

APPROVED

MINUTES OF THE MEETING

Governing Board Southwest Florida Water Management District

Brooksville, Florida

January 30, 2007

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met at 9:00 a.m. on January 30, 2007, at Brooksville Headquarters. The following persons were present:

Board Members Present

Talmadge G. Rice, Chair
Judith C. Whitehead, Vice Chair
Neil Combee, Secretary
Jennifer E. Closshey, Treasurer
Thomas G. Dabney, Member
Heidi B. McCree, Member
Sallie Parks, Member
Todd Pressman, Member
Maritza Rovira-Forino, Member

Staff Members Present

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

Recording Secretary

Annette D. Zielinski, Senior Admin. Assistant

Board Members Absent

Patsy C. Symons, Member

A list of others present who signed the attendance roster is filed in the permanent files of the District. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

Public Hearing

1. Call to Order

Chair Rice called the meeting to order and opened the public hearing. Mr. Combee noted a quorum was present.

2. Pledge of Allegiance and Moment of Silence

Chair Rice led the Pledge of Allegiance to the Flag of the United States of America and asked that a moment of silence be observed. (CD 1/Track 1 – 00:00/01:55)

3. Additions/Deletions to Agenda

According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Mr. Moore announced the following additions and deletions to the agenda and said there would not be a closed attorney-client session held during the lunch break.

Regulation Committee

The following Consent Item was deleted from consideration:

27. WUP No. 20004912.006 - W F N- ~ - City of Lakeland – Polk County

Resource Management & Development Committee

The following Consent Item was deleted from consideration:

37. Approve Correction to Rule Amendments to Add Minimum and Guidance Levels for Selected Priority Lakes in Pasco County to Chapter 40D-8, Florida Administrative Code

Outreach & Planning Committee

The following Discussion Item was moved for consideration during the Regulation Committee following the water shortage discussion:

64. Media Messaging Overview

General Counsel's Report

The following Consent Item was deleted from consideration:

73. Initiation of Litigation – ERP No. 46007571.002 – Sean M. and Shelly A. Murphy
(Hidalgo Building) – Manatee County

4. **District Awards/Recognition**

a. **Land Resources Volunteer Program – Take Pride in America Volunteer Appreciation Awards**

Mr. Fritz Musselmann, Director, Land Resources Department, recognized national awards that were given to the volunteers actively participating in the District's Land Resources Volunteer program. The Take Pride in America Program is a national partnership established by the U.S. Department of the Interior that aims to engage, support and recognize volunteers who work to improve public lands. The program consists of federal, state, and local governments; conservation, youth and recreation groups; national corporations; and organizations and individuals dedicated to instilling a sense of volunteerism and good stewardship in all public land users. The District has been participating in this program and nominating volunteers for awards since October 2004. This award recognizes their dedication to volunteer service and signifies that they have served their community and country with distinction. The award consists of a congratulatory letter from President George Bush, a congratulatory letter from the President's Council on Service and Civic Participants, a formal award certificate and a commemorative pin. The volunteers that received the awards were as follows:

➤ Elizabeth Shupe	South Creek Equestrian Riders	68 hours
➤ Merrill Firmani	South Creek Equestrian Riders	65 hours
➤ Sonny Mattice	Lake Panasoffee Campground Host/2006	194 hours
➤ Carol Mattice	Lake Panasoffee Campground Host/2006	194 hours
➤ WYME Trailblazers	Equestrian Group with 21 volunteers	208 hours

The volunteers who attended today's meeting all expressed an appreciation to the District and the Governing Board for the ability to volunteer on and use public and conservation lands. Mr. Musselmann said the next Annual Volunteer Award Appreciation Day will be held on April 14, 2007, in Sumter County. (CD 1/Track 1 – 01:55/12:09)

b. **2006 Florida Government Communicators Crystal Awards**

Mr. Michael Molligan, Director, Communications Department, said two District projects received awards at the Florida Government Communicators Association's Crystal Awards Ceremony held in Miami Beach on November 30, 2006. The Crystal Awards recognize businesses, community groups, individuals and agencies that are effectively communicating important government programs, services and initiatives.

The Crystal River/Kings Bay "Know Where It Flows" program received the prestigious Judges Award and a first-place award in the public information campaign category for its efforts in protecting water resources in Citrus County. The "Know Where It Flows" campaign was developed to address increasing nitrate levels in Crystal River and Kings Bay. The campaign used media messaging and educational outreach to educate the public on two common practices that contribute to local water quality issues: proper fertilizer use and proper septic tank maintenance. The project was first funded by SWIM and the Coastal Rivers Basin Board in FY2005 and is being expanded into the Withlacoochee River Basin in FY2007 to include all of Citrus County and portions of Marion County.

"The Watershed and You: A Direct Connection" DVD received a second-place award in the video (occasional) category. The 20-minute DVD was created by the Science and Environment Council of Sarasota County as part of an FY2006 project cooperatively funded by the Manasota Basin Board. The DVD encourages developers, neighborhood associations, gardeners, business owners and residents to understand the key role they play in preserving the natural resources in Sarasota County. The video (occasional) category recognizes videos designed to present information on a single subject.

Mr. Molligan recognized staff members, Mesdames Sylvia Durell and Kendra Antoine, for their hard work on these two campaigns. (CD 1/Track 1 – 12:09/17:02)

5. **Employee Recognition**

Mr. Moore said the District's employees are its most valuable resource. Mr. Moore made presentations to the Board for the employees who had achieved milestones of 20 years or greater, to specially acknowledge and commend the contributions of these individuals. Ms. Annie Taylor, Regulatory Procedures Analyst, Regulation Performance Management, celebrated 30 years of service and Ms. Cheryl Hill, Administrative Supervisor, Land Resources Department, marked 25 years. Four District staff members celebrated 20 years of service: Mr. Dave Thompson, Senior Systems Administrator, Information Resources; Ms. Elsie Baum, Regulation Processing Specialist, Regulation Performance Management; Ms. Lenora Williams, Computer Operations Supervisor, Information Resources; and Ms. Della Haberle, Administrative Supervisor, Operations. Mr. Phillip Jackson, who attended today's Board meeting, was celebrating the 20 years of service he reached on November 7, 2006. Mr. Moore welcomed Mr. Al Gamino, who joined the District as the Document Services Manager, in the General Services Department. (CD 1/Track 2 – 17:02/26:25)

6. **Approval of Minutes – November 30 and December 1, 2006 Governing Board Meeting**

Staff recommended approval of the minutes as presented. Following consideration, **Mr. Combee moved, seconded by Ms. Rovira-Forino, to approve the minutes as presented. Motion carried unanimously.** (CD 1/Track 2 – 25:25/26:38)

7. **Public Input for Issues Not Listed on the Published Agenda**

No requests to speak were submitted at this time. (CD 1/Track 3 – 00:00/00:44)

Regulation Committee

Item 27 was deleted from consideration.

