

APPROVED

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

JANUARY 29, 2013

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:03 a.m. on January 29, 2013, at the District's Tampa Service Office. The following persons were present:

Board Members Present

H. Paul Senft, Chair
Douglas B. Tharp, Vice Chair
Albert G. Joerger, Secretary
Jeffrey M. Adams, Treasurer
Michael A. Babb, Member
Carlos M. Beruff, Member
Jennifer E. Closshey, Member
Wendy Griffin, Member
Randall S. Maggard, Member
George W. Mann, Member
Todd Pressman, Member

Staff Members

Blake C. Guillory, Executive Director
Kurt P. Fritsch, Inspector General
Laura J. Donaldson, General Counsel
Robert R. Beltran, Assistant Executive Director
David T. Rathke, Chief of Staff
Mark A. Hammond, Division Director
Michael L. Holtkamp, Division Director
Alba E. Más, Division Director

Board's Administrative Support

Cara Martin, Boards & Executive Services Manager
LuAnne Stout, Administrative Coordinator

A list of others present who signed the attendance roster is filed in the permanent records of the District. This meeting was available for viewing through internet streaming. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

PUBLIC HEARING (Video – 00:00)

1. **Call to Order**

Chair Senft called the meeting to order and opened the public hearing. He noted a quorum was present.

2. **Pledge of Allegiance and Invocation**

Chair Senft led the Pledge of Allegiance to the Flag of the United States of America. Mr. Rathke offered the invocation.

Public Hearing

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

Chair Senft 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 agenda items only during today's meeting. 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 during "Public Input." Chair Senft 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. **Oath of Office for Newly Appointed or Reappointed Board Members**

No appointments or reappointments occurred so this item was deferred.

4. **Additions/Deletions to Agenda** (Video – 05:54)

Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer. Based upon that authority, the Chair has determined that good cause exists to make certain changes to the agenda. These changes are being made in order to permit the Governing Board to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed.

Mr. Guillory noted three items have been deleted as follows:

CONSENT AGENDA

General Counsel's Report

DELETE: 15.a. Initiation of Litigation – Failure to Submit Statement of Inspection – Sita Enterprises, Inc. - MSSW No. 48004009.001 – Polk County

REGULATION COMMITTEE

DELETE: 20. Consider Water Shortage Order Recommendations

OPERATIONS & LAND MANAGEMENT COMMITTEE

DELETE: 29. Flying Eagle Nature Center – Request for Proposals

Mr. Beruff moved, seconded by Ms. Closshey, to approve the amended agenda. Motion carried unanimously. (Track 1 – 00:00/06:40)

5. **Employee Recognition**

The following staff member achieved the milestone of 20 years for the period of January 1 to March 31, 2013, and was recognized before the Board. (Track 2 – 00:00/04:38)

MILESTONE	EMPLOYEE NAME	TITLE	BUREAU	LOCATION
20 Years	Ted Gates	Professional Geologist/Engineer	Data Collection	Tampa

6. **Public Input for Issues Not Listed on the Published Agenda** (Video – 11:33)

Chair Senft noted four *Request to Speak* cards were submitted.

Mr. Joe Gilberti, P.E., resident of Valrico, spoke regarding his organization, Closer to the Heart Spring Aquifer. He said he has a new energy source and submitted information for the record.

Mr. Bruce Nason, resident of Casselberry, spoke regarding the water resource and renewable energy.

Mr. Tom Sullivan, resident of Wesley Chapel, spoke regarding water quality and a new valid source of water for the Tampa Bay area.

Discussion ensued and these speakers were directed to work with staff through the Cooperative Funding Initiative.

Mr. William Rodriguez, resident of Valrico, said Mr. Gilberti spoke for him. (Track 2 – 04:38/21:10)

CONSENT AGENDA (Video – 28:03)

Item 15.a. was deleted from consideration.

Regulation Committee

7. Individual Water Use Permits (WUPs) Referred to the Governing Board

- a. **WUP 20020325.000 – Williams Acquisition Holding Company, LLC/The Williams Property, I-4 and Polk Parkway (Polk County)**

Staff recommended the Board approve the proposed permit as included in the Board's meeting materials. This is a new water use permit for recreational/aesthetic use. The site is located in the Southern Water Use Caution Area and the Central Florida Coordination Area.

