

APPROVED

Minutes of the Meeting

Withlacoochee River Basin Board Southwest Florida Water Management District

Brooksville, Florida

August 13, 2009

The Withlacoochee River Basin Board of the Southwest Florida Water Management District convened for a regular meeting August 13, 2009, at 9:00 a.m., at District Headquarters.

Board Members Present

Ronald Oakley, Co-Chair
Doug Tharp, Co-Chair
Albert Rooks, Vice Chair
Janey Baldwin, Secretary
Jack Dennis, Member
Candy Nathe, Member
Kelly Rice, Member

Board Member Absent

William Bachschmidt, Member

Staff Present

Dave Moore
Lou Kavouras
Bruce Wirth
Mark Hammond
Eric Sutton
Mike Kelly
Beth Putnam
Miki Renner
Jimmy Brooks
Cara Martin

Cathy Linsbeck
Doug Sanders
Randy Emberg

Recording Secretary

M. Frances Sesler

A list of others who were present and signed the attendance roster is filed in the permanent files of the Basin. Compact discs of the audio and copies of the materials and handouts, as set out in full herein, are also filed in the permanent files of the Basin.

1. **Call to Order and Roll Call**

Co-Chair Oakley called the meeting to order at 9:00 a.m. Ms. Sesler noted a quorum was present. (CD 1/Track 1)

2. **Pledge of Allegiance to the American Flag**

Co-Chair Oakley led the Pledge of Allegiance to the American Flag.

3. **Additions and Deletions to the Agenda**

Ms. Lou Kavouras, Deputy Executive Director, Outreach, Planning, and Board Services, reported there were no additions or deletions to the agenda.

4. **Oath of Office for Appointed/Re-Appointed Board Members**

Ms. Kavouras administered the Oath of Office to Ms. Candy Nathe who was appointed to the Board on August 4, 2009; her appointment expires March 1, 2012. Ms. Kavouras congratulated her upon her appointment. (CD 1/Track 1)

5. **Basin Activities Report and Agenda Review**

Mr. Doug Sanders, Basin Planner, provided a brief overview of relevant items on the agenda, information items, and other topics of interest. Mr. Sanders explained how the items relate to the Board's Strategic Budget Priorities, the Strategic Plan, or other Board concerns. In addition, Mr. Sanders said the Board will be asked to reaffirm its Strategic Budget Priorities for the coming fiscal year. On October 16, 2008, the Withlacoochee River Basin Board held its annual planning workshop for the purposes of reviewing recent accomplishments, identifying emerging issues, and setting strategic budget priorities for Fiscal Year 2010. These priorities provide guidance to District staff and the Basin Board's cooperators in identifying and scoping projects for potential Basin Board funding. At the workshop, the Board agreed on the following set of strategic budget priorities:

- Watershed Management Program
 - Withlacoochee River Restoration
 - Flood & Surface Water Capture
 - Timber & Multi-Use Management

- Regional Water Supply Projects
 - Reuse Construction
 - Construction-Ready Projects
- Springs Protection
 - SWIM Projects
- Citrus/Hernando Waterways Restoration Council
 - Tsala Apopka Chain of Lakes
- Public and Youth Education

Staff believes the Basin Board's issues and concerns have not changed substantially from the previous year, and requested reaffirmation of those priorities as staff prepares for the upcoming budget cycle and Cooperative Funding kickoff meetings. Mr. Sanders provided copies of the draft Strategic Plan to Board members and requested input by the end of the month. He said comments can be forwarded to Mr. Roy Mazur, Planning Department, at watermatters.org. (CD 1/Track 2)

Following consideration, Mr. Rice moved, seconded by Ms. Baldwin, to approve the staff recommendation to reaffirm the Basin Board's Strategic Budget Priorities for fiscal year 2010-2011.

Mr. Jimmy Brooks, Community Affairs Program Manager, expressed his appreciation to the Board members for the time and effort they put into their roles as Board members. He confirmed his retirement from the District effective September 25, 2009, and introduced Ms. Cara Martin, who will assume Mr. Brooks' position when he retires.

6. **Consent Items:**

a. **Minutes of the June 11, 2009, Meeting**

Approve the June 11, 2009 minutes, as presented. (CD 1/Track 3)

b. **Consent Item**

i. **Appraisals and Exchange/Sale Agreement – Weekiwachee Preserve and Lake Panasoffkee Projects, SWF Parcel Nos. 15-773-206S and 19-528-112**

Recommend the Governing Board:

- (1) Accept the appraisals;
- (2) Approve the Exchange/Sale Agreement;
- (3) Declare SWF Parcel No. 15-773-206S as surplus and no longer needed for conservation purposes (two-thirds majority required) and convey the property to Pete and Gus Glannakopoulos subject to the terms of the Exchange/Sale Agreement; and
- (4) Designate SWF Parcel No. 19-528-112 as having been acquired for conservation purposes.

c. **Board Encumbrances**

i. **Facilitating Agricultural Resource Management Systems FARMS Program (H017)**

Approve the encumbrance of up to \$25,000, or the remaining dollars available, from the FY2009 budget to be used for future years FARMS projects.

ii. **Northern Sumter County Data Collection and Monitoring Project**

Approve the encumbrance of \$100,000 (of which \$50,000 is from the General Fund, \$25,000 is from the Coastal Rivers Basin, and \$25,000 is from the Withlacoochee River Basin Boards), without a contract, to be used for the Northern Sumter County Data Collection and Monitoring Project.

d. **Annual Calendar of Meeting Dates – Fiscal Year 2010**

Approve the FY2010 Basin Board meeting schedule as presented.