Consent Items

8. ERP No. 43030937.000 - The Moorings (fka Harborside) – Charlotte County
9. ERP No. 43022864.003 - Sanctuary Cove – Manatee County
10. ERP No. 49023624.007 - Harbour Walk – Phase IV – Manatee County
11. ERP No. 43028370.003 - Tidewater Preserve Phase IV – Manatee County
12. ERP No. 43030237.000 - Stonedam Preserve – Manatee County
13. ERP No. 43006603.005 - Forest Glenn – Ph 2 – Marion County
14. ERP No. 43031687.000 - Silver View Farms – Marion County
15. ERP No. 49022088.001 - Hillcrest Preserve – Pasco County
16. ERP No. 49022088.002 - Hillcrest Preserve – Ph 1 – Pasco County
17. ERP No. 43023534.011 - Connerton Village 2 – Village Center – Pasco County
18. ERP No. 43026931.001 - Cypress Creek Town Center – Ph I – Pasco County
19. ERP No. 43027030.015 - State Road 56 – Wiregrass Ranch, County Road 581 to East Wiregrass Ranch Property Line – Pasco County
20. ERP No. 43026389.001 - Jordan Groves – Polk County
21. ERP No. 43012081.007 - Valente at Sabal Trace – Sarasota County

- 22. ERP No. 43019977.003 - Coral Creek Club Multi-Slip Docks (North Dock Mod and South Dock Proposed) – Sarasota County
- 23. ERP No. 43030118.000 - Villa Paradiso – Sarasota County
- 24. TWUP No. 20010420.005 - W S ~ - Extension of Temporary Permit for Peace River/Manasota Regional Water Supply Authority - DeSoto County
- 25. WUP No. 20003956.007 - W F D- - G & D Farms, Inc. – Manatee County
- 26. WUP No. 20004811.005 - W F I N U N- ~ - LMC Backbone Grove, LLC – Polk County
- ~~27. WUP No. 20004912.006 - W F N - - City of Lakeland – Polk County~~
- 28. WUP No. 20012926.000 - W S I N - Peace River/Manasota Regional Water Supply Authority, Charlotte County Board of County Commissioners, DeSoto County Board of County Commissioners, Sarasota County Board of County Commissioners, City of North Port, City of Punta Gorda – Sarasota County

WATER USE PERMIT LEGEND	
W = Water Use Caution Area	N = 100% new quantities
F = Floridan Aquifer	+ = More than 50% new quantities
I = Intermediate Aquifer	N- = 50% or less new quantities
S = Surface Withdrawal	D+ = More than 50% decrease
U = Surficial Aquifer	D- = 50% or less decrease
	~ = no change
R = 100% relocated quantities	
R+ = More than 50% relocated quantities	
R- = 50% or less relocated quantities	

Following consideration, **Ms. Rovira-Forino moved, seconded by Mr. Combee, to approve the Regulation Consent agenda as amended. Motion carried unanimously.** (CD 1/Track 3 – 00:00/00:18)

Discussion Items

29. Governing Board Concurrence with Declaration of Water Shortage -- Order SWF 07-02

Mr. Owen said, at its November 30, 2006 meeting, the Governing Board authorized the District's Executive Director to declare a water shortage and impose appropriate restrictions, if necessary, prior to the Governing Board's next regularly scheduled meeting on January 30. Staff has continued to monitor water resource conditions in accordance with the District's Water Shortage Plan (Chapter 40D-21, Florida Administrative Code). Conditions have generally been below normal in the 16 counties served by the District, and these conditions have not experienced sustained improvement as a result of December rain events.

A public hearing was held on Tuesday, January 9, so that the Executive Director could receive testimony from staff and the general public regarding these conditions and resulting impacts. At the conclusion of the public hearing, taking into consideration current conditions, contributions of local demand management efforts, uncertain weather predictions and public comments, the Executive Director determined that District action was necessary. He further determined that the action required was for all water users to conserve water consistent with the modified "Phase II" Severe Water Shortage restrictions recommended by staff. In order to put these restrictions into effect, the Executive Director then signed Order SWF 07-02. A copy of the Order was included as an Exhibit in the Governing Board notebook. It included a description of current conditions as of the date of the public hearing and a convenient fact sheet summarizing the new restrictions.

Mr. Granville Kinsman, Manager, Hydrologic Data Section, Resource Conservation and Development Department, reviewed the hydrologic conditions; and Ms. Lois Ann Sorensen, Demand Management Coordinator, Regulation Performance Management Department, presented the characteristics of the Water Shortage Order.

Order SWF 07-02 declares modified "Phase II" Severe Water Shortage restrictions for the District's entire 16-county area. These restrictions went into effect on January 16 and will remain in effect until July 31, unless rescinded or further modified prior to that date. The one modification, compared to "Phase II" restrictions as listed in the District's Water Shortage Plan, is that the once-per-week lawn watering schedule will remain in effect for the duration of the Order, instead of automatically reverting to the normal twice-per-week schedule after the winter months conclude. The Order also specifically acknowledges that some local governments already have once-per-week lawn watering restrictions in effect, allowing those local governments to retain any special local schedule if it is at least as restrictive as the modified "Phase II" restrictions.

Prior to the public hearing, District staff went beyond the legally required notification process, contacting local officials and advisory committee members by e-mail to inform them about the water shortage declaration to be contemplated. After the hearing, required public notices were published in newspapers of general circulation, such as the Tampa Tribune. These notices took the form of large display advertisements. As of January 11, letters were being prepared to notify local officials and Water Use Permit holders about the hearing's outcome. The District's website has been updated accordingly, and enhancements will be added in response to customer needs. As of January 11, staff was also in the process of enhancing the District's water restriction hotline (1-800-848-0499), such as the addition of temporary staff and updates to pertinent recordings. Local governments are in contact with staff regarding changes in enforcement and any unique needs; for example, the city of St. Petersburg requested and received permission to institute a special watering schedule. Staff is in the process of providing status presentations to the advisory committees, city councils and key groups.

Ms. Closshey inquired whether the District sends notices just to landowners or if operator records are kept and those operators are notified as well of a water shortage order. Ms. Sorensen said the notice would be sent to the permit holder on record. Ms. Closshey suggested a letter be sent to both the landowner and operator where applicable, to cover any potential gaps.

At this point in the meeting, staff presented Item 64, Media Messaging Overview, to be heard in conjunction with the water shortage order discussion.