Operations & Land Management Committee

8. **Resolutions Requesting Encumbrance of Fiscal Year 2012-13 Budgeted Funds from the Water Management Lands Trust Fund (WMLTF)**

- a. **Resolution Number 13-01 for Preacquisition; Management, Maintenance and Capital Improvements; Payments in Lieu of Taxes**
b. **Resolution Number 13-02 for Lake Hancock South Saddle Creek Restoration and Water Quality Treatment Project**
c. **Resolution Number 13-03 for Surface Water Improvement and Management (SWIM) Activities**

Staff recommended the Board approve Resolutions Numbers 13-01, 13-02 and 13-03 requesting the encumbrance of the District's FY2012-13 budget for preacquisition; land management, maintenance and capital improvements; and payments in lieu of taxes; Lake Hancock South Saddle Creek Restoration and Water Quality Treatment Project and SWIM activities within the WMLTF; and authorize staff to request periodic reimbursements for FY2012-13 costs not to exceed \$11,698,159, respectively.

9. **Acceptance of Easement Donation – Peace Creek Canal Project, SWF Parcel No. 20-696-203P**

Staff recommended the Board accept the donation of an easement interest over 4.45 acres located along the Peace Creek Canal owned by the Donley Family.

Resource Management Committee

10. **Authorize Submission of Preliminary Citrus County Flood Insurance Rate Maps to the Federal Emergency Management Agency**

Staff recommended the Board authorize submission of the preliminary Citrus County Flood Insurance Rate Maps (FIRMS) to the Federal Emergency Management Agency (FEMA) for the entire county.

11. **Dona Bay Restoration (Sarasota County) – Change in Project Scope of Work and Transfer of Funds from Dona Bay Hydrologic Restoration - Weir Project (N342) to Dona Bay Conveyance System (N424)**

Staff recommended the Board (1) approve the transfer of \$502,091 from the cancelled Dona Bay Hydrologic Restoration - CPS Weir project (N342) to the Dona Bay Conveyance project (N424); and (2) approve the revised changes to the scope of work for the Dona Bay Conveyance project (N424).

12. **Facilitating Agricultural Resource Management Systems (FARMS)**

- a. **Hancock Grove – Phase 4 (H693; aka Billy H. Haygood, Trustee of the L.D. Hancock Revocable Trust) – DeSoto County**

Staff recommended the Board (1) approve the Hancock Grove Phase 4 project for a not-to-exceed project reimbursement of \$199,500 with \$199,500 provided by the Governing Board; (2) authorize the transfer of \$199,500 from fund 010 H017 Governing Board FARMS Fund to the H693 Hancock Grove Phase 4 project project fund; and (3) authorize Executive to execute the agreement.

- b. **Orange-Co, LP, Phase 2 and 3 Amendment (H606) – DeSoto County**

Staff recommended the Board (1) approve the Orange-Co, LP, Phase 2 and 3 Amendment project for a not-to-exceed project reimbursement of \$50,000 with \$23,787 provided by the Governing Board, and \$26,212.95 provided from State

Appropriations allocated to the Governing Board; (2) authorize the transfer of \$23,787 from fund 010 H017 Governing Board FARMS Fund, and \$26,212.95 of State Appropriations located in fund 010 H017 FARMS Funds to the H606 Orange-Co, LP, Phase 2 and 3 Amendment project fund; and (3) authorize Executive to execute the agreement.

c. **4 Star Tomato, Inc. Amendment (H583) – Manatee County**

Staff recommended the Board (1) approve the 4 Star Tomato, Inc. project for an increase in the not-to-exceed project reimbursement of \$734,642 with \$734,642 provided by the Governing Board; (2) authorize the transfer of \$734,642 from fund 010 H017 Governing Board FARMS funds to the H583 4 Star Tomato, Inc. project fund; and (3) authorize Executive to execute the agreement.

Finance/Outreach & Planning Committee

13. **Budget Transfer Report**

Staff recommended the Board approve the Budget Transfer Report covering all budget transfers for December 2012.

14. **Fiscal Year 2013-14 Budget Development Process – Acceptance of Assumptions**

Staff recommended the Board accept the general budget preparation assumptions and budget calendar for FY2013-14, as itemized in the two exhibits for this item. These assumptions are consistent with the assumptions approved by the Governing Board for preparation of the preliminary budget for FY2013-14.

General Counsel's Report

15. **Administrative, Enforcement and Litigation Activities that Require Governing Board Approval**

a. **Initiation of Litigation – Failure to Submit Statement of Inspection - Sita Enterprises, Inc. - MSSW No. 48004009.001 – Polk County** – This item was deleted from consideration.

