

# Approved

## Minutes of the Meeting

### **COASTAL RIVERS BASIN BOARD MEETING** Southwest Florida Water Management District

Brooksville, FL

April 10, 2008

The Coastal Rivers Basin Board of the Southwest Florida Water Management District convened for a regular meeting at 1 p.m. on April 10, 2008, at District Headquarters, Brooksville, Florida.

#### **Board Members Present**

Judith C. Whitehead, Chair Ex Officio  
William Y. Bunch, Member  
Samuel H. Lyons, Member  
Randall S. Maggard, Member  
John M. Nicolette, Member Designate

#### **Staff Present**

Bruce Wirth	Lou Kavouras
Linda Pilcher	Marty Kelly
Mark Hammond	Eric Sutton
Miki Renner	Ken Herd
Beth Putnam	Jimmy Brooks
Doug Sanders	

#### **Board Member Absent**

Elaine H. Perry

#### **Recording Secretary**

Phyllis Young

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

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

Chair Ex Officio Judy Whitehead called the meeting to order at 1 p.m. Phyllis Young, the Board's administrative support, called the roll and noted a quorum was present. (CD 1/Track 1)

#### **2. Pledge of Allegiance**

Chair Whitehead led the Pledge of Allegiance to the American Flag. (CD 1/Track 1)

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

Deputy Executive Director Lou Kavouras, Outreach, Planning, and Board Services, announced several changes to the agenda, as follow:

- Since no gubernatorial appointments or Senate confirmations concerning this Board had been received, Agenda Item 4 was deleted from the agenda.
- The Conner Preserve Consent Item 5c had been deleted from the agenda and would be presented at a later date.
- Discussion Item 6d, Status of Watershed Management Plans, would be covered during Discussion Item 6e, Fiscal Year 2009 Budget Preparation.
- "Transition of the Withlacoochee Regional Water Supply Authority," which was planned as part of the "Fiscal Year 2009 Budget Preparation," would be taken at the beginning of the Discussion Items. (CD 1/Track 1)

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

This item was deleted as stated above.

#### **5. Consent Items:**

- a. **Minutes of the February 14, 2008, Meeting** – Minutes were approved with one correction. The motion on Discussion Item 6d, "Pasco County Design and

**Construction of Wet-Weather Reclaimed Water Reservoir – Lake O'Lakes," passed with Mr. Lyons voting nay.**

- b. **District's Watershed Management Program and FEMA Map Modernization – Hernando County Cooperative Funding Agreements** - Recommend the Governing Board authorize the Executive Director to sign the Amendments to the Cooperative Funding Agreements with Hernando County to allow the funds originally budgeted for alternatives analysis to be used to update the watershed models for the Oman Quarry (\$38,000), Indian Creek (\$25,000), Blue Sink (\$69,810), and Wiscon (\$163,000) watersheds.
- c. **Land Use and Management Plan for the Conner Preserve** – This item was deleted from the agenda.
- d. **Second Amendment to License Agreement with Tampa Bay Water – Starkey Wilderness Preserve** - Recommend the Governing Board approve the second amendment to the license agreement with Tampa Bay Water, SWF Parcel Nos. 15-010-053X, 16-010-028X, and 16-010-037X.
- e. **Declaration and Conveyance of Surplus Lands to Florida Department of Transportation (FDOT) – Conner Preserve** - Recommend the Governing Board:
  - Declare SWF Parcel No. 15-704-105S surplus and convey the property to the FDOT;
  - Convey access easement over SWF Parcel No. 15-704-106X to FDOT; and
  - Accept the appraised value of \$33,000 for fee title to SWF Parcel No. 15-704-105S and the appraised value of \$1,600 for a permanent easement to SWF Parcel No. 15-704-106X. (CD 1/Track 1)

6. **Discussion Items:**

ADD-ON

**Transition of the Withlacoochee Regional Water Supply Authority (WRWSA)**

Ken Herd, Water Supply Program Director, prefaced this presentation by stating this item is presented as part of the fiscal year (FY) 2009 budget. It is proposed as a Basin initiative, Project B279, which would assist the WRWSA transition into a more institutionalized structure and become a true regional utility, similar to other water supply authorities in the District. The proposal presented is a request for \$400,000 per year over the next five years, for start-up funds to enable the transition to occur. After the initial five years, the WRWSA member governments would be expected to provide funding necessary to enable sustainable operation of the administration. Proposed funding would be equal between the Coastal Rivers and Withlacoochee River Basin Boards, at \$200,000 each. However, \$400,000 is not a firm figure; staff is anticipating an agreement on that figure will be reached by June 2008. (CD 1/Track 2/11:28)

Mr. Herd introduced Jack Sullivan, Executive Director of the WRWSA, and gave the podium to him. Before beginning his presentation, Mr. Sullivan introduced Ms. Rose Rocco, the WRWSA chair and Hernando County Commissioner. He then stated his purpose in addressing the Board: to request the Board help fund the WRWSA's transition. He provided information to help the Board make its decision, including why the WRWSA has lagged in becoming a full-time utility, changes to population and ground water availability, and complexity of water supply. He also spoke on the need for permanent office space and professional staff, development of legal and financial documents and implementation plans, and a commitment toward working cooperatively on future water supply projects. Proposals to make the transition, long-term goals, and financial considerations were also presented.