64. **Media Messaging Overview**

Mr. Michael Molligan, Director, Communications Department, said water resource messaging is one initiative the District uses to promote water resources conservation and protection. Messages in FY2007 have been developed to focus on conservation. This year's campaign also highlights the University of Florida/Institute of Food and Agricultural Science's Florida Yards & Neighborhoods Program. Advertising on television, radio, billboards, newspapers and magazines will be concentrated once again during February and March for maximum impact. Mr. Molligan aired the three television spots that were just released.

The District reinforces these messages through other outreach efforts: education materials, news releases and interviews, speaking engagements, workshops, youth education and Community Education Grant projects, and the Water Conservation Restroom, which will appear at several events including the Florida State Fair. In addition, visitors to the District's web site will find Florida-friendly landscaping featured through

photographic examples of certified Florida-friendly yards, easy-to-use landscaping tips and links to the Florida Yards & Neighborhoods programs within the District.

In light of the recent Water Shortage Order, an additional radio buy focusing on water conservation aired spots during January. Because Tampa Bay Water has an ongoing messaging campaign in the Tampa Bay area, this supplemental January buy focused on stations broadcasting in Citrus, Sumter, Polk, Highlands, Charlotte, Hardee, DeSoto, Sarasota and Manatee counties for two weeks prior to the start of the District's regularly scheduled messaging campaign in February.

Mr. Molligan said Ms. Rovira-Forino has been instrumental in helping the District diversify its messaging outlets catering to multilingual users and ethnic communities. Ms. Rovira-Forino suggested, in the future, that spots also be created in Spanish for television and radio markets.

The total budget for the FY2007 media messaging program was \$500,000. Mr. Molligan pointed out that there will be an item on today's Finance and Administration Committee agenda seeking an additional \$250,000 for more media buys. Mr. Pressman said after the advertising dollars have been expended and the evaluation studies are completed he would like staff to present those results to the Governing Board.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 3 – 24:47/46:02)

After hearing Item 64, Mr. Owen presented the staff recommendation below. (CD 1/Track 3 – 00:18/24:47)

Staff recommended concurrence with Order SWF 07-02. Following consideration, **Mr. Combee moved, seconded by Ms. Parks, to concur with Order SWF 07-02. Motion carried unanimously.** (CD 1/Track 3 – 46:02/46:30)

Mr. Dabney apologized for being late for the start of the meeting; however, he missed the voting on Consent Item 28 and had hoped to pull it for discussion. He asked if reconsideration of the item would be possible.

Mr. Combee moved, seconded by Ms. Rovira-Forino, to reconsider Item 28. WUP No. 20012926.000 - W S I N - Peace River/Manasota Regional Water Supply Authority, Charlotte County Board of County Commissioners, DeSoto County Board of County Commissioners, Sarasota County Board of County Commissioners, City of North Port, City of Punta Gorda – Sarasota County on the Regulation Committee's consent agenda. Motion carried unanimously. It was decided to hear this item at the end of the Regulation Committee.

30. **Northern District Water Use Management Strategies**

Mr. Owen said today's presentation would cover the following topics: the background; water use trends and water resource conditions; and water use management strategies. Staff proposed beginning the process to expand the Northern Tampa Bay Water Use Caution Area (WUCA), create areas of special concerns in Hernando and Citrus counties, implementing per capita requirements District wide, and hosting a Water Conservation Summit.

Mr. Owen said the six counties that make up the northern portion of the District have historically been rural counties with relatively low demand for water, especially as compared to the southern ten counties in the District. Today's presentation introduced those areas to the Governing Board as well as charted a path to develop prevention strategies to address the issues of each area. The areas include (1) portions of Marion

and Sumter counties, in coordination with the St. Johns River Water Management District (SJRWMD), (2) all or parts of Hernando and Citrus counties, and (3) northern Tampa Bay areas outside the Northern Tampa Bay Water Use Caution Area (northern and eastern Pasco and northeast Hillsborough counties). Details of the water resources and growth patterns of each area were presented, as well as preliminary recommendations.

Over the past several years, the region has experienced significant growth. Though a review of water levels indicates that water resources are generally in good condition on a regional scale, there are areas of potential concern that exist. These are areas where the rate of growth has accelerated beyond what was previously anticipated to occur and where the pattern of development has resulted in substantial water demands. The anticipated impacts of meeting these future demands with ground water are sufficient to cause concern over the potential effects to environmental features. These areas require focused attention to prevent harm to the resources from occurring.

Mr. Owen presented a chart depicting a Regional Summary of Demand Projections for the period of 2000 through 2025. The change in demand for the Northern Region of the District over that period of years is projected to be a significant increase of 68 mgd. Looking at the demand projections by use categories, Mr. Owen pointed out that Public Supply is where the largest future demands are predicted to occur.

The Marion-Sumter counties area includes several significant developments which have experienced phenomenal growth over the past decade, and growth is expected to continue. This development and associated water resource issues transcend District boundaries. Hernando and Citrus counties are also experiencing high growth and where anticipated growth is likely to stress water resources. This growth is moving in both northerly and easterly directions. While the issues in this area are not as imminent as the Marion-Sumter counties area, it would be prudent to undertake preventive measures aimed at increasing water conservation, demand management, and development of alternative sources.

The boundary of the Northern Tampa Bay Water Use Caution Area (NTBWUCA) was originally delineated to include areas of water use in the Tampa Bay area, rather than the areas within which environmental impacts have occurred. Therefore, the area of northern Pasco County and extreme northeast Hillsborough County were not included in the delineation. To enhance management of water resources in the area affected by ground water withdrawals as well as the areas where water use occurs, and in recognition that growth in the area is moving north and east, it is recommended the Board initiate a process to expand the NTBWUCA boundary to include northern and eastern Pasco and northeast Hillsborough counties.

Additionally, staff recommends several initiatives to enhance water conservation in the northern District. This includes initiating rulemaking to expand Districtwide the public supply per capita requirements contained in the Southern Water Use Caution Area rules, and conducting a water conservation summit for the area as a means to heighten the awareness and importance of conservation as one component to address growing demands.

Staff recommended to (1) Board concurrence with initiating a public input process regarding the designation of portions of Marion and Sumter counties as a Water Use Caution Area and staff will return to the Board at a future meeting to initiate rulemaking; (2) Board concurrence with expanding the Northern Tampa Bay Water Use Caution Area into those portions of Pasco and Hillsborough counties not currently in the WUCA which will begin a public input process that may result in returning to the Board to initiate rulemaking; (3) create Area of Special Concern Due to Increasing Public Supply Demands and begin the process to enhance water conservation in Hernando and Citrus counties;

(4) Board authorization to initiate rulemaking to expand the Southern Water Use Caution Area per-capita requirements Districtwide which starts the rule development process to obtain public input on the proposed rule; and (5) Board concurrence with the coordination and hosting of a water conservation summit targeting Hernando, Citrus, Levy, Marion, Sumter and Lake counties.

