

APPROVED

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

AUGUST 25, 2009

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:05 a.m. on August 25, 2009, at District Headquarters. The following persons were present:

Board Members Present

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

Board's Recording Secretaries

LuAnne Stout, Administrative Coordinator
Tahla Paige, Senior Administrative Assistant

Board Members Absent

Jennifer E. Closshey, 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 Pressman called the meeting to order and opened the public hearing. Mr. Gramling noted a quorum was present.

2. Pledge of Allegiance and Invocation

Chair Pressman led the Pledge of Allegiance to the Flag of the United States of America. Mr. Bilenky offered the invocation.

Public Hearing

Chair Pressman introduced each member of the Governing Board. He noted that the Board's meeting was recorded for broadcast on government access channels. Public input was only taken during the meeting onsite.

Chair Pressman stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on one agenda item only during today's meeting. If additional time is needed or if the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment at the end of the meeting during "Public Input." Chair Pressman stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. **Additions/Deletions to Agenda**

According to Section 120.525(2), Florida Statutes, additions or deletions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Mr. Moore noted the following items that were deleted from the agenda after publication.

Consent Agenda

The following items were deleted from consideration:

- 29. Interagency Agreement between SWFWMD and SJRWMD for Designation of Regulatory Responsibility – City of Ocala – Marion County
- 31. Initiation of Litigation – ERP No. 46026659.000 - Automated Petroleum and Energy Company, Inc. and Anthony BP, Inc. (APEC - Highway 301 Gas/Convenience) – Hillsborough County

Regulation Committee

The following item was deleted from consideration:

- 39. Northern Tampa Bay Recovery Strategy Rulemaking Update

Chair Pressman noted that the deletions to the agenda were accepted.

4. **Oath of Office for Newly Appointed Board Member**

Ms. Kavouras administered the Oath of Office to Mr. Carlos Beruff who was appointed by Governor Crist to a term beginning July 2009 and ending March 2013. Mr. Beruff will serve as Co-Chair of the Manasota Basin Board and on the Resource Management Committee. (CD 1/Track 1 – 00:00/05:45; Track 2 – 00:00/00:18)

5. **District Recognition – INROADS Corporate Plus Award**

Ms. Elaine Kuligofski, Director, Human Resources and Risk Department, said the District has partnered with the INROADS organization since 2002 as part of its Student and Internship Programs, designed to enhance our workforce diversity outreach. Because of the District's ongoing and growing relationship with the INROADS program, this year the District was awarded the Corporate Plus Award from INROADS. This award honors a sponsoring corporation that has demonstrated true commitment to the INROADS mission whether it be through the number of interns, quality internships, financial contributions, contributions of resources, full-time placement of graduates, or in-kind contributions. The award is presented in two categories, which include sponsoring companies with one to six interns and sponsoring companies with seven or more interns. The District was nominated for the Corporate Plus Award in the Seven+ Intern category. Chair Pressman said that he, Ms. Rovira-Forino and Mr. Moore attended the banquet to receive the award. Ms. Kuligofski recognized Ms. Brenda Kerrick, Senior Human Resources Generalist, and thanked her for work coordinating this program.

This item was provided for the Board's information, and no action was required.

6. **District Recognition – Lorian Williams Award from the Florida Minority Supplier Development Council**

The Florida Minority Supplier Development Council (FMSDC) is a non-profit corporation whose mission is to provide a direct link between corporate America and minority-owned business enterprises. Now in its 23rd year, the FMSDC is the premiere networking organization for minority businesses in Florida. Florida's water management districts co-sponsor the FMSDC Annual Forum each year, and this District has been an active member of the FMSDC for nine years.

Mr. Daryl Pokrana, Director, Finance Department, said on June 25, 2009, Mr. David Otto, Buyer 2 in the Purchasing Section, was awarded the first Annual Lorian Williams Award at

the FMSDC Annual Forum. Ms. Williams passed away last year after a long illness. She was a loyal supporter of the FMSDC, always stepped up to the plate and gave more than others could ever give to her. The award in her name is given to an individual that embodies her spirit and commitment to the FMSDC.

Mr. Otto began his 21-year career at the District in 1988. He has been involved in the District's vendor development programs and demonstrates extraordinary commitment to the District's minority vendor outreach efforts. He has received recognition for his efforts on prior occasions. Mr. Otto is a great supporter of the FMSDC and the District's overall vendor diversity efforts. He always makes himself available to help any corporate or minority supplier wholeheartedly. He has always fully supported all meetings of the FMSDC Central Chapter and the West Coast Chapter with his attendance and assistance in any way necessary to ensure the FMSDC goals are met. He has served as the Vice President of the West Coast Chapter for the last two years. Mr. Otto is a credit to himself, the FMSDC and the District.

Ms. Rovira-Forino said this award represents a high honor. When she came to Florida in 1986, she was appointed by the Governor at that point in time to the Commission of Minority Business Development for the state of Florida. Since then, she has been involved in minority businesses programs nationwide and statewide. Last June, Ms. Rovira-Forino said she attended the FMSDC conference in Orlando, and it was a proud moment when Mr. Otto received the highest recognition award versus people from Walt Disney which produces \$400 million to minority business purchases and Home Depot with \$168 million of procurement with minorities. She said Mr. Otto won the single highest recognition in the state of Florida for minority commitment, purchasing and involvement in the state of Florida. She said it is an honor to work with Mr. Otto.

Mr. Pokrana said, in terms of dollars here at the District, as of the nine months ended June 30, 2009, \$9.3 million has been spent on minority firms which is 19 percent of total expenditures, and another \$4.9 million which is 10 percent of total expenditures for small businesses. He noted that there are real quantitative effects of Mr. Otto's hard work and the District appreciates his efforts.

Ms. Rovira-Forino thanked Mr. Schiller, Ms. Kuligofski, Mr. Pokrana and other staff, recognizing that this is a team effort. She said this award is outstanding and the Board is proud to be standing next to Mr. Otto.

Mr. Otto addressed the Board to give his thanks for the opportunities afforded him at the District. He said this award is a symbol that the District's efforts are working throughout the community and with the small businesses. He said technically this award should be presented to the Board and the District to encourage continuing its efforts in minority development. Chair Pressman thanked Ms. Rovira-Forino and Mr. Otto for championing this cause. (CD 1/Track 2 – 00:18/07:58)

This item was provided for the Board's information, and no action was required.

7. **District Recognition – Tampa Area Safety Council Fleet and Occupational Safety Contest**

Ms. Kuligofski said, as a member of the Tampa Area Safety Council, the District participates in the Council's annual safety contests for Fleet Safety and Occupational Safety. Participation allows the District to compare its fleet and work related injury status to other public and private entities in the Tampa Area. These contests are held annually and have an average of 15 participating entities. The District has participated in these contests for the last 10 years. Bartow and Sarasota both have been recognized as winners in previous years.

For calendar year 2008, the Sarasota and Bartow Service Offices were winners in each category. Sarasota won a First Place award in both Fleet and Occupational Safety. Bartow won a First Place award for Occupational Safety and a Third Place award for Fleet Safety. Safety representatives from these two offices were recognized at a Safety Council lunch in May and received a plaque for each contest category.

Ms. Kuligofski recognized Ms. Lucy Petruccelli and Ms. Ilka Chestnut of her staff who work very hard to ensure that the District has good safety protocols, procedures, equipment and training in place for staff. She said this is an acknowledgment of their efforts, as well as management's support. (CD 1/Track 2 – 07:58/10:05)

This item was provided for the Board's information, and no action was required.

Chair Pressman noted that Ms. Parks has been recognized as one of five women to receive the Women Inspire Award presented by the Largo/Mid-Pinellas Chamber of Commerce's Women in Business Council which acknowledges women making a difference in the community and workplace.

8. **Employee Recognition**

Mr. Moore made presentations to the Board for all employees who have achieved milestones of 20 years or greater and those retiring from the District. He specially acknowledged and commended the contributions of these individuals. The following individuals chose to be recognized before the Board:

MILESTONE	EMPLOYEE NAME	TITLE	DEPARTMENT
Retirement	Jimmy Brooks	Sr. Com. Affairs Program Mgr.	Community & Leg. Affairs
25 Years	Deborah Ammendola	Senior Field Technician	Brooksville Regulation
20 Years	James Beasley	Field Coordinator	Operations
	Julie Pickard	Senior Audit Assistant	Office of Inspector General
	Mark Hurst	Sr. Environmental Scientist	Bartow Regulation
	Scott Hickerson	Senior Professional Engineer	Tampa Regulation

Mr. Moore said that Mr. Brooks is retiring after more than 35 years of service. He noted that Mr. Brooks was the first operations manager of the Tampa Bypass Canal and has been involved in many issues at the District, including many controversial meetings like the Wysong Dam and Lake Rousseau drawdown. For over 20 years, Mr. Brooks has been working as a Community Affairs Coordinator and opened the District's Inverness Service Office in 1987. Mr. Moore said he has done a great job in the northern portion of the District and his great attitude embodies the outreach required to be a Community Affairs Coordinator. Mr. Brooks is truly a Florida cracker and his family can be traced back six generations. Mr. Moore thanked Mr. Brooks for his years of service at the District. Mr. Brooks expressed his appreciation for opportunities experienced during his years working at the District. He said District issues has expanded tremendously and staff is excellent to work with. During his tenure, he had the opportunity to work with the Basin Boards and he appreciates the Board members volunteering their time. In retirement, Mr. Brooks said he will continue to work to protect the resources in this part of the state. (CD 1/Track 2 – 10:05/23:31)

This item was provided for the Board's information, and no action was required.

