglas B. Tharp, Member
Judith C. Whitehead, Member

SWFWMD Staff Members Present

David L. Moore, Executive Director
William S. Bilenky, General Counsel
Lou Kavouras, Deputy Executive Dir.
Richard S. Owen, Deputy Exec. Dir.
Eugene A. Schiller, Deputy Exec. Dir.
Bruce C. Wirth, Deputy Executive Dir.

PRMRWSA Board Members Present

Dick Loftus, Charlotte County Commissioner,
PRMRWSA Chair
Jerry Hill, DeSoto County Commissioner
John Chappie, Manatee County Commissioner
Nora Patterson, Sarasota County Commissioner

PRMRWSA Board Members Absent

Shannon Staub, Sarasota County Commissioner

PRMRWSA Staff Members Present

Patrick Lehman, Executive Director
Doug Manson, General Counsel
Mike Coates, Water Resources Division Director
Kevin Morris, Facilities Division Director

SWFWMD Recording Secretary

C. LuAnne Stout, Administrative Coordinator

A list of others present who signed the attendance roster is filed in the permanent files of the District. This workshop was available for viewing through internet streaming. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

Welcome and Introductions

SWFWMD Chair Pressman called the workshop to order and welcomed the attendees. He then led the Pledge of Allegiance. He thanked Charlotte County for allowing use of the Center and waiving the facilities fee. He also thanked the Peace River Valley Citrus Growers Association for providing orange juice for refreshment during the workshop.

Chair Pressman introduced each member of the Governing Board and Executive Director David Moore. PRMRWSA Chair Dick Loftus introduced each member of the Board of Directors and Executive Director Pat Lehman.

Chair Pressman noted that the workshop is being recorded for broadcast on government access channels. He noted this is the first meeting to be broadcast through internet streaming. He stated that anyone wishing to address the Boards should fill out and submit a speaker's card. Comments will be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. (CD 1/Track 1 – 00:00/09:14)

Chair Dick Loftus welcomed everyone to Charlotte County, noting this is the first time a District Governing Board meeting has been held in this County. He said he is grateful to be able to host the meeting in the new Center which opened in early 2009. Chair Loftus stated that cooperation and collaboration have been key to the success of this region. He said he is proud today to be able to share the Authority's successful completion of the regional expansion program and vision for the future. He noted the successful completion of this project is a tribute to the region meeting the needs of its citizens by providing water without wars. On behalf of the Authority, he thanked the District for its strong partnership throughout the years. He noted that, as a result of the ongoing partnership, the region's vision is becoming a reality. Chair Loftus thanked the District again for its support at the Board and staff levels.

Chair Pressman recognized local officials and others seated in the audience:

City of Punta Gorda Council

Larry Friedman, Mayor
 Bill Albers
 Harvey Goldberg
 Don McCormick

Charlotte County Board of County Commissioners

Tricia Duffy, Chair
 Adam Cummings
 Robert Skidmore
 Bob Starr

Others in Attendance

Roger Baltz, Charlotte County Administrator
 Howard Kunik, Punta Gorda City Manager
 Tom Jackson, Punta Gorda Utilities Director
 Fred Trippensee, Peace River Basin Board Member
 Sarah Hines, Senator LeMieux's Office

Chair Pressman noted he had received no speaker cards at this time and requested Mr. Lehman to begin the workshop presentations. (CD 1/Track 1 – 09:14/12:15)

Peace River Manasota Regional Water Supply Facilities and Long-Range Planning Update

Mr. Patrick Lehman, Executive Director, Peace River Manasota Regional Water Supply Authority (PRMRWSA), said the four-county region of Charlotte, DeSoto, Manatee and Sarasota counties has avoided "water wars" by maintaining a strong spirit of cooperation and addressing regional water supply needs through the Authority. The Authority's *Strategic Plan for 2025* provides the vision and goals and objectives emphasizing cooperation, regionalism, diversification and collaboration to meet the long-term aim to forge a regional water supply system that is environmentally sensitive and sustainable, highly interconnected, diversified and affordable. Staff provided an overview of the Authority's vision for the future, implementation of the Regional Expansion Program, and ongoing planning to continue implementing the vision for the future.