Chair Rice led a lengthy discussion regarding the inclusion of Sumter County in a WUCA, as compared with Hernando and Citrus counties that seem to be experiencing larger growth. Chair Rice said he thought he may need a little more time to consider these options. Mr. Owen responded to Chair Rice's concerns about the logic behind including Marion and Sumter counties in a WUCA; he said it has to do with those anticipated impacts of groundwater withdrawals.

Ms. Closshey suggested looking at the entire state of Florida and working together to move ahead significantly rather than to work independently. Ms. Closshey said Tallahassee officials suggested that Water Management Districts work together at a state level. Ms. Closshey noted there was a wide range of steps included in the staff recommendations, however she saw a common thread that most of them recommended initiating certain steps, with (2) being the exception by suggesting action would occur before public input, so she said she was concerned about the wording. Ms. Closshey echoed Chair Rice's concerns that there was a lot to consider in today's recommendations and the results of the Board's actions.

Committee Chair Pressman said he was willing to entertain motions on the staff recommendations separately or in their entirety.

Following consideration, **Mr. Combee moved, seconded by Mr. Rice, to approve recommendation number five. Motion carried unanimously.** (CD 1/Track 4 – 00:00/55:55)

Following consideration, **Mr. Combee moved, seconded by Ms. Closshey, to approve recommendation number three. Motion carried unanimously.** (CD 1/Track 4 – 55:55/56:15)

General Counsel Bilenky suggested that Governing Board members use the term "whether to expand" and form their motions as questions to freely allow them to be guided in the future by the yet to be collected public input.

Following consideration, **Ms. Closshey moved, seconded by Ms. Parks, to modify recommendation number two to insert the following language: "To have staff proceed with the public input process on whether to expand the Northern Tampa Bay Water Use Caution Area in those portions of Pasco and Hillsborough counties not currently in a WUCA."**

Regarding the motion on the floor, Ms. Rovira-Forino suggested this information go before the Basin Boards. Committee Chair Pressman asked Ms. Closshey if she was willing to modify her motion to include Ms. Rovira-Forino's suggestion. Ms. Closshey said she automatically assumed that any public input process would include the basin boards, as well as any of the advisory committees.

Mr. Dabney said he thought recommendations should include Marion, Sumter, and Pasco counties.

Committee Chair Pressman suggested delaying decision making to allow staff to rewrite the original set of staff recommendations during the lunch break and bring this item back in the afternoon portion of the meeting.

Mr. Rice moved that the discussion be tabled until the February Governing Board meeting. The motion failed due to a lack of a second.

Ms. Closshey said she would like to take action on this item today. Mr. Dabney said he thought the Water Conservation Summit should be held in March to seek input from stakeholders and, if that was Ms. Closshey's concern for today, he thought the Board should move forward with approving the Water Conservation Summit.

Committee Chair Pressman sought General Counsel Bilenky's procedural advice for the best manner to move forward with the Board's intentions. Committee Chair Pressman asked Ms. Closshey to consider withdrawing her pending motion. Mr. Moore said he is hearing the Board's desire to set-up public input for Pasco, Hernando, Citrus, Sumter and Marion counties; staff broke it out the way it was presented today to allow for taking public input from a manageable group that is geographically linked. Mr. Moore further explained the complex reasons behind staff's recommendation. The most important point staff is seeking is the ability to move forward with the three designated areas and further the investigation on whether these areas need to become WUCAs. Mr. Moore expressed his desire to rewrite the recommendation over the lunch break.

Ms. Closshey asked if it was possible for action on her motion to be postponed and for staff to come back later in the meeting with revisions to the wording of today's recommendation based on the input they have just heard and then she would consider whether or not to withdraw her motion. Ms. Closshey said she was reluctant to withdraw her motion because she feels she carefully worded it according to Mr. Bilenky's advice.

Mr. Bilenky advised Board members on proper procedure in their attempts to void earlier motions and prepare for a new set of staff recommendations.

Committee Chair Pressman entertained the pending motion. Ms. Closshey moved, seconded by Ms. Parks, to modify recommendation number two to insert the following language: "To have staff proceed with the public input process on whether to expand the Northern Tampa Bay Water Use Caution Area in those portions of Pasco and Hillsborough counties not currently in a WUCA." Motion failed unanimously.

Mr. Combee moved to reconsider the earlier recommendation on number five. Mr. Dabney seconded the motion, and it carried unanimously. (CD 1/Track 4 – 56:15/01:13:15)

Mr. Combee moved to approve staff recommendation number five. Ms. Rovira-Forino seconded the motion, and it failed unanimously. (CD 1/Track 4 – 01:13:15/01:14:05)

Mr. Combee moved to reconsider the earlier recommendation on number three. Mr. Dabney seconded the motion, and it carried unanimously. (CD 1/Track 4 – 01:14:05/01:14:19)

Mr. Combee moved to approve staff recommendation number three. Ms. Rovira-Forino seconded the motion, and it failed unanimously. (CD 1/Track 4 – 01:14:19/01:14:35)

Committee Chair Pressman asked Ms. Lopez if she wished to provide her public comment at this time or to wait until this item is brought back for consideration after the lunch break. Ms. Lopez said she would wait until the new staff recommendations were presented in the afternoon. (CD 1/Track 4 – 01:14:35/01:15:53)

31. **Review of Tampa Bay Water's 2005 and 2006 Optimized Regional Operations Plans**

Mr. Owen said the 1998 Partnership Agreement between the District and Tampa Bay Water (TBW) outlined the mechanisms that would be used to monitor and implement the phased reduction from the 11 well fields in the Northern Tampa Bay area. Specifically, the Agreement required an annual report submittal discussing the Optimized Regional Operations Plan (OROP). The OROP was initially used to determine the distribution of groundwater withdrawals at the 11 well fields and assist in the overall recovery of water resources that had been adversely impacted by groundwater withdrawals. Since development of alternative water supplies, the OROP has been modified to include these new sources in the scheduling of production from the well fields. The development and continued improvement of this program is a critical tool in the management of the regional supplies to meet the area's potable demand in the most environmentally safe manner. OROP Annual Reports describing the previous Water Year's activities are submitted to the District for review and approval.