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

Mr. Eric Yeates, resident of Sugarmill Woods in Citrus County, addressed the Board regarding water usage to maintain landscaping in his area. He said twice-a-week watering is needed to maintain lawns. (CD 1/Track 3 – 00:00/03:39)

Consent Agenda

Mr. Beswick declared a conflict of interest for Item 22.d. Item 24 was moved for consideration on the Finance and Administration Committee agenda. Items 29 and 31 were deleted from consideration.

Regulation Committee

10. **Board Encumbrance – Water Management Information System Flow Meter (WMIS) Program**

Staff recommended to approve the encumbrance of \$144,625 in FY2009 budgeted funds for the WMIS Flow Meter Project to be used in FY2010.

Resource Management Committee

11. **Appraisals and Agreement – Brooker Creek Headwaters, SWF Parcel No. 14-074-156C**

Staff recommended to (1) accept appraisals; (2) approve Agreement and Conservation Easement; and (3) designate SWF Parcel No. 14-074-156C as having been acquired for conservation purposes.

12. **Appraisals, Purchase/Sale Agreements and Resolution Requesting Funds – Annatteliqa Hammock Project, SWF Parcel Nos. 15-228-1309, 1312, 1315, 1316, 1317, 1319 and 1320**

Staff recommended to (1) accept appraisals; (2) approval of purchase/sale agreements; (3) approval of resolution requesting funds; and (4) designation of SWF Parcel Nos. 15-228-1309, 1312, 1315, 1316, 1317, 1319 and 1320 as having been acquired for conservation purposes.

13. **Agreement with Citrus County for the Management of the Chassahowitzka River Campground, SWF Parcel No. 15-347-105X**

Staff recommended to approve the Agreement with Citrus County for the Management and Operation of the Chassahowitzka River Campground, SWF Parcel No. 15-347-105X.

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

Staff recommended to (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 Glannakopulos 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.

15. **Appraisal and Purchase/Sale Agreement – Lake Hancock Project, SWF Parcel No. 20-503-178P**

Staff recommended to (1) accept the appraisals; and (2) approve the Purchase/Sale Agreement.

16. **Appraisals and Purchase/Sale Agreement – Myakka Prairie Project, SWF Parcel No. 21-199-110C**

Staff recommended to (1) accept the appraisals; (2) approve resolution requesting funds; (3) approve the Purchase/Sale Agreement; and (4) designate SWF Parcel No. 21-199-110C as being acquired for conservation purposes.

17. **Approve Resolution 09-15 for the Reallocation of Funds Appropriated by the State in Fiscal Years 2006 and 2008 – Water Protection and Sustainability Trust Fund**

Staff recommended to adopt Resolution No. 09-15 which reallocates \$43,541 in FY2006 Water Protection and Sustainability Trust Funds from the withdrawn Bridges-Stormwater Reuse (N105) to the ongoing City of Bradenton Reservoir Expansion (H059); and reallocates \$243,660 in FY2008 Water Protection and Sustainability Trust Funds from the cancelled City of New Port Richey Midwest/Northwest Reclaimed Water Distribution System (L812) to the ongoing Charlotte County Regional Reclaimed Water Expansion (H027).

18. **Approve Initiation of Rulemaking to Amend Rules 40D-8.041 and 40D-80.074, Florida Administrative Code (F.A.C), to Establish Minimum Flows and a Recovery Strategy for the Lower Alafia River System**
Staff recommended to (1) accept the report entitled, "The Determination of Minimum Flows for the Lower Alafia River Estuary" dated December 2008; and (2) approve the initiation of rulemaking and adoption of amendments to Chapters 40D-8 and 40D-80, F.A.C., to adopt the proposed minimum flow rules and recovery strategy for the lower Alafia River.
19. **Tampa Reclaimed Water Expansion Project (f/k/a South Tampa Area Reclaimed Project Phase II) – Third Amendment**
Staff recommended to approve the Third Amendment to the Agreement with the City of Tampa to modify the scope of work and extend the deadlines while maintaining a total cost of \$22,000,000, with the Hillsborough River Basin's share not to exceed its current commitment of \$11,000,000, contingent upon Hillsborough River Basin Board approval; and authorize the Executive Director to execute the amendment.
20. **Pinellas County North Reclaimed Water Telemetry Control Project – First Amendment**
Staff recommended to approve the First Amendment to the Agreement with Pinellas County to reduce the scope of work, extend the construction commence date and reduce the total cost to \$500,000, with the Pinellas-Anclote River Basin's share not to exceed \$250,000, for a total District commitment of \$250,000; and authorize the Executive Director to execute the amendment.
21. **Surface Water Improvement and Management (SWIM) – Stewart Middle School Shoreline Restoration**
Staff recommended to authorize a budget transfer of \$25,000 from Tampa Bay Habitat Restoration (W312) project and \$50,000 from the Tampa Bay SWIM Plan Implementation (W020) project to the Stewart Middle School Shoreline Restoration Project (W399) to support the expanded construction and restoration area.
22. **Facilitating Agricultural Resource Management Systems (FARMS)**
 - a. **4 Star Tomato-Long Creek Farm – Manatee County**
Staff recommended to (1) approve the 4 Star Tomato, Inc.–Long Creek Farm Project for a not-to-exceed project reimbursement of \$187,500 with \$32,140 provided by the Manasota Basin Board, \$32,139 provided by the Governing Board, and \$123,221 provided from 2003 and 2005 State Appropriations to the Manasota Basin Board; (2) authorize the transfer of \$32,140 from fund 021 H017 Manasota Basin Board FARMS funds, \$32,139 from fund 010 H017 Governing Board FARMS funds, \$58,492 from fund 021 2003 State Appropriations and \$64,279 from fund 021 2005 State Appropriations to 010 H583 4 Star Tomato, Inc.–Long Creek Farm project fund and 021 H583 4 Star Tomato, Inc.–Long Creek Farm, project fund; and (3) authorize the Executive Director to execute the agreement.
 - b. **Bentley Ranch – Hardee County**
Staff recommended to (1) approve the Bentley Ranch, Inc. project for a not-to-exceed reimbursement of \$255,000, with \$63,750 provided by the Peace River Basin Board, \$63,750 provided by the Governing Board, and \$127,500 provided from State Appropriations to the Governing Board; (2) authorize the transfer of \$63,750 from fund 020 H017 Peace River Basin FARMS funds, \$63,750 from fund 010 H017 Governing Board FARMS funds, and \$127,500 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to the H586 Bentley Ranch project fund; and (3) authorize the Executive Director to execute the agreement.
 - c. **Bishop Citrus – Charlotte County**
Staff recommended to (1) approve the Bishop Citrus, Inc. project for a not-to-exceed reimbursement of \$190,000, with \$47,500 provided by the Peace River Basin Board, \$47,500 provided by the Governing Board, and \$95,000 provided from State Appropriations; (2) authorize the transfer of \$47,500 from fund 020 H017 Peace River Basin Board FARMS funds, \$47,500 from fund 010 H017 Governing Board FARMS funds, and \$95,000 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to the H585 Bishop Citrus project fund, and encumber these funds into

FY2010 in the event a contract is not executed prior to FY2009 year end; and (3) authorize the Executive Director to execute the agreement.

d. **Billy H. Haygood, Trustee for L. D. Hancock Marital Trust - Hancock Grove Project Phase III – DeSoto County**

Staff recommended to (1) approve the Hancock Grove Phase III project for a not-to-exceed reimbursement of \$375,000, with \$93,750 provided by the Peace River Basin Board, \$93,750 provided by the Governing Board, and \$187,500 provided from State Appropriations to the Governing Board; (2) authorize the transfer of \$93,750 from fund 020 H017 Peace River Basin Board FARMS funds, \$93,750 from fund 010 H017 Governing Board FARMS funds, and \$187,500 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to the H584 Hancock Grove Phase III project fund, and encumber these funds into FY2010 in the event a contract is not executed prior to FY2009 year end; and (3) authorize the Executive Director to execute the agreement.

e. **Mixon Family Farms – Polk County**

Staff recommended to (1) approve the Mixon Family Farms, Inc. project for a not-to-exceed reimbursement of \$176,000, with \$44,000 provided by the Peace River Basin Board, \$44,000 provided by the Governing Board, and \$88,000 provided from State Appropriations; (2) authorize the transfer of \$44,000 from fund 020 H017 Peace River Basin Board FARMS funds, \$44,000 from fund 010 H017 Governing Board FARMS funds, and \$88,000 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to H572 Mixon Family Farms, Inc. FARMS project fund, and encumber these funds into FY2010 in the event a contract is not executed prior to FY2009 year end; and (3) authorize the Executive Director to execute the agreement.

f. **Tornello Landscape – Hillsborough County**

Staff recommended to (1) approve the Tornello Landscape Corporation project for a not-to-exceed project reimbursement of \$50,000 with \$12,500 provided by the Alafia River Basin, \$12,500 provided by the Governing Board, \$9,416 provided from 2005 State Appropriations to the Alafia River Basin Board, and \$15,584 provided from 2009 State Appropriations to the Governing Board; (2) authorize the transfer of \$12,500 from fund 011 H017 Alafia River Basin FARMS funds, \$12,500 from fund 010 H017 Governing Board FARMS funds, \$9,416 from the 2005 State Appropriations allocated to fund 011 H017 FARMS funds, and \$15,584 from the 2009 State Appropriations allocated to fund 010 H017 FARMS funds, to H587, Tornello Landscape Corporation, project fund, and encumber these funds into FY2010 in the event a contract is not executed prior to FY2009 year end; and (3) authorize the Executive Director to execute the agreement.

