

**APPROVED
MEETING SUMMARY**

**Environmental Advisory Committee
Southwest Florida Water Management District
June 9, 2008**

The Environmental Advisory Committee of the Southwest Florida Water Management District convened for a regular meeting at 1:40 p.m., June 9, 2008, at the Tampa Service Office, 7601 Highway 301 North, Tampa, Florida.

Committee Members Present

Gregory Nowaski, Chair
Alton Cheatham, Vice Chair
Dwayne Carlton
Holly Greening
Eileen Hart
Dave Kandz
Wade Matthews
Ron Miller
Keith Renish
Betsy Roberts
Sharon Terrill

Staff Members Present

Lou Kavouras, Facilitator
Clark Hull
Elaine Kuligofski
Roy Mazur
Joanne McClellan
Lois Sorenson
Ken Weber

Other Presenters

Rosemary Fagler, Progress Energy
Eric Shaw, DEP

Governing Board Member

Todd Pressman

Recording Secretary

Teri Hudson

Approved minutes from previous meetings can be found on the District's Web site at (www.WaterMatters.org).

The numbers preceding the items below correspond with the published agenda.

1. Call to Order and Introductions

Chair Greg Nowaski called the meeting to order. He welcomed members, staff, and interested persons attending and provided members an opportunity to introduce themselves.

2. Additions and Deletions to the Agenda

Lou Kavouras, Deputy Executive Director, Outreach, Planning and Board Services, stated there were no additions, changes, or deletions to the agenda as published.

3. Approval of Previous Meeting Summary

A motion was made and seconded to approve the March 10, 2008 meeting summary as presented. Motion carried unanimously.

4. Drought Update/Hydrologic Conditions

Lois Sorensen, Demand Management Coordinator, stated the Water Shortage Order SWF 07-02 first declared January 9, 2007 is still in effect and is set to expire June 30, 2008. April was an exceptionally wet month, but May was not. The region received only 21% of expected rainfall. Ms. Sorensen stated according to the drought indicators there is an expectation for improvement in our area and the second half of our rainy season looks like it will be above average. Ms. Sorensen informed the committee the water shortage order is set to expire at the end of June. Staff will make a final analysis by June 19 and will likely recommend an extension of the order.

5. Year-Round Water Conservation Measures Rule Revisions and Statewide Consistency

Lois Sorensen said the goal of this rule is to have greater statewide consistency in year-round water conservation. The proposal was a major interagency coordination effort between the three largest water management districts to consider the following: consistent days and times for watering; special winter schedule; and a cleaner definition of "one complete application" in regard to lawn watering. Ms. Sorensen discussed recent updates to this rule in regard to reclaimed water. The proposal is to possibly add an interim third day allowance for reclaimed water. This would be flexible to address storage and disposal concerns, and would be a phase-in process over the life of a permit or variance. Ms. Sorensen said another option is a provider-proposed alternative to include a net result of three times a week on average; customer education; lawn watering schedule; metering and volumetric rate; planned interruptible service; and, a surcharge based on budget or contract. Staff is seeking committee input. This proposed rule is under consideration. Mr. Nowaski asked for an update on the Enhanced Water Conservation Measures for Water Use Permits Rule. Ms. Kavouras said she can send the committee members an update via email.

6. 20-Year Water Use Permits

Ken Weber, Water Use Program Director, said that by statute a 20-year permit shall be granted if requested and if there is sufficient data to provide reasonable assurance that conditions of issuance will be met for 20 years. These conditions include: demand; impacts to wetlands, existing users, water quality; water conservation; and alternative sources. Should a 20-year permit be issued, a five year compliance report would be required to provide continuing, reasonable assurances that conditions for issuance are met. Mr. Weber stated that he is seeking committee input regarding this. Comments or suggestions can be sent to him or Ms. Kavouras. Ms. Holly Greening stated staff should incorporate incentives that make it worthwhile to the applicant to get a 20-year permit. Ms. Eileen Hart expressed her concern for wetlands damage due to public supply entities having a 20-year permit. Mr. Weber responded the District would not issue a 20-year permit if potential impacts exist. Ms. Betsy Roberts said she is concerned about abuse from entities that have a 20-year permit. Mr. Weber responded the District will monitor conditions through required reports to determine if a permittee has deviated from their permit.