Mr. Gene A. Heath, Heath Management and Engineering, Inc., spoke about the history and background that led to the Partnership Agreement. Mr. Heath provided a description of the OROP process and how it affects the allocation of water within the TBW distribution system. Mr. Moore said staff for both organizations, the District and TBW, keep a very close eye on the graphic that compares the Weekly Forecasted Available compared to Permitted Available and Actual Withdrawals to guide decision making throughout the year. Mr. Heath reviewed the most recent OROP report for Water Year 2005 and the plans for the 2006 report. Overall, the OROP is an informational, data rich, educational tool for analysis used throughout the year. Ms. McCree thanked Mr. Heath for his involvement and presentation today. Mesdames Parks and Closshey expressed their thanks to all the staff involved in the process and for their pioneering efforts. Ms. Closshey asked Mr. Heath where this tool will be best used for the future; he responded that the alleviation of environmental damage would be the ultimate goal. (CD 1/Track 5 – 00:00/40:48)

32. **Florida Department of Transportation 2007 Mitigation Plan**

Pursuant to Section 373.4137, F.S. the water management districts (WMDs) develop mitigation plans for wetland impacts associated with FDOT projects. These mitigation plans are annually updated to incorporate new projected impacts identified by the FDOT and any necessary modifications to previously approved plans. Upon approval by the Governing Board, the plan is then submitted to FDOT in February. Implementation of the mitigation plan is contingent upon funding by the Legislature. All the mitigation program's funds are held in a FDOT Comptroller's Office escrow account until reimbursement is requested by the WMDs.

Staff recommended approval of the draft FDOT Mitigation Plan. Following consideration, **Ms. McCree moved, seconded by Ms. Rovira-Forino, to approve the FDOT Mitigation Plan. Motion carried unanimously.** (CD 1/Track 5 – 40:48/42:48)

Committee Chair Pressman recessed the Regulation Committee hearing for a lunch break at 12:20 p.m.

30. **Northern District Water Use Management Strategies** (continued)

Staff presented the revised recommendations. Committee Chair Pressman entertained each of the five recommendations separately as follows:

- (1) Authorize the hosting of a water conservation summit in partnership with the SJRWMD targeting Citrus, Hernando, Lake, Levy, Marion and Sumter counties.

Following consideration of recommendation number one, **Mr. Combee moved, seconded by Mr. Dabney, to approve the recommendation. Motion carried unanimously.**

- (2) Initiate rulemaking to expand the Southern Water Use Caution Area per capita requirements District-wide.

Following consideration of recommendation number two, **Mr. Dabney moved, seconded by Ms. Closshey, to approve the recommendation. Motion carried unanimously.**

- (3) Authorize staff to initiate a public process to receive input as to whether to declare all or portions of Marion and Sumter counties a Water Use Caution Area. The public process would be conducted in partnership with the SJRWMD, and staff would receive input from the Withlacoochee River Basin Board and representatives of appropriate District advisory committees. Staff would return to the Governing Board no later than the April meeting with a recommendation relative to declaring a Water Use Caution Area.

Following consideration of recommendation number three, **Ms. Closshey moved, seconded by Ms. Parks, to approve the recommendation. Motion carried unanimously.**

- (4) Authorize staff to initiate a public process to receive input as to whether to expand the Northern Tampa Bay Water Use Caution Area into those portions of Pasco and northern Hillsborough counties not currently in the Northern Tampa Bay Water Use Caution Area. As part of the public process, staff would receive input from the Coastal Rivers, Hillsborough River and Withlacoochee River Basin Boards and representatives of appropriate District advisory committees. Staff would return to the Governing Board no later than the April meeting with a recommendation relative to declaring a Water Use Caution Area.

Following consideration of recommendation number four, **Ms. Closshey moved, seconded by Ms. Rovira-Forino, to approve the recommendation. Motion carried unanimously.**

- (5) Authorize staff to initiate a public process to receive input as to whether to declare all or portions of Citrus and Hernando counties a Water Use Caution Area. As part of the public process, staff would receive input from the Coastal Rivers and Withlacoochee River Basin Boards and representatives of appropriate District advisory committees. Staff would return to the Governing Board no later than the July meeting with a recommendation relative to declaring a Water Use Caution Area.

Following consideration of recommendation number five, **Ms. Closshey moved, seconded by Ms. Rovira-Forino, to approve the recommendation. Motion carried unanimously.** (CD 1/Track 6 – 00:00/02:00)

Committee Chair heard public comment at this time.

Ms. Nancy Lopez stated that she was delighted that the Governing Board has taken action to begin the public input process on possibly expanded the WUCAs into the northern portions of the District. (CD 1/Track 6 – 02:00/04:25)

At this time, the Board reconsidered Consent Item 28.

28. **WUP No. 20012926.000 - W S I N - Peace River/Manasota Regional Water Supply Authority, Charlotte County Board of County Commissioners, DeSoto County Board of County Commissioners, Sarasota County Board of County Commissioners, City of North Port, City of Punta Gorda – Sarasota County**

Mr. Ross Morton, Sarasota Resource Regulation Director, provided Mr. Dabney with clarification regarding this permit. Mr. Dabney was concerned about the 5 mgd permitted from the T. Mabry Carlton Jr. Memorial Reserve Wellfield. Mr. Morton assured Mr. Dabney that monitoring wells would be required to ensure there were no impacts on adjacent properties. Mr. Dabney also asked what happened to the permitted quantities after 2013. Mr. Morton said the District would not be obligated to reissue the permit but that it would be re-evaluated at that time. Mr. Morton stated that Sarasota County is using this as a gap permit while waiting to get their reservoir in place and this water is available for use after all surface water is exhausted. Mr. Dabney also asked why the annual average and peak numbers were the same in the report. Mr. Morton said Sarasota County has a facility management plan, in which it states their capacity to treat is 5 mgd. Mr. Moore said this permit is basically a gap permit and not a call for others to look to the intermediate aquifer for new sources.

Mr. Morton stated that this permit meets rule criteria. Staff recommends approval. Following consideration, **Mr. Dabney moved, seconded by Ms. McCree, to approve the staff recommendation. Motion carried unanimously.** (CD 1/Track 7 – 00:00/17:07)

Submit & File Reports – None

Routine Reports

The following items were submitted for the Committee's information, and no action was required.

33. **Overpumpage Activities**
34. **Southern Water Use Caution Area Quantities**
35. **Major Water Supply Summary**

Chair Rice said the Finance and Administration Committee would be heard before the Resource Management and Development Committee. Chair Rice relinquished the gavel to Finance and Administration Committee Chair Closshey.