23. **Board Encumbrances**

a. **Facilitating Agricultural Resource Management Systems Program**

Staff recommended to approve the encumbrance up to \$1,445,022, or the remaining dollars available, from the FY2009 budget, for future year FARMS projects.

b. **Lake Hancock Lake Level Modification Project**

Staff recommended to approve the encumbrance of \$500,000 (of which \$250,000 is from the General Fund, \$62,500 is from the Alafia River Basin, \$125,000 is from the Peace River Basin, and \$62,500 is from the Manasota Basin Boards), without a contract, to be used in FY2010 for implementation of the Lake Hancock Lake Level Modification Project.

c. **Lower Hillsborough River Recovery Strategy Implementation Project**

Staff recommended to approve the encumbrance of \$2,610,000 (of which \$1,305,000 is from the General Fund, \$978,750 is from the Hillsborough River Basin, and \$326,250 is from the former Northwest Hillsborough Basin Boards), without a contract, to be used in FY2010 for implementation of the Lower Hillsborough River Recovery Strategy Project for Minimum Flows.

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

Staff recommended to 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.

e. **SWIM – Lake Hancock Outfall Treatment Project**

Staff recommended to request approval to encumber \$1,792,504, without a contract, for the Lake Hancock Outfall Treatment Project to be used in FY 2010.

Finance & Administration Committee

24. **Board Travel**

This item was moved for consideration on the Finance and Administration Committee agenda.

25. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for July 2009.

26. **General Services Department Fiscal Year 2009 Encumbrances – Facilities**

Staff recommended to authorize the encumbrance of \$588,028 in the FY2009 Capital Improvement Plan (CIP) Facilities Fund budget for the Connection to the Hernando County Sewer System project (\$15,723), the Brooksville Parking Lot Repair and Resurfacing project (\$466,327), and the Brooksville Building 4 Fire Pump Generator project (\$105,978) for work to be completed during FY2010.

27. **Information Resources Department Fiscal Year 2009 Encumbrances – Multi-Year Funded Projects**

Staff recommended to approve the encumbrance of an amount not to exceed \$958,800 in FY2009 budgeted funds for the purchase of multi-year funded systems to be implemented in FY2010.

28. **Information Resources Department Fiscal Year 2009 Encumbrances – Residual FY2009 Computer Sinking Fund**

Staff recommended to approve the encumbrance of budgeted FY2009 funds in an amount not to exceed \$175,000 remaining in the Computer Renewal and Replacement Sinking Fund reserve account for use in FY2010.

General Counsel's Report

29. **Interagency Agreement between SWFWMD and SJRWMD for Designation of Regulatory Responsibility – City of Ocala – Marion County**

This item was deleted from consideration.

30. **Consent Order – Surface Water Activity – Charles A. Salisbury – Pasco County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation against Charles A. Salisbury, if necessary to obtain compliance with the Consent Order.

31. **Initiation of Litigation – ERP No. 46026659.000 - Automated Petroleum and Energy Company, Inc. and Anthony BP, Inc. (APEC - Highway 301 Gas/Convenience) – Hillsborough County**

This item was deleted from consideration.

32. **Initiation of Litigation – ERP No. 4418600.00 - A-Investments Development Corporation d/b/a Ariel Homes (Rosa Woods I, II & III) – Hillsborough County**

Staff recommended to authorize the initiation of litigation against Ariel Homes, and any other appropriate parties to obtain compliance, and to obtain a civil penalty and recovery of District enforcement costs, attorney's fees and court costs.

33. **Initiation of Litigation – WUP No. 20012843.002 - Vikings, LLC (Juliette Falls) – Marion County**

Staff recommended to authorize the initiation of litigation against Vikings, LLC and any other appropriate parties to obtain compliance, a monetary penalty, and recovery of District enforcement costs, court costs, and attorney's fees.

Executive Director's Report

34. **Annual Calendar of Fiscal Year 2010 Meeting Dates**

Staff recommended to approve the Fiscal Year 2010 annual meeting calendar as presented.

35. **Approve July 28, 2009 Governing Board Meeting Minutes**

Staff recommended approval of the minutes as presented.

Following consideration, **Ms. Parks moved, seconded by Mr. Combee, to approve Consent Agenda Items 10 through 22.c., 22.e. through 23, 25 through 28, 30 and 32 through 35. Motion carried unanimously.** (CD 1/Track 4 – 00:00/00:54)

Following consideration of Item 22.d., **Mr. Combee moved, seconded by Ms. Parks, to approve Item 24 as presented. Motion carried; Mr. Beswick abstained from voting.** (CD 1/Track 5 – 00:00/00:34)

Chair Pressman relinquished the gavel to Regulation Committee Chair Senft.

Regulation Committee

Item 39 was deleted from consideration.

Discussion Items

36. **Consent Item(s) Moved for Discussion** – None

37. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, provided information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record. The U.S. Drought Monitor (as of July 28) indicates most of the District is experiencing normal moisture conditions; however, abnormally dry conditions have begun to return to Sarasota County and the coastal areas of Manatee and Charlotte counties. Current NOAA climate forecasts continue to predict above-normal rainfall conditions for the District for the next 10 months (August 2009 through May 2010), due to El Niño conditions in the Pacific Ocean. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of condition data.

Mr. Combee said the District needs to make citizens understand that, although it has been raining, more rain is needed to improve conditions. Mr. Oakley said he thinks most people are being conservative with their water, especially in Pasco County. Mr. Senft said he and Mr. Moore attended a meeting in Orlando with MyRegion.org yesterday and they counseled that water is one of the top priorities but that doesn't seem to have reached the citizens of other water management districts. He said this District has done a better job in getting the message to its citizens. Mr. Tharp said a problem in The Villages is educating new residents that, although it is raining, water conservation is important. (CD 1/Track 6 – 00:00/13:56)

This item was presented for the Committee's information, and no action was required.

38. **Consider Phase IV Water Shortage Order No. SWF 09-012 for Tampa Bay Water and Its Member Governments, their Wholesale Customers and Florida Government Utilities Authority (Seven Springs f/k/a Aloha Utilities)**

Mr. Owen said the Modified Phase IV water shortage restrictions are currently in effect for lawn and landscape irrigation when these water uses involve potable water provided directly or indirectly by Tampa Bay Water or the Florida Government Utility Authority (formerly Aloha Utilities). These restrictions were originally declared on February 24, 2009 and are currently scheduled to expire on August 31, 2009, unless the Governing Board takes further action. At such time that any water use currently subject to the Phase IV Order is released from it, the water use would become subject to any less stringent water shortage restrictions (Phase III) that might still apply. Mr. Owen said staff is recommending to allow the modified Phase IV restrictions to expire on August 31, 2009.

Mr. Owen reviewed the other orders currently in place. He noted that the primary reason for implementing Phase IV restrictions in the Tampa Bay area was the emptying of the 15-

billion-gallon Bill Young Reservoir in the spring. Late spring and summer rains have allowed Tampa Bay Water to put more than eight billion gallons into the reservoir at the time of the Governing Board meeting. The wholesale utility hopes to have at least 11 billion gallons stored by the start of the dry season in October. August rainfall has been below normal, and while surface water supply systems are refilling, hydrologic indicators are declining. Above normal rainfall will be required for full recovery from the drought.

Mr. Owen said staff is recommending downgrading the water shortage situation in the Tampa Bay area from modified Phase IV to modified Phase III. The modified Phase III restrictions are set to expire in September unless the Board takes action to extend them.

In response to Ms. Whitehead's inquiry regarding percentages, Mr. Owen said that is an overall goal. He said the percentages were developed in the rulemaking process and they are not exactly what the rule requires. Districtwide, conservation has been effective above and beyond what was hoped to be achieved in long-term programs. In response to Mr. Oakley's question, Mr. Owen said in the three-county area, from April 2009 through July 2009, compared to the same time period last year, there is a 13 percent regional reduction in demand. Mr. Moore said, during the critical core of this shortage, the number is even more impressive—closer to 20 percent. Mr. Moore said, regarding the MyRegion.org meeting yesterday, there is almost a hesitancy to rely on conservation because it cannot be documented. He said this District has documentation that savings can be realized from conservation.