Following consideration, **Mr. Dennis moved, seconded by Ms. Baldwin, to approve the Consent Items as presented. Motion carried unanimously.** (CD1/Track 3)

7. **Discussion Items:**

a. **Progress Energy's Proposed Levy County Nuclear Facility**

At the request of Basin Board Member William Bachschmidt, Ms. Wendy Horne, Communication Specialist, Progress Energy, presented a brief overview and update to inform Board members of the project and the public outreach efforts. A general location map of the project site was included in the Board packet as Exhibit 3. Ms. Horne said Progress Energy has 13 generating sites in Florida with Crystal River being the largest at 4,700 acres on the Gulf of Mexico, providing half the generating capacity for the state of Florida.

In June 2007, District staff met with representatives of Progress Energy to discuss three initiatives within the District and the related potential water needs. This included a new coal-gasification, power-generating facility in Polk County and the enhancement of air quality control equipment at the coal-fired plants in Citrus County. Following approvals by the Nuclear Regulatory Commission, the company's third initiative, a nuclear power plant in Levy County could be online by the year 2018. Ms. Horne said the Levy project is eight miles north of the Crystal River units, approximately 5,200 acres. The plans are to build two Westinghouse units that would generate about 1,100 megawatts each. As part of that project, a commitment was made with the Department of Environmental Protection (DEP) that the oldest coal-fired unit at the Crystal River site will shut down, pending the second unit of Levy coming on-line and during its first fuel cycle, or around 2020. The generation that is expected from Levy will more than make-up for shutting down the sites in Crystal River.

Ms. Horne said a 27-acre easement was received from the State at the Cross Florida Barge Canal. The plans are to build a barge slip to bring in large components of the plants and have an intake structure to bring in saltwater to use in cooling. Mr. Tharp asked if the saltwater cooling would be 100 percent from the new plant. Ms. Horne said the 100 percent cooling would come from the Cross Florida Barge Canal. Ms. Baldwin questioned the fuel rise and asked regarding the report that was brought back from France. Ms. Horne said she has not seen the report but could do some follow-up. Mr. Dennis noted the Barge Canal will have a lot of use in the future. Mr. Rooks spoke of water supply versus energy supply based on the capacity of the coal in the new plant that is in place now. Looking at population projections, he asked if this plant would meet the needs of this area or would there be an energy shortfall in the future without the construction as planned. Ms. Horne said it takes about ten years to build a plant; construction needs to begin early. Based on projections, she feels that these plants are needed. Ms. Baldwin said she is very impressed with the company's plans because there will be a greater need for energy.

This item was presented for the Board's information; no action was required. (CD 1/ Track 4)

b. **Fiscal Year 2010 Budget Discussion & Approval of Final Millage Rate and Budget**

Mr. Bruce Wirth, Deputy Executive Director, Resource Management, gave an overview of the proposed budget for FY2010. The Basin's proposed budget for FY2010 had been updated to reflect ad valorem revenue based on the proposed millage rate adopted by the Basin Board on June 11, 2009, and the 2009 Certification of Taxable Value received from the county property appraisers.

In April, the preliminary budget was presented to the Withlacoochee River Basin Board for discussion and initial direction regarding the funding levels of the various budget categories, including prioritization of Cooperative Funding and other Basin projects. The direction received from the Basin Board at the meeting was incorporated into the budget, and a revised budget was presented to the Basin Board in June.

In June, the Basin Board adopted a proposed millage rate of 0.2308 mill for FY2010, same as FY2009. Staff reviewed the proposed budget for FY2010, focusing on the changes that have been made since June, and sought final direction regarding the allocation of resources. Staff recommended approval of a final FY2010 millage rate and budget. Ms. Kavouras read the three-part staff recommendation as follows:

- (1) Approve and adopt the required final millage rate of 0.2308 mill for FY2010.
- (2) Approve and adopt the final FY2010 budget; and
- (3) Approve Resolution No. 91 -- Resolution Affirming the Required Final Millage Rate and Budget for Fiscal Year 2010.

Mr. Rice and Mr. Rooks requested FEMA map information for Sumter County.