Finance and Administration Committee

Consent Items

51. **Board Travel**
Staff recommended approval of the Governing Board travel outside the geographic boundaries of the District for Ms. McCree to attend the Leadership Florida Class sessions and the Greenways and Trails Council meeting on February 1, 2007.
52. **Budget Transfer Report**
Staff recommended approval of the Budget Transfer Report covering all budget transfers for November and December 2006.
53. **FY2007 Budget Amendment to Include Additional Revenue from State Water Protection and Sustainability Trust Fund (Senate Bill 444) and from Florida Department of Agriculture and Consumer Services**
Staff recommended approval of Resolution No. 07-02, Amendment of the Fiscal Year 2007 Annual Service Budget, to increase the District's total budget by \$1,077,277 from \$383,304,297 to \$384,381,574.
54. **Revision to Board Policy 130-5, Travel**
Staff recommended approval of the updated Board Policy 130-5, Travel, with the effective date of February 1, 2007.
55. **Independent Auditing Services Contract Amendment**

Staff recommended to (1) approve an amendment to the existing contract with KPMG LLP to increase project funding by \$33,135 for a total of \$149,135 to fund the additional cost for the required federal and state single audits for FY2006, and authorize the Executive Director to execute the amendment; and (2) transfer \$33,135 from General Fund Contingency Reserves to the Finance Department for audit services.

56. **Media Messaging Supplemental Funding**

Staff recommended approval of the transfer of \$250,000 from General Fund contingency reserves to the Communications Department Public Service Announcements to supplement water conservation/drought awareness media placement for FY2007.

57. **Planned Sinking Fund Transfer for Water Management Information System Replacement Storage Area Network**

Staff recommended to authorize a transfer of \$359,820 from the Computer Sinking Fund to the Information Resources Department to be combined with \$211,780 of budgeted funds, totaling \$571,600, for the replacement of the Storage Area Network.

58. **Facilities Fund Transfer for Brooksville Replacement Uninterrupted Power Supply**

Staff recommended the transfer of \$120,000 from the Facilities Fund Reserves for the replacement Uninterruptible Power Supply System for the Brooksville Data Center.

Following consideration, **Mr. Dabney moved, seconded by Ms. Rovira-Forino, to approve the Finance and Administration Consent Items 51 through 58. Motion carried unanimously.** (CD 1/Track 8 – 00:00/01:05)

Discussion Item

59. **Amendments to Board Policy 130-4, Cooperative Funding Initiative**

Ms. Rovira-Forino said beginning in 2003, at the direction of the Governing Board Finance and Administration Committee, District staff began an evaluation of the extent to which the District's cooperators engage in diversity outreach and encourage participation by diverse vendors. To date, there are approximately 170 cooperative funding agreements that contain the diversity reporting requirement. Of these, ten have been completed and the cooperators have reported approximately \$250,000 spent with minority and women-owned vendors on cooperatively funded projects. Ms. Rovira-Forino expressed an interest in strengthening the language in the District's cooperative funding agreements and making an effort to include language in contracts that predate implementation of the existing language.

Staff recommended to approve recommended enhancements to the current diversity reporting language in cooperative funding agreements to be communicated to the District's cooperators; these additions are designed to further raise the awareness of our cooperators about diversity; to encourage them to engage in outreach to diverse vendors on projects cooperatively funded by the District; and to expand the reporting requirements in existing and additional contracts at such time as a cooperator seeks an amendment that increases project funding. Following consideration, **Mr. Rice moved, seconded by Mr. Combee, to approve the staff recommendation. Motion carried unanimously.** (CD 1/Track 8 – 01:05/05:22)

Submit & File Reports

The following items were submitted for the Committee's information, and no action was required.

60. **Office of Inspector General Quality Assessment Project**

61. **Office of Inspector General – Florida Department of Health: Chemistry Lab Audit**

62. **Fiscal Year 2007 First Quarter Financial Report**

63. **Treasurer's Report, Payment Register, and Contingency Reserves Report**

Routine Reports – None

Committee Chair Closshey relinquished the gavel to Resource Management and Development Chair Combee.

Resource Management and Development Committee

Item 37 was deleted from consideration.

Consent Items

36. **Five-Year Water Resource & Development Work Program**
Staff recommended approval of the proposed revisions to the Five-Year Water Resource Development Work Program to be included in the 2007 Consolidated Report.
- ~~37. **Approve Correction to Rule Amendments to Add Minimum and Guidance Levels for Selected Priority Lakes in Pasco County to Chapter 40D-8, Florida Administrative Code**~~
38. **Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Green Swamp Wilderness Preserve, SWF Parcel No. 10-200-1258**
Staff recommended (1) acceptance of the appraisal; (2) approval of the Purchase/Sale Agreement; (3) approval of resolution requesting funds; and (4) designation of the parcel as having been acquired for conservation purposes.
39. **Christina Watershed Management Plan** *(Presented to the Alafia River Basin Board in December)*
Staff recommended to (1) authorize the Executive Director to execute a Cooperative Funding Revenue Agreement with Polk County for the Christina Watershed Management Plan, for an amount not to exceed \$292,000, with the Basin's share not to exceed \$146,000, contingent upon final approval of the Alafia River Basin budget amendment; and (2) authorize staff to develop a contract with one of the District's consultants for the Christina Watershed Management Plan for an amount not to exceed \$292,000, and authorize the Executive Director to sign the contract, contingent upon final approval of the budget amendment for the Alafia River Basin Board.
40. **Little Manatee River Project - Easement Delineation Agreement between the District and the Elsberry Family, SWF Parcel No. 11-058-118X** *(Presented to the Alafia River Basin Board in December)*
Staff recommended to approve an Easement Delineation Agreement with the Elsberrys for SWF Parcel Number 11-058-118X.
41. **Declaration and Conveyance of Surplus Lands to Pasco County, SWF Parcel No. 15-235-106S, Hidden Lake Project** *(Presented to the Coastal Rivers Basin Board in December)*
Staff recommended to declare SWF Parcel No. 15-235-106S surplus and convey the property to Pasco County Board of County Commissioners for its market value.
42. **Third Amendment to the Management Agreement with Hernando County School Board for the Construction, Operation and Maintenance of the Springs Coast Environmental Education Center, Weekiwachee Preserve – SWF Parcel No. 15-773-182X** *(Presented to the Coastal Rivers Basin Board in December)*
Staff recommended approval of the Third Amendment to the Management Agreement with Hernando County School Board for the Construction, Operation and Maintenance of the Springs Coast Environmental Education Center, Weekiwachee Preserve (SD16) – SWF Parcel No. 15-773-182X.

Following consideration, **Mr. Dabney moved, seconded by Ms. Rovira-Forino, to approve Resource Management and Development Committee Consent Items 36, and Items 38 through 42. Motion carried unanimously.** (CD 1/Track 9 – 00:00/00:33)

Discussion Items

43. Florida Department of Environmental Protection Peace River Cumulative Impact Assessment Study – Resource Management Plan

Mr. Mark D. Barcelo, Manager, Hydrologic Evaluation Section, introduced Mr. Richard Cantrell, Florida Department of Environmental Protection, who presented this item to the Governing Board. Mr. Cantrell updated the Board on the status of the Florida Department of Environmental Protection's (FDEP) Peace River Cumulative Impact Assessment Study and proposed Resource Management Plan. District staff members have been providing technical assistance to the FDEP and are part of the project management team for this effort. Mr. Cantrell commended District staff members Ron Basso and Rand Frahm for their hard work and contributions to this study. The Peace River Cumulative Impact Assessment Study has been finalized and is available online.