Committee Chair Senft asked Mr. Bilenky if the Board should vote for the record on the modified Phase III restrictions. Mr. Bilenky said the Board can vote should it want to send the public a message that the Board was in support of the recommendation.

Following consideration, **Ms. Parks moved to recommend allowing the modified Phase IV restrictions to expire on August 31, 2009. Ms. Rovira-Forino seconded the motion.**

Mr. Oakley said the District is still in a drought and suggested continuing the modified Phase IV restrictions. He noted that the District is entering its dry season in October. Mr. Owen said that based on science, staff is ready to remove Phase IV because of the water supply situation in the Tampa Bay area. He said the challenge is not to diminish citizens' efforts to conserve. Mr. Oakley said the counties can still be at a Phase IV even if the District goes to Phase III. Mr. Gramling said, although the lack of rainfall is a problem, the real issue of going to Phase IV was the system problem and that has been resolved. He said he feels Phase III is appropriate.

Committee Chair Senft said the motion could carry a caveat that staff will continue to monitor conditions closely and it can be changed every 30 days when the Board meets if more cautious restrictions are needed. Mr. Owen said the enhanced reporting requirements for the Tampa Bay area will remain in place so the District has the information to know if public awareness is continuing.

Committee Chair Senft called for a vote on the motion. **Motion carried unanimously.**
(CD 1/Track 7 – 00:00/14:56)

39. **Northern Tampa Bay Recovery Strategy Rulemaking Update**

This item was deleted from consideration.

40. **Approve Changes to Previously Approved and Published Amendments to Year-Round Water Conservation Measures, Chapter 40D-22, Florida Administrative Code**

Ms. Karen A. Lloyd, Assistant General Counsel, said the purpose of this presentation is to request approval of changes to previously proposed and published amendments to the District's Year-Round Water Conservation Measures, Chapter 40D-22, F.A.C., in order to

address comments received on the rule and to complete the rule adoption process. An initiative to address consistency between the St. Johns River Water Management District (SJRWMD), South Florida Water Management District (SFWMD) and this District's year-round conservation measures began in November 2007. Substantive agreement was reached among the three districts in April 2008, and each District entered into rulemaking to either adopt amendments to existing rules or to adopt new rules to implement the points of agreement after seeking appropriate public input. Focus was on irrigation schedules and consistent days and hours. In May 2009, as part of this District's rulemaking effort, the Governing Board approved publication of rule amendments to Chapter 40D-22, F.A.C. Publication occurred on June 12, 2009.

In response to the publication of proposed rule amendments, the District received letters commenting on the amendments from the City of St. Petersburg, Sarasota County, the Florida Association of Counties and the Small Business Regulatory Advisory Council; requests for a public hearing before the Board from the Cities of Tampa and St. Petersburg and the Florida League of Cities (League); and the submittal of a lower cost regulatory alternatives (alternative to the proposed rules) from Tampa and the League.

The concerns expressed in the letters fall into three categories. The first is an objection to the proposed amendment that would require local governments to submit for District approval any ordinance that the local government proposes to adopt that regulates irrigation of lawn and landscape. The second category is an assertion that some of the provisions are difficult or expensive to local governments to enforce. The third category include questions and suggestions, such as a request to reassign allowable watering days for new plant establishment and non-residential properties to simplify enforcement, and clarification regarding the status of existing local watering ordinances.

In response to Mr. Combee's inquiry, Ms. Lloyd said there is a statewide group composed of the Florida Department of Environmental Protection (DEP), the Water Management Districts and various utilities to work through those efforts and resolve issues. Mr. Moore said this is of legislative interest and the DEP Secretary approached the Legislature, Polk County and Senator Paula Dockery to begin a work group to address issues and find a resolution statewide.

Ms. Lloyd noted that, as originally proposed, the rule would have required local governments to submit for District approval any proposed ordinance that would regulate irrigation of lawns and landscapes. Some local governments argued that such a requirement is beyond the District's authority. Although the District believes it does have the statutory authority, the District agreed to return to existing language that requires local governments to provide notice when such an ordinance is passed. The information will instead be made available through District educational efforts.

Staff recommended to approve the changes to the proposed amendments to Chapter 40D-22, F.A.C., Year-Round Water Conservation Measures, and to authorize staff to complete the rulemaking to adopt these changes. Following consideration, **Mr. Combee moved, seconded by Ms. Whitehead, to approve the staff recommendation.**

Committee Chair Senft said one speaker's card was received for this discussion.

Ms. Phoenix McKinney, representing the City of Tampa, thanked the staff for their responsiveness and for working with the City and others. She said the City had submitted a request for a public hearing, request for Statement of Estimated Regulatory Cost (SERC) and submitted a lower cost regulatory alternative to the published rule. She said, based on staff's recommendation of the revised rule language and upon the Board's approval, the City withdraws its request for a public hearing, for SERC and consideration of the low-cost regulatory alternative.

Committee Chair Senft called for a vote on the motion. **Motion carried unanimously.**
(CD 1/Track 8 – 00:00/12:03)

Mr. Combee noted that Mr. Yeates, who spoke earlier, also sent a letter to the District. He suggested staff send Mr. Yeates information regarding water requirements for grasses. Ms. Kavouras said staff will provide Florida friendly landscape and other available information.
(CD 1/Track 8 – 12:03/12:51)

41. **Enhanced Water Conservation Rulemaking Update**

Mr. Bobby Lue, P.E., Director, Brooksville Regulation Department, provided a status report of the ongoing activities to develop rules to enhance water conservation measures in the District, and an overview of the elements of the draft rule. In April 2007, the Governing Board approved initiation of rulemaking to enhance the District's water conservation requirements in the water use permitting program. Originally, the focus was on public supply and recreational uses; the proposed draft rules have been extensively reviewed in workshop sessions and now address conservation in all use sectors. The Enhanced Water Conservation rulemaking initiative was developed as follows:

- Extend the Southern Water Use Caution Area (SWUCA) water conservation rules and criteria Districtwide.
- Amend or revise some existing conservation requirements and apply them Districtwide.
- Enhance and add new water conservation measures for all use types Districtwide.
- Require Conservation Plans for each use type include specific conservation measures that must be evaluated and implemented, if feasible. Require implementation schedules and progress reports on the implemented measures.

The final draft of the rule was posted on the District's website in August 2009, and e-mail notices were sent to all attendees of the public meeting, Advisory Committee members and other interested parties advising them of the status report to the Governing Board this month and that comments should be submitted by August 21, 2009. The final rule is scheduled to be presented to the Governing Board at its September 2009 meeting.

In response to Mr. Beruff's questions, Mr. Lue said water bills will be impacted by utilities' conservation rate structures. Mr. Owen said the per capita provision was implemented some time ago and it did influence water bills. He said that next month the Board will receive a Statement of Estimated Regulatory Cost which will address the potential cost to the public, utilities and other users. In response to Ms. Parks' question, Mr. Lue said the utilities have been involved in many meetings during this two-year process. In response to Mr. Tharp's question regarding golf course restrictions, Mr. Lue said there is a provision in the draft rules that by January 2012 irrigation will be phased out for roughs; however, permitted quantities can be used that were allocated for tees, greens and fairways in the roughs if Florida friendly landscaping exists. He said there also is a provision that will allow continued disposal of reclaimed water on the roughs. (CD 1/Track 8 – 12:51/33:24)

This item was presented for the Committee's information, and no action was required.

42. **Public Hearing – Adoption of Proposed Water Use Permit Application – Mining and Dewatering Form**

Ms. Martha A. Moore, Senior Attorney, Office of General Counsel, noted that, at the May 2009 meeting, the Governing Board approved the initiation of rulemaking to adopt a new Water Use Permit Application – Mining and Dewatering Form to be used in applying for all mining-related and dewatering water use permits. Following notice of proposed rulemaking in the Florida Administrative Weekly, representatives of the two phosphate mining companies currently operating within the District advised staff of concerns with the proposed form and requested a public hearing to discuss those concerns. Staff has since met with the representatives, and in acknowledgement of the complexities and large-scale, long-term nature of the phosphate mining activities that occur in this district and resulting

difficulties of providing all of the requested information through use of a standardized form that is intended to be used for all levels and types of mining activities, staff has agreed to exclude phosphate mines from use of the proposed new form pending development of a separate form or revised form that can better accommodate the information needs related to phosphate mining. This necessitates some changes in the proposed mining form and related rules, which is the subject of agenda item 43.