| Capital Improvement Program | 5-Year Plan | Future | 20-Year Plan |
|------------------------------------|--------------------|---------------|---------------------|
| Resource Development | \$ 35 M | \$475 M | \$510 M |
| Regional Loop System | | | |
| Phase 1 | \$ 9 M | | \$ 9 M |
| Phase 1A | \$ 19 M | | \$ 19 M |
| Phase 2 | \$ 15 M | | \$ 15 M |
| Phase 3A | \$ 49 M | | \$ 49 M |
| Future Phases | | \$178 M | \$178 M |
| Total | \$127 M | \$653 M | \$780 M |

Mr. Kevin Morris, Facilities Division Director, PRMRWSA, provided information about the Regional Expansion Program consisting of the new six-billion-gallon reservoir and Peace River Facility treatment expansion of 24 million gallons per day and said it is an integral part of the long-range strategic water plan through 2025. Using time-lapse video, construction was shown beginning in 2007 with completion in the summer of 2009. The Authority added 4.5 billion gallons of water into its 6-billion-gallon reservoir in three months. Combined sources in the two reservoirs and its Aquifer Storage and Recovery System can provide nearly a year's worth of supply to the Authority's customers. The completion of the Regional Expansion Program bolsters the drinking water supply by adding 15 million gallons per day of new water supply in a manner that is environmentally sustainable, highly reliable and drought-resistant. Regional partners, including the District through its Governing Board, Peace River Basin Board and Manasota Basin Board, the State of Florida through Senate Bill 444 initiative and the U. S. Environmental Protection Agency (EPA) have contributed \$89 million in funding towards the \$170 million in cost of the program.

| Agency Funding | \$ (in millions) |
|------------------|------------------|
| SWFWMD | \$ 54 M |
| State of Florida | 26 M |
| U.S. EPA | 9 M |
| Authority | 81 M |
| Total | \$170 M |

Mr. Mike Coates, Water Resource Division Director, PRMRWSA, said the Authority is continuing to expand the regional water supply system into the future. The *Regional Integrated Loop System* has been developed to lay out the plan for the future to interconnect the facilities of the Authority, member counties, and other governments. The recent completion of the *Source Water Feasibility Study for the Upper Myakka River, Shell Creek and Prairie Creek, and Dona Bay Watershed* (August 2009) provides direction for future water supply development by the Authority for both the near and long term. Focus on near-term water supply development is implementing the proposed minimum flows and levels for the lower Peace River, creating potential partnerships to develop and interconnect brackish water supplies for rotational capacity and drought augmentation of the regional system, and moving forward segments of the *Regional Integrated Loop System*. The long-term focus is on future development of surface water sources as the water demands of the region dictate the need for large supply source development. (CD 1/Track 1 – 12:15/47:45)

Discussion ensued regarding development of new supply costs, commitment by member governments, regionalism, prioritization of funding, and contract responsibility to be resolved. Chair Pressman said these projects have been a great success and show that regionalism and interconnects work. He stated that these are projects which every taxpayer and both Boards can be proud of due to their success. He thanked the staffs of both Boards who worked so diligently. Mr. Moore said this is a clear moment to celebrate the completion of Reservoir 2 and the water storage capacity it provides. He said this is an example of the importance of regionalism because it could not have been built if the local governments had not participated together. He noted that no one government would have the demand to justify this type of project. Mr. Moore said that demand from a number of governments is needed to justify the cost in a regional context.

This item was presented for information only. (CD 1/Track 1 – 00:47:45/01:09:32)

Establishment of Lower Peace River Minimum Flows and Levels (MFLs) Status Report

Mr. Marty Kelly, Minimum Flows and Levels Program Director, Resource Projects Department, said the purpose of this presentation is to provide an overview of proposed minimum flows for the estuarine reaches of the lower Peace River. The basic function of minimum flows establishment is to ensure that the hydrologic requirements of natural systems are met and not significantly harmed by water withdrawals. Establishment of minimum flows and levels, a legislative mandate, is important for water supply planning and regulation, since they define the limitations on how much water from an aquifer, lake or flowing watercourse is potentially available for water supply.