Following consideration, **Mr. Rice moved, seconded by Mr. Dennis, to approve staff's recommendations, as stated above. Motion carried unanimously.** (CD 1/Track 5)

At this time, the Chair heard from Mr. Chester Bradshaw, an advocate for the Withlacoochee River Watershed. Mr. Bradshaw asked that the berm issue, which was voted down in June, be re-opened and reviewed. Ms. Baldwin said she would like a legal opinion on this suggestion before any motion or anything was considered by the Board. Mr. Wirth said it would take someone on the prevailing side who had voted the issue down to make a motion for this issue to be brought back for discussion, and then a vote by the Board. Chair Oakley said that the issue has been before the Board for some time, the landowner is not willing to give an easement so that staff might take care of this matter. Mr. Dave Moore, Executive Director said the Board should not be having this discussion until the Board votes to re-open the issue. (CD 1/Track 6)

Chair Oakley recognized Mr. Al Grubman, Too Far Inc., who asked to speak on the berm issue. Mr. Grubman was told the discussion could not be continued. Ms. Baldwin said she is in agreement with Chair Oakley to seek legal opinion on which avenue to take to hear the berm issue. Mr. Wirth will confirm the legal opinion on the matter and report back to the Board if it is different than what had already been stated. (CD 1/Track 6)

8. **Report:**

a. **Basin Board Education Committee**

Ms. Baldwin, the alternate representative to the Basin Board Education Committee, said a summary of the meeting was included as an exhibit in the meeting notebook. Ms. Beth Putnam, Communications Projects Administrator Manager, said the Water PRO Restaurant Outreach Program celebrated its one-year anniversary by signing up the 200th restaurant, and another 200 have been targeted for the year ahead. Ms. Putnam gave an update on the Florida Water StarSM Gold program, a list of builders who have signed contracts, and future audiences for the indoor and outdoor water conservation program. Potential certification of up to 140 homes to be built by the Florida Home Partnership, Inc. was highlighted. Ms. Putnam said some of those homes will be built in Dade City for first-time homebuyers who fit within a limited income level and are willing to contribute 600 hours of "sweat equity" to the building of their own home and the homes of others in the program. This item was presented for the Board's information; no action was required. (CD1/Track 7)

b. **Basin Board Land Resources Committee**

Mr. Rooks gave a review of the main topics of discussion, including revenue generation through multiple use management of District-managed properties, review of Land Use Stakeholders Discussion Group meeting and Florida Forever and Water Management Lands Trust Fund Funding statues. The next Basin Board Land Resources Committee meeting will be Tuesday, December 1, 2009, at the Green Swamp West Field Office, where Board members will tour the Green Swamp and restoration sites. This item was presented for the Board's information; no action was required.

Mr. Dennis reported on the Citrus County Task Force Restoration meeting which he attended. Topics of discussion were the Florida Department of Transportation, Fort Lonesome Disposal Site Formula, Flying Eagle and Moccasin Slough. Mr. Dennis said he will be covering the Task Force meetings and bringing a report to the Board every other month. This item was presented for the Board's information; no action was required. (CD 1/Track 7)

c. **Governing Board Activities**

A written report of the highlights from the July 28 Governing Board meeting was handed out at the meeting. The meeting was held at the Polk County Administration Building in Bartow. Chair Oakley said the Board extended and modified the Phase IV restrictions now allowing residential car washing once a week, do-it-yourself pressure washing for other than purely aesthetic situations, and large fountains to run for four hours per day. The one-day per week, four-hour lawn watering window remains. Mr. Tharp said the challenge is getting people to conserve; even though there is some rain, the drought problem is far from being solved. (CD 1/Track 7)

9. **Announcements:**

Ms. Kavouras noted that a Land Management Tour is planned for August 19 to visit the Lake Panasoffkee Tract and Potts Preserve. Mr. Rooks called attention to the Strategic Budget Priorities Timber and Multi-Use Management, which was chosen as one of the Basin's priorities. He felt the Board should be more proactive when looking at Multiple Use Management. He said this would be a good topic of discussion for the Boards' workshop in October. Ms. Kavouras also reminded the Board members of the joint meeting and workshop of the Withlacoochee River and the Coastal Rivers Basin Boards Tuesday, October 13, 2009, 9 a.m., at Brooksville Headquarters. Also, a Joint Governing and Basin Boards Workshop is being held Tuesday, December 15, 2009, 9 a.m., Nature's Classroom, Thonotosassa.

10. **Adjournment**

There being no further business to come before the Board, Chair Oakley adjourned the meeting at 10:47 a.m. (CD 1/Track 7)

****Information Items****

The items listed below were for the Board's information, intended to keep the Board apprised of completed projects, cancelled projects, and projects that have executed contracts and are ready to begin. These items did not require Board action at this time.

1. Withlacoochee River Watershed Initiative (H066)
2. Implementation of Best Management Practices in the Duck Lake Watershed – Tank Lake Improvement Area (L875) - Execution Notice

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3. Development of Landscape Fertilizer Best Management Practices – Phase 1 (N013) - Execution Notice
 4. Continental Utilities Reclaimed Water Master Plan (N061) - Execution Notice