7. Rule-making to Expand Delegation of Authority to the Executive Director for Issuance of ERPs and WUPs

Ken Weber said historically only a small percentage of Environmental Resource Permits (ERPs) and Water Use Permits (WUPs) that go to the Governing Board for approval on the consent agenda are discussed. The Board normally approves staff recommendations. Under the proposed rule, the Executive Director would be able to approve an ERP permit that meets the following criteria: project size less than 500 acres; total impacts (temporary and permanent) less than 1 acre; and no sovereign submerged lands. For a WUP: permit quantity less than 10 MGD, and permit quantity does not increase. Mr. Weber said permits can still go to the Board for approval if there is special consideration for the permit or there is a request from a Board member, staff member, or permit applicant. The overall goal is to increase customer satisfaction by improving the stability and efficiency of the regulatory business processes.

8. Water Use Permitting Criteria

Ms. Kavouras stated Ken Weber can address questions and concerns the committee raised at their last meeting regarding water use permitting criteria. Mr. Weber suggested bringing a presentation to the next committee meeting to provide an introduction of these criteria for new members and a refresher for past members.

9. Statewide Uniform Stormwater Rule

Clark Hull, Regulation Program Director, discussed efforts to develop a new statewide stormwater rule. He said that each water management district has adopted stormwater rules that are similar but not identical; however, Florida Statutes state there is to be a statewide, coordinated and consistent permitting approach to activities. Mr. Hull said the proposed rulemaking approach will have a single statewide stormwater treatment rule adopted by DEP and implemented by water management districts; more stringent basin specific rules adopted by each water management district, if needed; the formation of a work group among staff of DEP and the water management districts for development of a conceptual rule; and provide for

input from stakeholder advisory committees to assist in the rulemaking effort. The projected date for rule adoption by the Secretary of DEP is July 2009.

10. Other Rulemaking

Ms. Kavouras provided the following rulemaking update: 1) there were several clean-up provisions and MFL's for the freshwater segment of the Alafia River as well as several Pasco County lakes were adopted in May. 2) Rules are now posted on our website at www.watermatters.org/rules. 3) There will be a rulemaking effort in regard to our FARMS program. 4) An update to the Districtwide Per Capita rule will be going to the Governing Board in June. 5) Enhanced Water Conservation Measures will be going to the Governing Board in August.

11. Strategic Plan Update

This item will be addressed with an email to all committee members.

12. Progress Energy Proposed Nuclear Plant in Levy County

Rosemary Fagler, Community Relations Manager for Progress Energy, provided an overview of their energy efficiency measures and plans to meet future needs. In order to address a growing customer base, they are proposing to meet future needs with an advanced nuclear power plant in Levy County. Ms. Fagler stated that nuclear energy provides reliable electricity with lower fuel cost. These lower fuel costs reduce their reliance on other, more expensive fuels and help keep energy affordable for customers. Nuclear energy is also environmentally friendly, producing no greenhouse gas or air emissions. Ms. Fagler said the Levy County property offers the following: close proximity to the Crystal River plant which is a benefit from an operational perspective; offers a salt-water intake for the plant's considerable water need; and offers access to the existing electric transmission system. A timeline for completion of this site is set for late 2015.

13. Reclassification of the Alafia River and Tampa Bypass Canal

Mr. Eric Shaw, Department of Environmental Protection (DEP), said the Tampa Bay Water's request to DEP for reclassification of the Alafia River and Tampa Bypass Canal is intended to preserve and protect the water quality the way it is today. The DEP can reclassify waters but reclassification to a higher use does not happen very often; however, this may occur more often as we experience water shortages statewide. To request a reclassification, Mr. Shaw explained that an agency is required to petition the Secretary of the DEP. Mr. Shaw is in the process of reviewing the petition from Tampa Bay Water. Public workshops are planned for the summer and the committee will be kept apprised.

14. District Environmental Stewardship

Due to time constraints, this item was moved forward to the next EAC meeting, September 8, 2008.

15. Proposed FY2009 EAC Meetings

The proposed FY2009 EAC meetings are for 1:30 p.m. in the District's Tampa Service Office on December 8, 2008, March 9, 2009, June 8, 2009, and September 14, 2009.

16. Development of Agenda Topics for the September 8, 2008 Meeting

- Rulemaking updates
- District Environmental Stewardship
- Springs Protection Ordinance (Dwayne Carlton)
- Water Use Permitting Criteria (Ken Weber)

17. Announcements and Other Business

There were no additional announcements or other business to come before the committee.

18. Adjournment

There being no further discussions, the meeting was adjourned at 5:50 p.m.