Assessments of minimum flows for flowing watercourses (rivers and springs) emphasize the maintenance of the natural flow regime, which includes seasonal variations of low, medium, and high flows that reflect the natural climatic and watershed characteristics of a particular stream or river system. Given that maintaining a watercourse's flow regime is critical to protecting the biological communities associated with that system, the District has employed a percent-of-flow approach for determining minimum flows. The percent-of-flow approach determines percentage rates that flows can be reduced without causing significant harm. The management of streamflow must take into account the health of downstream estuaries, which are brackish tidal ecosystems that support abundant and valuable fish and wildlife resources. It has been repeatedly shown that the physical and chemical characteristics and biological structure and productivity of estuaries are closely linked to seasonal changes in timing and volume of freshwater inflow.

For development of minimum flows for the estuarine reaches of the lower Peace River, the District identified seasonal blocks corresponding to periods of low, medium, and high. Minimum flow standards were developed for each seasonal period. Significant harm was defined as occurring when modeled withdrawals from the baseline or unaltered flow condition caused more than a 15 percent decline in any one of several ecologically based habitat metrics. Habitat availability was characterized based on several biologically relevant salinity zones: <2 ppt, <5 ppt, and <15 ppt. Hydrodynamic and empirical based salinity models were used to determine the allowable percent reduction in flow that could occur before significant harm occurred in any of these relevant salinity zones. In addition to determination of an allowable percent flow reduction, a low flow threshold (LFT) has also been proposed. A LFT is defined to be the flow that serves to prohibit withdrawals under very low flow conditions throughout the year.

The lower Peace River minimum flow was determined based on the sum of the combined flows of the Peace River at Arcadia, Horse Creek and Joshua Creek. The initial draft MFLs report for the lower Peace River and Shell Creek was presented to the Governing Board in August 2007, at which time it was submitted for voluntary independent scientific peer review. In consideration of comments provided by the peer review panel and others, staff addressed several concerns and prepared an updated MFL report (dated April 2009) that was presented to various interested parties including the PRMRWSA and the Charlotte Harbor National Estuary Program (CHNEP) in June 2009. Staff then presented the report to the Governing Board at its June 2009 meeting at which time the Governing Board initiated rulemaking. However, at the request of the CHNEP and others, the Governing Board agreed to delay action on the proposed MFLs until interested parties were provided sufficient review time. District staff has since addressed a number of questions raised in the CHNEP's letter dated June 19, 2009, and subsequently met with a subcommittee of the CHNEP on September 21, 2009, further explaining the proposed MFL while offering several adjustments to the proposed MFL for consideration. The adjustments consist of an increase in the previously proposed LFT, the establishment of a Maximum Diversion Limit that would limit the total amount of flow that could be diverted, and a set of triggers to ensure that higher percentages of flow were not taken until flows had exceeded a given amount regardless of seasonal block.

Mr. Kelly noted that the District expects to have the new minimum flows before the Governing Board for approval by December or January. In response to questions raised during the public review process, staff is proposing raising the LFT from 90 cubic feet per second (cfs) to 130 cfs, meaning that no withdrawals may occur when the flow is below 130 cfs. Staff will also be recommending limiting diversions to a maximum of 400 cfs. The proposed minimum flows would allow varying percentages of withdrawals depending on the time of year and the level of flows. (CD 1/Track 1 – 01:09:32/01:28:30)

Discussion ensued regarding amount of supply available, impact to entities if flows change, seasonal flows, and consideration of MFLs in the SWUCA. Ms. Closshey requested that a summary report be provided in December or January on a holistic interconnect of the Peace River from top to bottom to tie all together. Mr. Senft requested including in the summary report how the assumptions will be addressed for sinks, aquifer levels and the effect on flow. Mr. Lehman expressed his appreciation of Mr. Kelly and the peer panel's efforts.

This item was presented for information only. (CD 1/Track 1 – 01:28:30/01:39:10)

Overview of Recently Completed WateReuse Reclaimed Water Study

Mr. Anthony Andrade, Senior Water Conservation Analyst, Resource Projects Department, provided an overview of a recently completed WateReuse Foundation Study of Reclaimed, Surface, and Groundwater Quality. The WateReuse Foundation study project started in 2003, and the results, conclusions, and recommendations were published in May 2009. The study provides information that can be used to evaluate whether reclaimed water can be safely used in watersheds that supply public drinking water. The total cost of this study was \$520,000, and the District's entire share of \$282,722 was funded by the Governing Board as project benefits were anticipated to be District-wide. In addition to the District, WateReuse and partnering utilities, the project involved funding and commitments from CH2MHill (the prime consultant), ASRus (consultant), Orange County Florida, United States Bureau of Reclamation, United States Geological Survey, California State Water Resources Control Board, California Department of Water Resources, University of Miami, and Florida International University.