Ms. Moore said the request for public hearing has been withdrawn, no other persons were present to provide testimony, and thus the hearing could be closed. Following consideration, **Ms. Parks moved, seconded by Ms. Rovira-Forino, to close the public hearing. Motion carried unanimously.** (CD 1/Track 9 – 00:00/01:30)

43. **Approve Revised Proposed Water Use Permit Application Mining and Dewatering Materials Other Than Phosphate Form and Related Rule Amendments**

Ms. Moore said the proposed form is intended to be used for all mining and dewatering uses, from single borrow pit operations to large scale facilities. Staff also proposes that, pending development of a separate phosphate mining-related application form, the existing Water Use Permit Application Supplemental Form – Mining or Dewatering be retained for use by phosphate mining permittees until such time as a new form is available. Accordingly, staff has revised the proposed new Mining and Dewatering WUP application form to exclude phosphate mining-related water uses, and propose changes in the rule amendments to retain the existing WUP Application Supplemental Form – Mining or Dewatering for phosphate mining only. Upon Governing Board approval of these rule amendment changes and revisions to the new form, staff will publish a notice of change and continue with the rule adoption process without further Governing Board action unless substantive public comments are received or other substantive changes are proposed, in which case this item will be brought back to the Governing Board for further consideration.

Staff recommended to approve revised Mining and Dewatering Water Use Permit Application Form and changes in amendments to Rules 40D-1.659 and 40D-2.101, F.A.C., to adopt the form. Following consideration, **Mr. Gramling moved, seconded by Mr. Oakley, to approve the staff recommendation. Motion carried unanimously.** (CD 1/Track 9 – 01:30/04:10)

44. **Denials Referred to the Governing Board**

There were no requests for applications or petitions to be referred to the Governing Board for final action.

Submit & File Report

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

45. **Individual Permits Issued by District Staff**

Mr. Owen said this is the first time staff has been able to populate these tables and the "description" column has been added as requested. He said the window has closed on these to potentially challenge the permit. Mr. Owen said the first pending permits workshop was held August 5 in the Tampa Service Office and about 16 people attended. He noted that no one spoke regarding a permit. In response to Ms. Parks' question, Mr. Moore said the meetings are scheduled for the first Tuesday or Wednesday of each month in the Tampa Service Office. Mr. Owen said staff will continue to respond to feedback to help facilitate public input. Mr. Moore said he envisions doing this process through the end of next legislative session.

In response to Ms. Parks' concern, Mr. Owen said the feedback he has received was that the District has taken away some of the gains the permittee would have had with the legislation, and the District has added more time into the process than otherwise would have been there. He noted that it is still less time in most cases than waiting for a Board meeting, but it is still adding a little more time. Mr. Owen said, as time goes on, perhaps staff can balance that by achieving as much efficiency as possible with maintaining

opportunity for public input. Mr. Moore said there was a misunderstanding that the permits are coming back for the Board to take action. He said the whole concept is that the District has a process in place. He said it starts with the pre-application meeting, then notice that a permit is in-house, followed by staff sending requests for additional information. Once staff declares they have all the information to act on a permit, it is then scheduled for the public meeting providing it is not later than 3:00 p.m. the Friday before the scheduled public meeting. Mr. Moore said with time, consulting with other districts and the next legislative session, there may be additional streamlining. Chair Pressman said the purpose of the legislation was to streamline and move things along. (CD 1/Track 9 – 04:10/13:00)

Routine Reports

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

46. **Southern Water Use Caution Area Quantities**

47. **Water Production Summary**

48. **Overpumpage Report**

Mr. Rovira-Forino noted that companies have been on the list for numerous months and asked when does the District determine that the permit holder is not in compliance and what actions are taken. She said she is concerned with transparency for all permit holders. Mr. Owen said the normal process is to have a file reviewed within two months. If not in compliance, then the file goes to the Office of General Counsel. He noted there may be a unique circumstance for a permit if it has been on the list for more than two months. Mr. Owen said staff will provide additional information to the Board.

Regarding Tampa Bay Water's (TBW) overpumpage, Mr. Moore said the direction has been to treat everyone the same. He said he and Chair Pressman met with TBW's chair and general manager about a month ago who requested the District not pursue enforcement for the exceedance of the 90 million gallons per day. Mr. Moore said he conveyed that the District will follow its usual procedure. Based on the penalty matrix, a fine of approximately \$50,000 is being considered. He noted that the fine for Polk County was invested in additional conservation and alternative supplies, and the Board elected to waive a fine with Citrus County if it came into compliance in a set time. Mr. Moore said staff is moving forward with a consent order for TBW which will follow the normal process. He noted that TBW has been very responsive which is having a major impact on the size of the fine. Chair Pressman said this is a good example of an entity the District has a good relationship with and consideration that it is a utility which provides water to the public. Ms. Rovira-Forino said she wants to ensure that, as staff track permits and overpumpage red flags appear, the same procedures are applied across the board. Mr. Moore said the District does consider actions taken to mitigate the problem. Mr. Bilenky said the Board is not without an involvement in the matter because staff will bring consent orders to the Board, and the Board will have the opportunity to review, discuss and vote upon the matter.

49. **Resource Regulation Significant Initiatives**

(CD 1/Track 9 – 13:00/27:44)

Regulation Committee Chair Senft relinquished the gavel to Resource Management Committee Chair Joerger.

Resource Management Committee

Discussion Items

50. **Consent Item(s) Moved for Discussion** – None

51. **Aquifer Storage and Recovery Arsenic Issue Update**

Mr. Don Ellison, Senior Professional Geologist, Resource Projects Department, provided an update and status of the District's ongoing efforts to work at a national level to solve the

metals mobilization and other issues that are impeding the development of Aquifer Storage and Recovery (ASR) projects throughout the country. ASR is the storage of treated surface water or reclaimed water in the aquifer for future use. Excess water obtained during wet periods is injected through a well and stored in the aquifer until it is needed and withdrawn during the dry periods. All water injected into the aquifer is required to meet drinking water standards (DWS). Currently, there are 12 projects in the District capable of operation; five projects in the construction phase; and six projects that have been cancelled or put on indefinite hold due to uncertainty resulting from the arsenic mobilization issue. Completed projects provide over 52 million gallons per day (mgd) during the dry season and projects currently under construction will add another seven mgd of dry season supply. As a result of the uncertainty that has been created, it is estimated that plans to construct in excess of 100 mgd of dry season supply have been postponed. There have been no new ASR projects proposed in the District since 2006. Despite the fact that the constructed facilities do not yet have operational permits, over 20 billion gallons of water have been supplied to the public while meeting all applicable DWS.

In 1995 the mobilization of naturally occurring arsenic was first discovered at the City of Tampa ASR site. By 2004 it had grown to a statewide issue and has now emerged as a national issue. Florida and several other states have shared an interest in developing workable solutions to a manageable problem. The current practice of the Florida Department of Environmental Protection (FDEP) and the Environmental Protection Agency (EPA) is to ensure that ASR facilities are in full compliance with the DWS at all times prior to issuing an operational permit. Through the use of consent or administrative orders, the FDEP is able to allow the continued testing of existing facilities and the development of new facilities that are not meeting the DWS if they show they are committed to implementing solutions to the mobilization issue.

The District has become one of the national leaders in the advancement of both ASR technology and research. The Governing Board's past commitment to funding research to identify the sources and mechanisms causing the mobilization of arsenic in the aquifer has been instrumental in the development of possible solutions such as the nationally recognized City of Bradenton Pre-Treatment Degasification Pilot Study. Findings from this research have helped the FDEP to better understand the problem and led them to consider regulatory adjustments that would permit a zone of conditioning around ASR wells and would allow the arsenic mobilization process time to attenuate back to the DWS for arsenic. Regarding areas in the City of Tampa, Mr. Owen said the City has identified every well in an ASR zone and connected the homes to city water. In response to Mr. Combee's question, Mr. Ellison said the oldest ASR well in the state is the Lake Manatee site which is still active.

Since the last update on ASR that was given to the Board in April 2008, the EPA has started a process to determine if there is an adequate basis on a national level for them to take action and revisit the Underground Injection Control rules. On May 5 and 6, 2009, the EPA hosted a meeting of experts on ASR at the EPA's Region V office in Chicago to discuss innovative ideas for ASR operations that would prevent endangerment of underground sources of drinking water. District staff, along with FDEP and Florida Geological Survey (FGS) staff, accepted EPA's invitation to attend the meeting, and participated in productive and creative discussions regarding our ASR experience. If successful, the information gained from the City of Bradenton Pilot Study can be used to demonstrate to the EPA that the benefits of ASR are great while the minor risks are manageable.

District staff is currently coordinating with FGS and FDEP to travel to Washington, D.C. to meet with the EPA to further discuss the implementation of ASR in Florida. Additionally, staff is providing assistance with the development of a national ASR conference being held by the American Ground Water Trust on September 28 and 29 in Orlando. This

conference will provide an opportunity to demonstrate that Florida ASR issues are shared by many at a national level.

In response to Ms. Parks' question, Mr. Ellison said the District is providing funding for the City of Bradenton Pilot Study. Committee Chair Joerger said staff is being proactive with ASR and doing a great job. Ms. Rovira-Forino commended the City of Tampa for assessing the wells and being proactive to monitor the area. Mr. Moore noted that this issue has enormous ramifications for this District, and Mr. Ellison has been charged to lead the efforts to find resolutions. In response to Mr. Combee's question regarding finding a good location for storage, Mr. Ellison said there are multiple considerations such as close to a source, confinement to hold water, etc. (CD 1/Track 10 – 00:00/34:01)

This item was presented for the Committee's information, and no action was required.