In 2003, the Florida Legislature directed the FDEP, in consultation with the District, to conduct the Peace River Cumulative Impact Assessment Study. The purpose of the study was to evaluate the cumulative impacts in the Peace River Basin of development activities prior to the introduction of state regulation and provide the technical foundation for development of a resource management plan. In addition the study was to evaluate the effectiveness of existing regulatory programs in avoiding or minimizing existing and future impacts. As developed, the study focused on the principal factors affecting the ecology and hydrology of the basin, including climatic changes, groundwater withdrawals, and land use changes. The management plan, which is separate from the cumulative impact study, will identify regulatory and non-regulatory actions needed to minimize any existing and future adverse impacts to water resources in the basin. Mr. Cantrell hopes to return to the Governing Board in February to present the management plan.

The Cumulative Impact Assessment Study was initiated in December 2004 by a consultant team headed by PBS&J, Inc., and was completed at the end of December 2006. The technical aspects of the study were presented at a series of public meetings held in the spring and summer of 2006. Beginning in July and ending in December, six stakeholder meetings comprised of representatives from municipal governments, industry, agriculture, environmental groups, and others, were held throughout the basin to get feedback on the study and proposed management plan. Primary conclusions of the study are (1) long-term variations in rainfall have led to substantial declines in average and above average flows over the last 60 years; (2) groundwater withdrawals have caused a loss of spring flow and base flow in the upper part of the watershed, resulting in the periodic loss of perennial flow in the river between Bartow and Homeland during low flow conditions; (3) increased dry season flows from agricultural runoff have led to water quality degradation in the Joshua, lower Horse, Prairie, and Shell Creek tributaries of the lower Peace River; (4) land use and cover patterns in the watershed have changed dramatically since the 1940s, with most changes occurring prior to 1979; and (5) water quality improvements have been made with respect to some parameters over the watershed as a whole; however, some portions of the watershed continue to experience water quality degradation. (CD 1/Track 9 – 00:33/20:08)

44. Establishment of Minimum Flows and Levels for the Upper Hillsborough River and Crystal Springs

Marty Kelly, Ph.D., Manager, Ecologic Evaluation Section, Resource Conservation and Development Department, presented the proposed minimum flows for the upper (freshwater) segment of the Hillsborough River and Crystal Springs and the methodologies used to develop these flow recommendations. The technical report is

being finalized for outside review and comment by interested parties and for the panel that will conduct a voluntary scientific peer review.

The minimum flows developed seek to assure that the aquatic ecology associated with the upper Hillsborough River is protected from significant harm from consumptive water use. The next step in the minimum flow process is voluntary peer review by an independent scientific review panel. The Panel will conduct their review and report to the Governing Board at a future meeting regarding the findings of the District's minimum flows assessment. Pending the peer review report, staff will then return to the Board with rule language to establish the minimum flow.

Committee Chair Combee heard public comment on this item at this time.

Dr. Rich Brown, who represented a number of environmental organizations and causes, addressed the Board today regarding the establishment of the MFLs for the Upper Hillsborough River. He said the environmental community has a great interest in the setting of this MFL and will be watching the process closely as it unfolds. (CD 1/Track 9 – 20:08/51:46)

Submit & File Reports – None

Routine Reports

The following items were submitted for the Committee's information, and no action was required.

45. **Significant Water Supply and Resource Development Projects**
46. **Florida Forever Status Report**
47. **Land Resources Department Significant Activities**
48. **Minimum Flows and Levels Status Report**
49. **Hydrologic Conditions Status Report**
50. **Structure Operations Status Report**

Chair Rice provided a short break at the conclusion of the Resource Management and Development Committee.

Chair Rice relinquished the gavel to Outreach and Planning Committee Chair Whitehead.

Outreach and Planning Committee

Consent Items – None

Discussion Items

64. **Media Messaging Overview** – This item was heard earlier in the meeting during the Regulation Committee portion.
65. **Community and Legislative Affairs Update**
Mr. David Rathke, Director, Community and Legislative Affairs Department, said he is preparing for the legislative session which opens March 6, 2007. Mr. Rathke briefly spoke about Appropriations and discussed some of the District's funding priorities. He said the Governor is holding meetings regarding property taxes and staff will report back on that issue as soon as information becomes available. Thus far, there have been very few bills filed. Currently, the most important bills regard the following topics: Department of the Interior, Springs Protection, and several Florida Retirement System Bills.

Mr. Rathke reported that with new House leadership and reduced spending levels federal line-item appropriations are becoming increasingly competitive. The level of potential

project funding this year exemplifies this. In the past five years, funding levels for the state have been approximately 15 to 20 million dollars annually for State and Tribal Assistance Grant earmarks. With the close of the 109th Congress, a continuing resolution to fund government operations was passed. This Resolution did not include "earmarks." District staff is currently beginning the process for further requests for the following two projects, Tampa Bay Regional Reclaimed Water and Downstream Enhancement Project and the Upper Peace River Watershed Restoration Initiative. (CD 1/Track 10 – 00:00/11:36)

Staff has submitted the District's sunset report and has met with legislative staff. The process that will be utilized by the Legislature to review the reports is still undetermined at this time. Legislative staff in Tallahassee anticipates further clarification and requests for additional information to come forward in the next few months.

Submit & File Report

The following item was submitted for the Committee's information, and no action was required.

66. **Status of the Consolidated Water Management District Annual Report**

Routine Reports

The following items were submitted for the Committee's information, and no action was required.

67. **Comprehensive Plan Amendment and Related Reviews Report**
68. **Review of Developments of Regional Impact**
69. **Upcoming Events**

Committee Chair Whitehead relinquished the gavel to Chair Rice.