In conclusion, Mr. Sullivan stated that without District financial assistance, the WRWSA cannot make the transition—and the transition needs to be now in order to meet water supply needs into the future.

Mr. Lyons requested a copy of the Mr. Sullivan's PowerPoint presentation and more detailed information on administrative costs. (CD 2/Track 2/11:31)

Commissioner Rocco addressed the Board on the importance of regional planning and being proactive instead of reactive. Beginning an action plan now, she said, will ensure a Board that is cohesive, with strong leadership and direction. She expressed her appreciation to the Basin Board for cooperating with Mr. Sullivan as this process moves forward. (CD 1/Track 2/12:01)

Mr. Al Grubman, representing the Too Far organization, voiced his agreement about the importance of regional planning; however, he told the Board of his concern about taking water out of the Withlacoochee River before it passes the Tsala Apopka Lakes. He asked for the Board's help and oversight in managing the situation and making it a success.

This topic was presented for the Board's information; no action was required. (CD 1/Track 2/12:03)

a. **Election of Officers and Committee Representatives**

Election results were the following:

**Vice Chair:** Randy Maggard

**Secretary:** Elaine Perry

**Basin Board Land Resources Committee:**

Primary Representative: Randy Maggard

Alternate: John Nicolette

**Basin Board Education Committee:**

Primary Representative: Elaine Perry

Alternate: William Bunch

**Weeki Wachee Task Force Advisory Group**

Primary: Sam Lyons

Alternate: Elaine Perry (CD 1/Track 3)

b. **Lynqbya Update**

At the Board's request to be updated periodically on Lynqbya research, Environmental Section Manager Veronica Crow gave a report on research being funded by the Florida Department of Environmental Protection (FDEP) on the control and management of Lynqbya. Ms. Crow reviewed the objectives for the FDEP/Clemson University projects on Kings Bay and on Rainbow River and gave highlights of the management options for Kings Bay and progress of the Rainbow River project.

Concerning the 2007 FDEP contract with the University of Florida for the "Control of Lynqbya Using Ultrasound," preliminary results showed no difference between the test and control samples; therefore, the project was discontinued. The ultrasound unit has been removed from the Rainbow River; currently, there are no plans to conduct any further tests.

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

c. **Consumer Fertilizer Task Force Report**

Ms. Craw prefaced her presentation by stating that improperly used fertilizer can run off lawns into rivers and spring systems, and ultimately into the Gulf of Mexico. Excess nutrients in that run-off can lead to low dissolved oxygen, fish kills, and other environmental degradation. Thus, the Florida Consumer Fertilizer Task Force was

created within the Department of Agriculture and Consumer Services (DACS) by the Florida Legislature in July 2007 to review and provide recommendations on the State's policies and programs regarding consumer fertilizers. Using the best available data and science, the 13-member Task Force developed recommendations on fertilizer use, application, training, education, research, and funding.

Ms. Craw's presentation included Task Force membership, the State legislative charge, timeline, recommendations, and correlation to House Bill 1267 and Senate Bill 2352, the "Protecting Urban and Residential Environments & Water Act."

(Task Force recommendations were included in the meeting notebook as Exhibit 4.)

This item was presented for the Board's information; no action was required. (CD 1/ Track 5)

d. **Status of Watershed Management Plans** – This item was covered under Discussion Item 6e, Fiscal Year 2009 Budget Preparation.

e. **Fiscal Year 2009 Budget Preparation**

Deputy Executive Director Bruce Wirth began the budget discussion by making comments to orient members on their first look at a preliminary budget for fiscal year (FY) 2009. He emphasized the importance of their direction concerning funding levels of the various budget categories, including prioritization of Cooperative Funding proposals and other Basin projects. First-time cooperative funding proposals, after staff review, were tentatively ranked as 1A, High, Medium, or Low priority. Mr. Wirth explained that the cooperative funding project ranking was preliminary. He also explained that the budget was prepared assuming ad valorem revenue at five percent below FY2008. This is due to tax reform legislation enacted in 2007, the constitutional amendment approved in January 2008, and declining property values. In June, staff will provide an updated ad valorem revenue estimate to the Basin Board and present a revised budget, based on the Board's input and further investigation by staff. At the July meeting, the Basin Board will vote on a final FY2009 millage rate and budget for recommendation to the Governing Board. (CD 1/ Track 6)

Before Mr. Wirth's budget review, Mark Hammond, Resource Projects Director, provided short reports on two significant projects that were included in the FY2009 budget for the Board's consideration.