52. **Lake Hancock Land Use Alternatives Study**

Mr. Eric Sutton, Director, Land Resources Department, and Jay Exum, Ph.D., Project Manager for Glattig Jackson Kercher Anglin, Inc., presented a draft land use and management plan for the lands acquired for multiple Lake Hancock projects in Polk County. The District and its consultant have worked with a variety of stakeholders to fashion the draft plan. Additional meetings will be held with stakeholders and the public to allow additional review and input prior to presenting the final plan to the Peace River Basin Board and Governing Board for approval.

The future management of lands for the Lake Hancock Project has generated a substantial interest by the public and other public agencies. As a result of this interest, the District and consultant have routinely engaged a variety of stakeholders including Polk County, Cities of Lakeland and Bartow, Sierra Club, the regional planning council, user groups (e.g., duck hunters), and others. Numerous meetings were held to garner stakeholders' input and vision for these properties. Stakeholders' concepts and visions for public use, recreation, and restoration for the project lands have been compiled and included, when consistent with the District's goals and objectives, in the development of a comprehensive land use and management strategy. These efforts will result in establishing significant public use opportunities in this region. Opportunities for partnerships resulting in delegation of some management responsibilities will be identified, possibly resulting in a reduction of District long-term management costs. Restoration and mitigation opportunities will also be identified, as well as long-term resource management strategies.

In response to Mr. Combee's question, Dr. Exum said that at some point usage fees may be charged for activities like camping. Mr. Sutton noted there are no financial requests at this time and the estimated long-term cost is \$14 million. In response to Mr. Gramling's inquiry, Mr. Sutton said those areas are for non-traditional uses and may be available for possible surplus for commercial markets. Ms. Whitehead noted that was a consideration when purchasing the lands. Mr. Senft requested a copy of the slide presentation. In response to Ms. Park's inquiry, Mr. Sutton said the draft report will be available in about a week. In response to Mr. Gramling's questions, Mr. Wirth said staff looked at the clay settling area as a possible reservoir, and it may be possible but the lands have been previously mined so a great deal of earth work would be needed. He said it is an option but the water is further downstream to find the volume required at the withdrawal point. (CD 1/Track 11 – 00:00/29:29)

This item was presented for the Committee's information, and no action was required.

The meeting recessed to provide a lunch break at 12:05 p.m. and reconvened at 12:50 p.m.

53. **Lake Hancock Outfall Treatment Project**

Mr. Eric DeHaven, P.G., Director, Resource Data and Restoration Department, said his presentation will provide an overview of the project, updated project costs regarding estimated construction and consultant costs, and review the project budget/schedule. He noted that the Lake Hancock projects are critical in the District's strategies for meeting minimum flows in the Upper Peace River, improving water quality in the Peace River, and protecting Charlotte Harbor, an estuary of national significance.

The specific objective of the Lake Hancock Outfall Treatment System is to utilize large-scale constructed wetlands to reduce annual nitrogen loads up to 27 percent from flow discharging from Lake Hancock. The wetlands are planned to be constructed within three adjoining former waste phosphatic clay disposal areas located immediately south of the lake on the District's Old Florida Plantation property. Water will be pumped from Lake Hancock through three wetland cells. The treated water will ultimately discharge into Saddle Creek, which runs along the west and south sides of the proposed treatment cells. The proposed wetland cells occupy a total of 1,008-acres. Grading within the cells will total approximately 1.8 million cubic yards of earthwork. In addition, modifications to the 7.5 miles of existing berms will be required to achieve design grades. The total earthwork quantity for embankment, which includes grading existing berms and importing acceptable borrow material, totals approximately 300,000 cubic yards. Other major project components include construction of a pump station, control building, inlet canal to the pump station and eight water control structures.

In response to Mr. Beruff's questions, Mr. DeHaven said the cost for the land component is a per acre estimate of yield and does not include land acquisition. Ms. Parks asked how long it will take for the water to process through the cells. Mr. DeHaven replied that it will take one to two weeks to process from the top to the bottom of the cells. In response to Mr. Senft's question, Mr. DeHaven said these elevations are the completed project. He said Lake Hancock will be at 100 feet and the water lifted to 115 feet with two-foot of fall across the cells. He said these figures show the amount of earth work to be required which is driving costs. In response to Ms. Whitehead's question, Mr. DeHaven said exotic plants will be removed, and replanted vegetation will accomplish maximum removal of nitrogen and establish natural system habitat. Mr. Oakley asked Mr. DeHaven to explain how water moves through the cells. Mr. DeHaven noted that, during a prolonged drought period, natural systems survive droughts and wetland species come back after drought periods. Mr. Gramling said this is not a natural system but a clay settling pool which dries like concrete. Mr. DeHaven said one of the key issues is to establish plants that will thrive the best in that soil environment.

In April 2008, the Peace River Basin Board was provided a construction cost of \$21,035,446. At that same meeting, it was disclosed that costs could increase based on final design. Current estimated construction costs based on the 60 percent design and including contingency have increased to \$27,806,000. The greatest cost increase was due to earthwork. Another significant cost increase is associated with the results of geotechnical testing. Several additional design elements have resulted in increased cost estimates including: (1) improved road base necessary for the 2.5 mile access road, (2) alternate inlet channel design, (3) automation of structure operations, and (4) increased earthwork for removal of structures remaining from previous phosphate operations. The consultant and staff are currently finalizing the review of the 60 percent construction cost estimate to identify potential cost reductions. Several elements are being reviewed and may be reduced or eliminated, including: (1) the length of seepage cutoff wall, (2) a maintenance building, (3) alternate inlet channel configuration, (4) automation of structures, and (5) a secondary water control structure.

Staff also continues to review the consultant's scope and budget. The current agreement with Parsons is for \$2,650,000 and includes the following tasks: feasibility evaluation, constructability testing, geotechnical testing, survey, plant establishment study, preliminary

design, 60 percent design and coordination with other Lake Hancock projects. The scope of work for future phases includes the completion of design, construction phase services and start-up assistance. Additional funds up to \$2,250,000 are needed to complete engineering services for the project. This includes approximately \$850,000 to complete design and \$1,400,000 for 18 months of construction inspection plus one year of operation assistance. The additional funds would bring the total consultant budget to \$4,900,000.

This is a multi-year project that is being funded by the Governing Board, Peace River Basin Board, state trust funds, and state and federal grants. The total project cost is currently estimated at \$32,706,000 with additional cost reductions predicted. The total amount budgeted, including the proposed FY2010 funds, is \$29,325,887. It is anticipated that the final design will be completed in early 2010 and the construction bid will be advertised by March 2010. Additional funds for the project will be requested, if needed based on actual bid costs, in FY2011. Mr. DeHaven said staff is recommending to approve amending the consultant agreement to add funds up to \$2,250,000 for final design, construction services, and start-up assistance for the Lake Hancock Outfall Treatment Project.

Ms. Rovira-Forino expressed her concerns over the dramatic increase in costs. Mr. DeHaven said the additional costs are not for trying to finish existing items in the contract. He said it was always anticipated that additional dollars would be added to the Parsons contract for each phase of the project, and this is the third amendment to the contract. Mr. DeHaven said the final cost estimate is \$32.7 million and hopefully it will adjust down. He said, next spring, design will be complete, a request for bids will be released, and then staff will have a final number to bring to the Board. Discussion ensued regarding cost projections, original scope, consultant contract components, site elements and project benefits. Mr. Moore said that, in response Committee Chair Joerger's question, it probably is cheaper to use the other site, but the net costs are more if this Board does not surplus that other land which has a great deal more value than the clay settling area. Mr. DeHaven noted that elements have been eliminated from the project (maintenance building and one structure) and Parsons agreed to a five-percent rate reduction. Mr. DeHaven will schedule a meeting with Mr. Beruff to review project cost details.

Mr. Gramling said the District has had very few public works projects that have been the subject of adverse newspaper articles. He said, since slurry walls are involved, the District should ensure that the opportunity for failure is nonexistent. Mr. Gramling said he would personally vote for additional funds to ensure that a massive public works failure does not occur and the District endure the publicity Tampa Bay Water incurred.

Mr. Combee said he agrees with Mr. Beruff that the consultant contract rates need review. Chair Pressman suggested postponing consideration of the staff recommendation. Mr. Beruff said it is a great project and his concern is whether there could be cost savings. Mr. DeHaven said that postponing action today will not affect the work going forth. Chair Pressman asked whether this project is undergoing peer review and if contract elements exist should failure occur. Mr. DeHaven said, if there is a breach, it is confined to the existing 100-year floodplain and no significant impacts to other users. He said the consultant has applied its professional accreditations to the project, so from a technical standpoint there is an avenue to ensure that problems are corrected to the accepted standard. Mr. Gramling clarified his earlier statement by saying that, if a possible failure would only impact a fence post, then there is no reason to spend excessive dollars to ensure against risk.