General Counsel's Report

70. **Consent Order – Surface Water Activity – C.C. Calhoun, Inc. (CR 17 Sand Mine) – Polk County**
Staff recommended approval of the proposed Consent Order and authorize the initiation of litigation against C.C. Calhoun, Inc. in the event it fails to comply with the Consent Order.
71. **Consent Order – Surface Water Activity – Chase Investments 2, LLC (DeSoto Sand and Shell Pit) – DeSoto County**
Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation in the event that Chase Investments 2, LLC fails to comply with the Consent Order.
72. **Initiation of Litigation – Surface Water Activity – Jose and Liliana Aristizabal – Highlands County**
Staff recommended authorization to initiate litigation against Jose Aristizabal and Liliana Aristizabal and any other appropriate parties, to obtain compliance, a monetary penalty and recovery of District enforcement costs, litigation costs and attorney's fees.
73. **Initiation of Litigation – ERP No. 46007571.002 – Sean M. and Shelly A. Murphy (Hidalgo Building) – Manatee County**
74. **Initiation of Litigation – WUP No. 20004217.002 – Julian Wright (Wright Cattle Company) – Charlotte County**
Staff recommended authorization to initiate litigation against Julian Wright and any other appropriate parties to obtain compliance, and to obtain a monetary penalty and recovery of District enforcement costs, attorney's fees and court costs.
75. **Initiation of Litigation – Well Construction – License No. 2215 – Tony Holt – Hillsborough County**

Staff recommended authorization to initiate litigation against Mr. Holt to take disciplinary action against his license, recover an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney's fees.

Following consideration, **Mr. Dabney moved, seconded by Ms. Whitehead, to approve General Counsel's Consent Items 70 through 72; 74 and 75. Motion carried unanimously.** (CD 1/Track 11 – 00:00/01:20)

Discussion Items – None

Submit & File Reports – None

Routine Reports

The following items were submitted for the Committee's information, and no action was required.

76. **Litigation Summary and Report**

Mr. Bilenky said there was a pretrial conference held yesterday regarding the Weeki Wachee case. The Judge expressed his displeasure with all of the ensuing case delays and has set a schedule and a trial date in August 2007. Also, the District has received a challenge from the City of Lakeland regarding a permit renewal.

77. **Rulemaking Update**

78. **Briefing – Friends of the Everglades, et al. v. SWFMD**

Mr. Bilenky said he reviewed this file to see how this case may pertain to issues our District is facing or may face in the future. A report was provided in the Governing Board packet. (CD 1/Track 11 – 01:20/09:55)

Reports

79. **Environmental Advisory Committee Liaison Report**

The Committee met on December 13, 2006. Ms. Parks said the Committee elected a Vice Chair; the Committee also heard reports regarding reclaimed water use, hydrologic conditions, and that Ms. Kavouras will be the District's staff liaison, replacing Mr. Owen.

80. **Industrial Advisory Committee Liaison Report**

The Committee met on January 16, 2007. Ms. Closshey said the Committee had a very well attended meeting. Mr. Don Ellison presented a very informative presentation on ASR wells. Other presentations heard regarded permitting in the SWUCA and water shortage rules.

81. **Well Drillers Advisory Committee Liaison Report**

The Committee met on January 17, 2007. Mr. Dabney said the release of the Well Construction Management Information System was unveiled and contractors conducted a question and answer session regarding the online system. Staff discussed DEP rulemaking items. Mr. Dabney said this was a group of dedicated professionals who expressed their appreciation to the District for the online information system. Mr. Dabney said he has a long term standing conflict with the dates that the Well Drillers Advisory Committee meets and was wondering if someone would like to take over as liaison. Mr. Rice suggested dates may be able to be rearranged and asked Ms. Kavouras to look into the matter.

82. **Public Supply Advisory Committee Liaison Report**

The Committee met on January 19, 2007. Mr. Pressman said revisions to the funding program were discussed. Conflicts with watering jurisdictions were brought up and clarified. The SWUCA permitting forms were presented and questions were answered. Other topics discussed were: water use estimates, MFLs for the Lower Hillsborough

River, and potential agenda topics for April's meeting. Mr. Pressman said appreciation for Mr. Owen's hard work on the Committee was expressed by all of the members.

Mr. Dabney provided a brief report on the Reclaimed Water Task Force, which met last week with Mr. Gregg Jones and Ms. Kathy Scott. Many public utility operators were present and it was decided the group would meet monthly for the next five months. It is expected that information from Dr. York, DEP, will be dispensed at the next meeting. (CD 1/Track 11 – 09:55/20:35)

Mr. Combee asked Mr. Bilenky if the District had objected to the Weeki Wachee trial date being set in August due to conflicts in opposing counsel's schedule. Mr. Bilenky said indeed staff had but Weeki Wachee's attorney, Mr. Mason, stated he would be unavailable until that time.

Mr. Combee said he and Ms. Parks had the honor and privilege of representing the Governing Board at the dedication of Colt Creek State Park in Lakeland on January 20, 2007.

83. **Executive Director's Report**

Mr. Moore reported on the following topics: the Central Florida Coordination Area, the Orange County Utility Permit Issuance, the Agreement in Principle with Tampa Bay Water, Strategic Planning, a future Governing Board retreat, and a joint Governing Board and Basin Board Workshop. Mr. Moore reviewed the many upcoming events and dedications. Mr. Moore also reported that there has been a dramatic improvement in the District's employment turnover rate as compared to last year at this time.

Ms. Closshey thanked staff for their time spent in preparation of the Strategic Planning Workshops and their willingness to support the Governing Board in their endeavors. She said it was refreshing and encouraging to have staff's support at that level.

Ms. Whitehead thanked Chair Rice for spearheading the whole Strategic Planning effort and Ms. Closshey for lending her expertise to the process.

Mr. Moore thanked Mr. Molligan, Communications Director, for the exceptional job he has done during the recent declaration of the water shortage order.

Ms. McCree announced to her fellow Governing Board members that May 18, 2007 has been set aside for the Reality Check program, reminding members that the District is a major sponsor and hopes that those willing can participate.

Mr. Moore said the Piney Point property has been sold and a task force has been created. (CD 1/Track 11 – 20:35/40:48)

84. **Chair's Report**

a. **Revision of Board Policy 710-1, Recruitment Selection and Compensation of the Executive Director and Inspector General**

b. **Revision of Board Policy 710-2, Performance Evaluations of the Executive Director and Inspector General**

Staff recommended the Governing Board adopt the changes to Board Policies 710-1 and 720-2. Following consideration, **Ms. Closshey moved, seconded by Ms. McCree to approve the staff recommendation to adopt changes to Board Policies 710-1 and 710-2. Motion carried unanimously.** (CD 1/Track 11 – 40:48/41:23)

85. **Other Business**

Ms. Closshey requested a future presentation regarding the scientific analysis of OROP and how science will determine what the correct levels should be in the year 2010.

Public Input

No requests to speak were submitted.

There being no further business to come before the Board, **Ms. Parks moved, seconded by Mr. Pressman, to adjourn the meeting. Motion carried unanimously.** (CD 1/Track 12 – 00:00/01:32)

The meeting was adjourned at 3:34 p.m.

Attest:

Chairman

The Southwest Florida Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation, as provided for in the Americans with Disabilities Act, should contact the Executive Department, telephone 1-800-423-1476 (Florida only), extension 4606; TDD ONLY 1-800-231-6108 (Florida only); FAX 352-754-6874.