The **New Development Reclaimed Water Distribution Initiative (B276)** arose from the Governing Board's Reclaimed Water Task Force and was formed to address concerns about increasing the amount of reclaimed water and how much water was being offset by the use of reclaimed water. The Initiative would be an incentive to developers to install distribution lines, during residential construction, that would facilitate the use of reclaimed water in new residential development, if the reclaimed water was available within five years and if no other alternative water sources were identified. District funding would be provided to developers through the Cooperative Funding Initiative. For this Basin, \$500,000 would be set aside, if the Board approves, for FY2009. Funding would be 50 percent of the average unit cost of \$1,200, or \$600 per home, which

represents approximately 830 homes within this Basin and would offset 0.25 million gallons of water per day. Mr. Hammond highlighted elements of the Initiative, including local government requirements for reclaimed lines in developments, administering such a program, and retrofits.

Mr. Lyons stated that he is strongly opposed to taxpayers subsidizing the development community and that the developers should be responsible for reclaimed lines through the cost of homes, or the counties through impact fees. He was vehement that the Basin Board should have nothing to do with this initiative and further stated that the \$500,000 that could be set aside by the Basin for the initiative would be better spent on Cooperative Funding projects that fall below the funding line. (CD 1/Track 7)

The Watershed Management Program is a high priority of the District to obtain floodplain information that will help identify areas at risk for flooding. With the heavy rains of the mid-1990s, the need for the Watershed Management Program was evident. Mr. Hammond used the Zephyrhills area of eastern Pasco County as an example of mapped flood zones compared to areas where flooding complaints were made by the public, and local governments asked for assistance from the District to identify areas at risk for flooding. He reviewed the Program goals and the relationship to the Federal Emergency Management Agency (FEMA) Map Modernization Process, which is integral to the Program. He closed by emphasizing the importance of prioritizing the watershed studies in order to get "ahead of the curve" and alleviate the need for costly new "fixes" in the future. (CD 1/Track 8)

Mr. Wirth continued the budget discussion by briefly reviewing the tentative budget and new Cooperative Funding projects. He reminded members that the budget process is in the beginning stages, staff continues to evaluate the real needs of cooperators, and questions and comments are helpful to staff and should be directed to the Project Manager, Ms. Kavouras, Basin Planner Doug Sanders, or him. (CD 1/Track 9)

## 7. **Reports:**

### a. **Basin Board Education Committee Meeting**

Communications Manager Beth Putnam brought the Board's attention to a report on the March 11, 2008, Basin Board Education Committee meeting, which is Exhibit 5 in the meeting notebook. She announced that (1) Robin Grantham is the new Water Conservation Hotel and Motel Program (C.H.A.M.P.) coordinator and (2) a new addition to Water C.H.A.M.P. is outreach to restaurants through the Florida Restaurant and Lodging Association. (CD 1/Track 10)

### b. **Governing Board Activities**

At Chair Whitehead's request, staff played pre-recorded highlights of the March 25, 2008, Governing Board meeting. Communications Manager Robyn Felix narrated the brief recap of the meeting, which included the Oath of Office and welcome to new Governing Board member Paul Senft, the Governor's designation of April as Water Conservation Month, an emergency authorization for the Peace River/Manasota Regional Water Supply Authority to utilize aquifer storage and recovery (ASR) wellfields to meet regional water demands due to ongoing drought, acquisition of the Hamilton property as part of the Lake Hancock Lake Level Modification project, and renewal of the City of Lakeland's water use permit. (CD 1/Track 11)

Chair Whitehead added that the joint Governing Board/WRWSA workshop held in March was very productive and a great opportunity for issues to be discussed.

The Chair also congratulated Mr. Maggard on his appointment as a delegate to the Republican Convention. (CD 1/ Track 12)

8. **Announcements:**

- Ms. Kavouras updated the Board on recent Governing and Basin Board appointments, the addition of two seats to the Governing Board, and rearranging of counties the Governing Board's at-large seats represent. (CD 1/Track 12/11:50)
- Mr. Lyons brought attention to a movement in Citrus County regarding purchase of the Three Sisters Springs property for preservation. He clarified that the District has committed to restoration work once the property is purchased, but recent editorials are misleading in stating that the District is the lead agency in the purchase. (CD 1/ Track 12/11:52)

Eric Sutton, Assistant Land Resources Director, stated that the acquisition of the Three Sisters Springs property did not completely overlap with the mission of the District, but the restoration component did. Many local agencies are involved; Crystal River City Manager Andy Houston is taking the lead on negotiations. The current plan is to apply for a Florida Communities Trust Grant. Mr. Sutton further stated the District is not holding up the project and should be proud to bring the project where it currently is. (CD 1/Track 13)

Chair Whitehead thanked Mr. Lyons for bringing this issue to the Board's attention.

- Ms. Kavouras directed the Board's attention to announcements listed on the agenda and emphasized that the July 24 meeting is no longer tentative. (CD 1/ Track 13/17:21)

9. **Adjournment**

When there was no further business to come before the Board, Chair Whitehead adjourned the meeting at 3:20 p.m.

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\*\*\*\*Information Items\*\*\*\*

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The item(s) 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 item(s) did not require Board action at this time.

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1. City of New Port Richey Midwest/Northwest Reclaimed Water Distribution System (L812) – Execution Notice
2. Pasco County Ultra Low Volume Toilet Rebate Project (L843) – Execution Notice

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