Mr. Moore reiterated that both Mr. Wirth and Mr. DeHaven said that action can be delayed for 30 days, and staff is prepared to meet with Board members individually to review project details. He said that Mr. Gramling is correct that this is an extraordinarily high profile project for this agency. He noted that these type projects have been done before,

but what makes this one unique is that it has not been done on an old clay settling area. Mr. Moore said the Board should be comfortable with the details before taking action on this contract. He said that a workshop on Lake Hancock is scheduled before the Board's next monthly meeting in September. Ms. Whitehead mentioned that a tour is being planned of that area. Ms. Kavouras said that Wednesday, September 23, has been set aside to tour all the properties around the lake. Mr. Combee asked that the Board receive detailed information on the \$1.4 million for 18 months of construction inspection plus one year of operation assistance.

Mr. Senft moved, seconded by Ms. Parks, to continue consideration to the Board's next meeting. Motion carried unanimously. (CD 1/Track 12 – 00:00/75:04)

Submit & File Report – None

Routine Reports

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

54. **Florida Forever Funding**
55. **Minimum Flows and Levels**
56. **Structure Operations**
57. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**
58. **Significant Water Supply and Resource Development Projects**
(CD 1/Track 12 – 75:04/75:27)

Resource Management Committee Chair Joerger relinquished the gavel to Finance and Administration Committee Chair Parks.

Finance and Administration Committee

Item 24 was moved from the Consent Agenda.

Discussion Items

59. **Consent Item(s) Moved for Discussion** – Item 24

24. **Board Travel**

District policy states that in accordance with Chapters 112 and 373, Florida Statutes, travel expenses may be incurred for official District business or for a public purpose beneficial to the District. Ms. Rovira-Forino is requesting to attend the Leadership Tampa Bay Class of 2010 (September 2009 – June 2010) for a cost of \$2,500.

Chair Pressman said this item was brought to his attention since it is his position to approve travel. His concern is a policy issue since this is funding for tuition and not totally water related, particularly in these economic times. He said staff informed him that this is a Board decision, and noted that this issue came before the Board several years ago as a consent item. He said he feels travel is justified when it is water related, and he cannot support this request.

Ms. Rovira-Forino provided historical background. Several years ago, she contacted South Florida Water Management District (SWFWMD) to ask if Board members attend Leadership Florida which had tuition of \$4,500 at that time. She was told SWFWMD sent Board members to the class because water issues are growing in the state of Florida. She said this District paid for former Board Chair Heidi McCree to attend Leadership Florida, and Mr. Moore has attended as well. She noted that Ms. Kavouras just completed Leadership Tampa Bay, as well as a Basin Board member. She said this provides an outreach outlet for the District to send its educational messages. She reiterated that this has been done in the past and also the St. Johns River WMD has sent Board members. She said participation is for the benefit of the

uniformity of our commitments to the state of water resources -- education, information and involvement with our communities.

In response to Mr. Joerger's question, Committee Chair Parks said the question is whether to fund this request and future requests as they come before the Board. She said the Board may want to discuss a policy for these types of requests. Mr. Senft agreed that a policy is needed but this requests stands on its own due to the precedence in place. He said that, due to economic times, temporarily the policy should be not to do this. Chair Pressman noted the policy is provided in the Board's meeting information. Mr. Combee questioned the phrase "travel to any conference or convention requires prior approval" and asked who provides approval. In response to Mr. Combee's question, Mr. Kavouras said any travel outside of a regular meeting, such as conferences, conventions and statewide events, are approved under the Board Travel item on the Consent Agenda when known in advance. She said, for items not known in advance, the Board Chair approves and then it comes before the Board for approval.

In response to Mr. Beruff's question, Committee Chair Parks said she attended Leadership Tampa Bay a number of years ago and it consists of leaders that have been selected from a group of applicants. She said the classes are held at different venues concerning the environment, health care, education, etc. She said the class normally does a community project, and participation usually requires a commitment of 16 to 20 hours a month for almost a year. Mr. Tharp noted that Sumter County does a similar class for community leaders to exchange information. He said this provides an opportunity for a Board member to put forth the District's conservation ideas and discuss issues coming before this Board. He said he considers this an honor for one of our members to participate. Mr. Combee said he participated in Leadership Lakeland 25 years ago, and he learned there were many things in his own backyard he was unaware of which helped him do his job better.

Committee Chair Parks requested that staff meet with her to consider a policy and develop a framework. Mr. Senft volunteered to assist with developing a policy.

Mr. Tharp moved, seconded by Mr. Combee, to approve the travel requested. Motion carried; Chair Pressman cast a negative vote. (CD 1/Track 13 – 00:00/14:32)

60. **District Environmental Stewardship Initiatives Report**

Mr. Schiller said this is an informational item to update the Board on the status of the District's Environmental Stewardship achievements. In keeping with direction from the Executive Office of the Governor (EOG) to improve service delivery while being mindful of impacts upon Florida's taxpayers, the District continues to find ways to incorporate efficiency reviews and measures as an integral and permanent part of its organizational management culture as a means to conduct District business better, faster and more cost effectively. This involves ongoing review of core operational processes.

Ms. Elaine Kuligofski, Director, Human Resources & Risk Management Department, said the District established a cross-functional staff team, whose mission is to assess the District's past and ongoing energy efficiency efforts and also to establish a project plan to enhance these efforts into the future. Some of these projects include reduction in printing of Board documents, the use of an Energy Management System to reduce energy consumption, implementation of newer building technologies, retrofitting light fixtures, installation of water-saving fixtures, use of fuel and vehicle efficiencies, digital imaging of documents, video teleconferencing, installation of green roofs during new construction and renovations, and use of Florida-friendly landscaping. Specific savings were noted in the exhibit provided in the Board's meeting information.

Ms. Kuligofski said District staff works cooperatively with project team members from other water management districts to share ideas and move forward in a coordinated fashion. The District coordinates with the Department of Environmental Protection (DEP) and the Department of Management Services regarding development of a carbon scorecard for state agencies and departments. Mr. Owen participated in the Adaptation Task force that was part of the Governor's Action Team on Energy and Climate change to provide water management district insights on adaptation strategies. In February 2009, the District provided comprehensive staff input to the DEP's "Framework for Action: Water Management and Climate Change in Florida." Mr. Schiller has been appointed as the District's executive representative on the DEP/Water Management District Steering Committee whose purpose is to oversee development and implementation of the recommendations contained in the "Framework for Action." The Steering Committee will prioritize the recommendations in the Framework for Action, establish guidelines and working groups toward developing an implementation plan, evaluate needed policy and legislative changes, and evaluate financial and other resources and establish connections to carry out implementation.

In response to Mr. Gramling's request to post the 40-page Tampa Bay Water production summary report to the web site, Mr. Moore said that the report can be posted, and he noted that the information contains all the major utilities. Committee Chair Parks and Mr. Oakley thanked Ms. Kuligofski for the presentation and quantifying staff's efforts. In response to Mr. Senft's question, Mr. Schiller said he will check whether awards will be given to agencies who have implemented this initiative. (CD 1/Track 14 – 00:00/27:44)

This item was presented for the Committee's information, and no action was required.

61. **Fiscal Year 2010 Budget Update**

Mr. Schiller said the purpose of this presentation is to provide the Board an update on the fiscal year (FY) 2010 budget development process, and highlight the proposed changes since the last budget update (July 28, 2009) and the upcoming activities.

Ms. Linda Pilcher, Assistant Director, Finance Department, reviewed the FY2010 budget development process which began in December 2008 with the Governing Board's acceptance of the budget development process memorandum, including the budget calendar, major budget strategic initiatives and general budget preparation assumptions. On July 30, the Standard Format Tentative Budget due August 1, was submitted to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, the chairs of all legislative committees and subcommittees with substantive or fiscal jurisdiction over water management districts, the Secretary of the Department of Environmental Protection, and the governing body of each county in which the district has jurisdiction or derives any funds for the operation of the district. During August, the seven Basin Boards were scheduled to meet and adopt final millage rates and budgets for FY2010 for recommendation to the Governing Board. As of this date, five of the Basin Boards have met, and have adopted FY2010 millage rates equal to the rates adopted for FY2009 and final budgets. Due to pending Basin Board appointments, the Hillsborough River Basin Board meeting has been rescheduled to August 26 and the Pinellas Anclote River Basin Board meeting has been rescheduled to August 27.

Mr. Moore noted, during this past legislative session, the Governing Board members may now meet via teleconferencing and conference calls. He said since the Tentative Budget Hearing is normally short, Board members have the option of attending in person or calling in. He said the Board's officers will attend in person. In response to Committee Chair Parks' question, Ms. Kavouras said historically the public has had to attend in person, and the new legislation does allow for meetings to be conducted via communications media technology which includes taking public input. Mr. Schiller noted that any comments from the public are provided to the Board during the hearing. Mr. Bilenky said that a quorum will be needed between the members attending in person or telephonically. In response to

Mr. Senft's question, Mr. Bilenky said the old rule said a quorum had to be physically present but that has been changed by the new statute.