16. **Rulemaking** – None

Executive Director's Report

17. **Approve Governing Board Monthly Meeting Minutes – December 18, 2012**

Staff recommended approving the minutes as presented.

Ms. Closshey moved, seconded by Mr. Beruff, to approve the Consent Agenda as amended. Motion carried unanimously. (Track 3 – 00:00/02:21)

OPERATIONS & LAND MANAGEMENT COMMITTEE

29. **Flying Eagle Nature Center – Request for Proposals (RFP)**

Chair Senft noted that, following oral presentations by the four respondents to the RFP, this item was deleted due to the Board selection committee recommending rejection of all bids in the best interest of the District. He said this item will return to the Board at a future date.

Chair Senft asked if there was any one in the audience who wished to speak on this item. (Track 4 – 00:00/01:30)

Ms. Elaine Moore, one of the respondents and resident of Homosassa, asked why the item was deleted when at the meeting it was stated that the lease would be re-advertised as an Invitation to Negotiate.

Mr. Guillory said staff will review to ensure that the proper procedure occurs. He said staff will attempt to craft the best possible solution for this property. He noted that Ms. Moore will be contacted. (Track 5 – 00:00/02:30)

Chair Senft relinquished the gavel to Regulation Committee Chair Beruff who called the Committee meeting to order.

REGULATION COMMITTEE (Video – 34:30)

Item 20 was deleted from consideration.

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

19. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, noted that December historically marks the third month of the eight-month dry season and provisional rainfall totals for the month were within the normal range for all regions of the District. Rainfall during December was regionally variable and mainly associated with the passage of several cold front systems moving across the District. The District-wide provisional 12-month and 24-month rainfall deficits improved during December, ending the month approximately 1.9 and 5.0 inches, respectively, below their long-term average. The amount of rainfall received during December was not sufficient to improve conditions, and most hydrologic indicators declined throughout the District. Streamflow, groundwater levels and Tampa Bay region lake levels continued to remain within normal limits, while lake levels in the Northern, Polk Uplands and Lake Wales Ridge regions remained at below-normal levels. Current NOAA climate forecasts predict below-normal rainfall for the District during the three-month period of January/February/March 2013. Additionally, NOAA forecasts for El Niño/Southern Oscillation (ENSO) indicate that neutral conditions persist in the Pacific Ocean and will likely continue into the spring. As the dry season runs from October through May, further declines in hydrologic conditions are likely if below-normal rainfall conditions occur during this period, increasing chances for resource-related impacts. (Track 5 – 02:30/10:00)

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

In response to Mr. Maggard's questions, Mr. Warren Hogg, representing Tampa Bay Water, provided an update on Alafia River usage, desalination plant, reservation renovation, and wellfield pumpage. (Track 5 – 10:00/15:40)

20. **Consider Any Recommended Water Shortage Orders**

This item was deleted from consideration.

21. **Denials Referred to the Governing Board** – None

Submit & File Report

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

22. **Public Supply Report**

Routine Reports

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

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

24. **Overpumpage Report**

25. **E-Permitting Metrics: Online vs. Paper Applications**

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

27. **Resource Regulation Significant Initiatives**

Committee Chair Beruff adjourned the Committee meeting, and relinquished the gavel to Operations & Land Management Committee Chair Tharp who called the Committee meeting to order. (Track 5 – 15:40/15:52)

OPERATIONS & LAND MANAGEMENT COMMITTEE (Video – 47:50)

Item 29 was deleted from consideration.

Discussion Items

28. **Consent Item(s) Moved for Discussion** – None
29. **Flying Eagle Nature Center – Request for Proposals (RFP)**
This item was deleted from consideration.

Submit & File Reports – None

Routine Reports

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

30. **Structure Operations**
31. **Significant Activities**

Operations & Land Management Committee Chair Tharp adjourned the Committee meeting and relinquished the gavel to Finance/Outreach & Planning Committee Chair Adams who called the Committee meeting to order. (Track 6 – 00:00/00:20)

FINANCE/OUTREACH & PLANNING COMMITTEE (Video – 48:21)

Discussion Items

32. **Consent Item(s) Moved for Discussion** – None
33. **Office of Inspector General – Fiscal Year 2013 Annual Audit Plan**
Mr. Fritsch said that, in accordance with Chapter 373 and Section 20.055, Florida Statutes, the Office of Inspector General (OIG) develops an annual audit plan for approval by the Governing Board. By approving the proposed audit plan, the Board authorizes the Inspector General to provide assurance, consulting, investigative and training services. The plan shows the OIG's proposed work schedule and presents specific cost estimates for the provision of services. The plan is based upon a District-wide risk assessment prepared by the Inspector General. Importantly, the Board may identify other priorities subsequent to the approval of the plan and may direct the Inspector General to perform an audit of a special program, function or organizational unit at any official District meeting.