The WateReuse Foundation, through the engineering consulting firm CH2MHill, assembled some of the top research scientists in the field to conduct the evaluation through a landmark water quality study that investigated, documented, and compared the water quality differences between reclaimed, surface and groundwater. The project was overseen by an internationally renowned project team that included Dr. Theresa Slifko (Los Angeles County, CA), Dr. James Englehardt (University of Miami), Dr. Piero Gardinali (Florida International University), Dr. Michael Meyer (U.S. Geological Survey), Ms. Kimberly Kunihiro (Orange County, Florida), Dr. James Crook (independent research scientist), and Dr. David York (former Florida Department of Environmental Protection Reuse Coordinator). In addition to the project team a project advisory committee was assembled which included District staff, Dr. Jean Debroux (Kennedy/Jenks Engineering), Bob Jurenka (U.S. Bureau of Reclamation), and Ms. Chris Owen (Tampa Bay Water Quality Assurance Officer). The independent study targeted a representative set of biological and chemical constituents. Sampling included representative waters from several Florida counties (Manatee, Orange, Pasco, and Pinellas), cities (Tampa, Largo, Clearwater, Plant City, and Bradenton), and sites in California.

Study results indicate that reclaimed, surface, and groundwaters are more similar than dissimilar with regard to microconstituents. The main findings are:

- No significant differences in health risks between reclaimed water and other water types were found.
- Reclaimed water can safely be used on lands within critical (drinking water) watersheds.
- Reclaimed water was generally not found to cause the quality of surface water to be significantly different.
- The primary difference between reclaimed, surface, and groundwater is that reclaimed water is disinfected and thus has a higher level of disinfection-by-products.
- Pharmaceuticals, hormones, steroids, organics, nutrients, microbials, and synthetic chemical constituents have multiple pathways into the environment and many are now ubiquitous in the environment.

The published study concludes; *“The results of this project are of specific interest in helping researchers develop the scientific information necessary to demonstrate that reclaimed water can be safely used on lands within critical watersheds. These watersheds include those that supply public drinking water sources with limited treatment in place to reduce concentrations of pharmaceuticals, hormones and steroids, volatile organics, semi volatile organics, nutrients, microbiologicals and synthetic organic chemical constituents prior to drinking water use.”*

An overview of the recently completed reclaimed water study, found that the quality of reclaimed water was more similar than dissimilar from surface and ground water, and posed no greater public safety risk than other water types. Varying levels of pathogens, pharmaceuticals, personal care products and other microconstituents are found in all types of water. Improved technology now

allows detection of some items to the level of a part-per-trillion, which is the equivalent of one grain of sand on a football field stacked 45-high with sand. (CD 1/Track 1 – 01:39:10/01:47:00)

Discussion ensued regarding detection of minute quantities, public access reuse standards, importance of reuse as a resource, and outreach to the public to send the message that reuse is safe.

This item is presented for information only. (CD 1/Track 1 – 01:47:00/01:54:40)

Comments

Mr. Moore said the Authority and Charlotte County will be meeting to discuss the contract responsibilities for the pipeline project. From the District's perspective, he noted the project includes about \$5 million of state funding which is difficult to secure in these economic times. He said it is important to commit funds to shovel-ready projects since there are many competing interests for the funds, such as Lake Hancock and FARMS projects. Mr. Moore said the issue needs to be resolved expeditiously as possible since it will influence what the District does with the \$5 million. Mr. Lehman said the Authority understands and the Board of Directors will be discussing the issue at its meeting next week.

On behalf of the Authority Board, Chair Loftus expressed his appreciation to each of the Governing Board members for their cooperative efforts. Chair Pressman said he has been on the Board for about five years and felt this was one of the best meetings. He thanked the members of the Authority for joining in this workshop.

Chair Pressman noted there were no requests from the public to speak.

Mr. Moore briefly explained the District's *Get Outside!* campaign and encouraged everyone to participate.

Adjournment

Chair Pressman adjourned the workshop at 12:01 p.m. (CD 1/Track 1 – 01:54:40/02:00:20)

The Southwest Florida Water Management 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 Director at (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us.