Ms. Pilcher said the District's FY2010 budget will be adopted in September following two public Truth in Millage budget hearings. The first hearing is scheduled for 5:01 p.m. at the Tampa Service Office on September 15, 2009. The Executive Office of the Governor will review and approve the budgets of all five water management districts before the second and final public hearing. The second and final hearing is also scheduled for 5:01 p.m. at the Tampa Service Office on September 29, 2009, following the monthly Governing Board meeting. Mr. Moore reviewed the schedule planned for September 29: workshop at 9 a.m., meeting at 12:30 p.m., hearing at 5:01 p.m. and continue meeting following the hearing if needed.

Ms. Pilcher presented proposed changes to the FY2010 budget, including the actions taken by the Basin Boards that have held their final budget meetings as of this date. The actions taken by the remaining two Basin Boards will be included in the budget update for the first public budget hearing scheduled for September 15 in Tampa. By September 5, the House and Senate appropriations and appropriate substantive committee chairs may provide comments and objections to the water management districts' proposed FY2010 budgets. The districts must include a response to such comments in the record of the final budget hearing.

Staff recommended to accept the August Budget Update as presented. Following consideration, **Mr. Tharp moved, seconded by Ms. Parks, to accept the August Budget Update as presented. Motion carried unanimously.** (CD 1/Track 15 – 00:00/11:20)

Submit & File Report

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

62. **July 2009 Interim Report on Workforce and Vendor Diversity**

Routine Reports

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

63. **Treasurer's Report, Payment Register, and Contingency Reserves**
64. **Management Services Significant Activities**

(CD 1/Track 15 – 11:20/11:47)

Finance and Administration Committee Chair Parks relinquished the gavel to Outreach and Planning Committee Chair Tharp.

Outreach and Planning Committee

Discussion Items

65. **Peace Creek Drainage District**

Mr. David Rathke, Director, Community and Legislative Affairs Department, said alterations in the Peace Creek Canal watershed have resulted in significant changes to its hydrology. In addition, following the hurricanes in 2004 it was recognized that a lack of regular maintenance made conveyance unsatisfactory, contributing to significant flooding. To address this issue the Peace Creek Watershed Coordinating Committee, of which the District was a part, was established in 2004 and produced a report in 2005 containing a series of findings and recommendations for improving conditions in the Peace Creek Canal.

One of the recommendations was that the District should assume responsibility for the perpetual maintenance of the Peace Creek Canal system and acquire the necessary

access rights. The District's Governing Board accepted the committee's recommendations at its March 2005 meeting and the Peace River Basin Board accepted the recommendations at its April 2005 meeting. Another recommendation of the committee was the eventual dissolution of the Peace Creek Drainage District with the ongoing operation and maintenance of the canal being permanently transferred to the District. The Legislature is again contemplating the filing of a local bill to accomplish this and has requested a resolution from the District in support of the change. This legislation is intended to bring certainty and needed closure to the issue and provide for permanent continuity in the management of the Peace Creek Canal system.

Mr. Rathke said the ongoing annual maintenance costs estimates are \$245,000 which is split equally between the Peace River Basin Board and Governing Board, and already budgeted. The acquisition of conservation easements is estimated to be \$245,000. Mr. Senft provided an update as he serves as Co-Chair of the Basin Board.

Staff recommended to approve the resolution supporting the abolishment of the Peace Creek Drainage District and transferring its responsibilities to the District. Following consideration, **Ms. Rovira-Forino moved, seconded by Mr. Senft, to approve the Resolution No. 106 as presented. Motion carried unanimously.** (CD 1/Track 16 – 00:00/06:22)

Submit & File Report

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

66. **Water Supply, Water Quality, Natural Systems and Flood Protection Strategic Plan Narratives**

Routine Reports

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

67. **Comprehensive Plan Amendment and Related Reviews**
68. **Development of Regional Impact Reviews**
69. **Speakers Bureau**
70. **Significant Activities**

(CD 1/Track 16 – 06:22/06:27; Track 17 – 00:00/00:31)

Outreach and Planning Committee Chair Tharp relinquished the gavel to Chair Pressman.

General Counsel's Report

Discussion Items

71. **Consent Item(s) Moved for Discussion** – None

Submit & File Reports – None

Routine Reports

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

72. **Litigation Report**
73. **Rulemaking Update**

(CD 1/Track 17 – 00:31/01:01)

Executive Director's Report

74. **Executive Director's Report**

- Mr. Moore said, as previously mentioned, the Environmental Protection Agency (EPA) has settled lawsuits with environmental organizations and it has committed to setting numeric standards for the state of Florida. The Florida Department of Environmental Protection (FDEP) is working with the water management districts and other agencies to

use science to find an appropriate numeric criteria for nutrients throughout various waterbodies in the state. The FDEP is on track to set criteria for lakes and streams by January 2010 and estuaries the following year. The EPA has said that, as the federal government, it will set numeric nutrients standard criteria for the state over the coming six to 18 months. In response to Ms. Parks' question, Mr. Moore said the State of Florida has let the EPA know of its concerns that proper science be done, and EPA has said it will utilize any information the state has. Mr. Bilenky said the settlement was between the environmental groups to reach an accommodation with EPA on setting the standards but there are still other parties to the lawsuit who have intervened. He said whether the settlement will ultimately be accepted by the judge is unknown because there are other parties who have not agreed to the settlement. He noted that South Florida Water Management District asked this District to join with it in asking the court that the deadlines be moved out so that meaningful standards could be adopted.

- Mr. Moore said there is an initiative related to the Central Florida Coordination Association by MyRegion.org to look at water issues in the central Florida seven-county area. He said Polk County will present its master water plan at the next meeting of MyRegion.org.
- Mr. Moore said two Bartow Service Office employees passed away this month: George Kondelin and Jim Lee. He wanted to recognize their great contributions to the District. (CD 1/Track 17 – 01:01/06:15)

Chair's Report

75. Chair's Report

- Chair Pressmen said he met with the Bartow Service Office employees, and the staff there has great respect for Mr. Moore. He will meet with Sarasota Service Office employees tomorrow, and the Brooksville and Tampa employees in a few months.
- Chair Pressman said he and Mr. Moore met with Mr. Mark Sharpe, Hillsborough County Commissioner who is now the Chair of the Tampa Bay Water Board of Directors, and Jerry Seeber and Rick Lotspeich regarding the issue of overpumpage. Since that meeting, he has spoken with Tampa Bay Water board members who are now more comfortable with the process.
- Chair Pressman said he appreciated Board members' participation in today's meeting.

Mr. Oakley said he participated in a tour of Lake Panasoffee and Potts Preserve which was led by Land Resources and Resource Projects staff. In response to concern expressed for cutting down large oak trees, staff explained how the land is being managed. Mr. Oakley said he has a new appreciation for the work staff does.

Mr. Whitehead said she has been invited to participate on the board of the Friends of the Weeki Wachee. She has accepted and will attend the next meeting in September.

Mr. Oakley encouraged Board members to attend the one-day Karst workshop the next time it is offered. He said it provides a great education on the geology of this area. Mr. Senft said his wife attended and thought it was outstanding as well. He asked that, if there are CDs available, he would like to receive a copy.

Mr. Senft said he wanted to express his appreciation to Mr. Gramling for wanting to ensure that the Lake Hancock project is done right. He said Lake Hancock is a critical artery connecting to the infrastructure artery of the Peace River. Mr. Oakley said the end result will be well worth the money spent. Ms. Whitehead said she appreciates the Land Resources staff for working so hard. In response to Mr. Tharp's question, Mr. Wirth said the nitrogen pollution is primarily from tributaries to the lake. Mr. Senft said the county has approved a project to harvest vegetation in the lake. (CD 1/Track 17 – 06:15/14:36)

- **Consideration of Governing Board Duties** – Chair Pressman noted that, in the Board's meeting information, is a draft copy of the updated duties for Board members to review and provide comment. He said approval will be requested at next month's meeting.
- Regarding the Tampa Bay Regional Planning Council monthly meeting, Chair Pressman said there were no major issues and just a few presentations.
- Regarding the Tampa Bay Estuary Program meeting, Ms. Parks said the fertilizer ordinance is being implemented in the Tampa Bay area but it will be several years before results are seen. She said there was discussion on the TMDLs.
- Regarding the Charlotte Harbor National Estuary Program (CHNEP), Mr. Moore said one of the major issues is the lower Peace River minimum flows and levels (MFLs). Mr. Wirth said the CHNEP staff sent a series of questions and comments in response to the District's MFLs findings. He said the two agencies have agreed that District staff will work through CHNEP's Technical Advisory Committee and first meet with the scientists to present the District's findings. He said this item will be brought to the Board later this fall for final adoption.

Mr. Senft said staff is so efficient and noted that he has been already provided the Karst workshop information he requested. Ms. Parks requested to receive a copy.

There being no further business to come before the Board, **Ms. Parks moved, seconded by Mr. Joerger, to adjourn the meeting. Motion carried unanimously.**

The meeting was adjourned at 3:32 p.m. (CD 1/Track 17 – 14:36/18:46)