Staff recommends the Board approve the OIG Fiscal Year 2013 Annual Audit Plan.

Ms. Closshey moved, seconded by Mr. Beruff, to approve the staff recommendation as presented. Motion carried unanimously. (Track 7 – 00:00/04:15)

34. **Strategic Plan**
Mr. Rathke said the Strategic Plan is to provide direction for achieving the District's mission, to manage water and related natural resources, and to ensure their continued availability while maximizing environmental, economic and recreational benefits. The current plan, which has served the District since November 2010, contains information

about the District's mission, areas of responsibility, and broad outlines of goals and strategies.

Mr. Rathke said this effort will revisit the current plan and make the appropriate updates to ensure it aligns with present-day values and provides sound direction for addressing challenges for the next five years, FY2014-2018. He said specific priorities and related measurable objectives will be identified for each of the areas of responsibility. The new plan will include information not only on what the District wants to achieve, but also how the District conducts its business by including a section on vision and values to accompany the District's mission and areas of responsibility. The work program's objectives are to provide clear guidance to stakeholders and staff, provide focused priorities and strategies for future decision-making, and provide key success indicators for measuring progress. The process will include coordination with the various divisions to review the current Plan's relevancy and technical accuracy, and define more focused goals and strategies and the appropriate success indicators, including how current projects and programs are aligned with these indicators. In addition, any business process changes necessary for meeting the water management challenges would be addressed.

Mr. Rathke said that periodic progress updates would be provided so the Board has an opportunity to comment on the initiative's direction. Staff's intent is to have the Strategic Plan completed and approved by the Governing Board prior to the deadline for submission of Cooperating Funding applications. (Track 7 – 04:15/18:14)

Discussion ensued regarding budget, cooperative funding, measurable quantities, improve on past planning, color charts to clearly see where issues exist, compare past with existing project timetables and funding amounts.

To ensure all are of aware of each region's needs, Chair Senft requested the following Board members serve on regional committees: Mr. Maggard serve on the Northern, Mr. Tharp serve on the Heartland, and Mr. Adams serve on the Southern. Each Board member accepted the assignment. (Track 7 – 18:14/20:08)

Discussion ensued regarding emphasis on strategic planning for priorities, practicable approach to develop a plan, and realistically improve expectations.

Mr. Guillory noted that the plan is generally written and staff is adjusting its policies and procedures to achieve objectives and indicators as needed by region.

Mr. Maggard stated that he would like FARMS program measurements presented more often. (Track 7 – 20:08/25:20)

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

35. **Fiscal Year 2013-14 Cooperative Funding Process**

Ms. Cara Martin, Manager, Boards & Executive Services Section, Public Affairs Bureau, said the fiscal year 2013-14 applications were distributed to staff and are undergoing indepth evaluation for ranking purposes. The raw applications have been compiled by region, distributed to the Governing Board members and posted on the District's website. Board members are asked to familiarize themselves with the applications in preparation of the February public meetings.

Ms. Martin said the February meetings are the Board's opportunity to ask questions of staff and the applicants, and to hear public and stakeholder input from non-applicants. During the February meetings, each subcommittee will be asked to identify proposals for presentation and further discussion at the April meetings. Staff rankings will be provided in April, and the regional subcommittees will be asked to prepare their final rankings and recommendations at that time.

Staff recommended the Board approve the agenda topics as proposed for the February regional subcommittee meetings and regional subcommittee memberships:

- Northern Region: Doug Tharp, Randy Maggard
- Tampa Bay Region: Jeff Adams, Michael Babb, Jennifer Closshey, Wendy Griffin, Randy Maggard, Todd Pressman
- Heartland Region: George Mann, Paul Senft, Doug Tharp
- Southern Region: Carlos Beruff, Albert Joerger, Jeff Adams

Mr. Maggard moved, seconded by Mr. Beruff, to approve the staff recommendation as presented. Motion carried unanimously. (Track 7 – 25:20/30:38)

Committee Chair Adams recognized the one *Request to Speak* that was submitted.

Ms. Lisa Rhea, representing the City of Oldsmar, spoke in support of the Cooperative Funding Program and noted the successes accomplished by the City with the District's assistance. (Track 7 – 30:38/32:45)

Committee Chair Adams reported that the Financial Investments Ad Hoc Committee met on January 28, 2013, to begin the task to update the Board Policy 130-3. He provided a brief overview of the meeting and set the next meeting for February 20, 2013. He said the Ad Hoc Committee requests the Board approve initiation of a procurement process for investment advisory services and that the Ad Hoc Committee serve as the selection committee. He said the Ad Hoc Committee also agreed to temporarily move funds currently invested in the federated institutional government fund to the State Board of Administration (SBA) Prime Fund which is consistent with current policy.

Mr. Tharp moved, seconded by Chair Senft, to approve the Ad Hoc Committee's recommendation to initiate a procurement process for investment advisory services and that the Ad Hoc Committee serve as the selection committee. Motion carried unanimously. (Track 7 – 32:45/44:30)

Submit & File Reports

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

36. **Office of Inspector General – Fiscal Year 2012 Annual Report**
37. **2013 Consolidated Annual Report**

Routine Reports

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

38. **Treasurer's Report and Payment Register**
39. **Monthly Financial Statement**
40. **Monthly Cash Balances by Fiscal Year**

41. **Comprehensive Plan Amendment and Related Reviews**
42. **Development of Regional Impact Activity Report**
43. **Significant Activities**

Finance/Outreach & Planning Committee Chair Adams adjourned the Committee meeting and relinquished the gavel to Resource Management Committee Chair Babb. (Track 7 – 44:30/45:09)

RESOURCE MANAGEMENT COMMITTEE (Video – 93:55)

Item 46 will be heard prior to Item 45.

Discussion Items

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

46. **Cooperative Funding Initiative Board Policy**

Mr. Hammond said Board Policy 130-4, Cooperative Funding Initiative, provides guidance on implementing the District's Cooperative Funding Initiative. In review of the District's processes associated with the Cooperative Funding Initiative over the last year, staff has identified options for revisions to the policy for the Board to consider. Mr. Hammond said that, at this time, staff is not recommending changes to the policy due to the Strategic Plan process.

Mr. Hammond provided the Board with a draft project evaluation form. He reviewed the draft form and process being considered with direction by the Board. (Track 8 – 00:00/14:11)

Chair Senft noted that he recently attended a regional meeting in Daytona Beach of the Orlando Area Chamber of Commerce. When it was noted that the District has provided \$1.4 billion in cooperative project funding and impacted the infrastructure by \$2.4 billion since instituted, there was stunned silence. He said the CFI is the District's signature program and we should be proud. (Track 8 – 14:11/016:10)

Discussion ensued regarding process of assessing projects to ensure still viable, integrating old and new projects, risk management, cost effectiveness, tie quantitative to strategic work plan, verify past performance, delays due to financial constraints, and follow the project online.

The Board requested to see each project drafted into the form's format prior to the February regional meetings. (Track 8 – 16:10/43:09)

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

45. **District Springs Activities**

Chris Anastasiou, Ph.D., Senior Environmental Scientist, Natural Systems and Restoration Bureau, said the District is home to over 150 documented springs, most of them clustered around five spring groups: Rainbow River, Crystal River/Kings Bay, Homosassa River, Chassahowitzka River, and Weeki Wachee River. The District springs activities promote the protection, management, and restoration of springs, their associated spring runs, as well as the receiving coastal waters and spring recharge areas (springsheds).

Dr. Anastasiou said significant environmental changes are taking place in these spring systems. The District continues to document increasing nitrate concentrations in many spring vents, though at varying concentrations and with varying effects on the receiving water bodies. Other documented impacts include declining water clarity, increasing salinity, variability in spring discharge, and significant changes in submerged aquatic vegetation (SAV) composition.

Dr. Anastasiou provided a summary of the current and future District springs activities as requested at the Board's October 2012 meeting. (Track 8 – 43:09/65:00)

Discussion ensued regarding nitrate levels in different springs, the importance of flow on maintaining healthy systems, concerns raised by local residents, water quality monitoring, activities that may inadvertently cause unintended degradation, projects in the northern region to address major issues, staff development of novel ideas to include public participation, and designing a website available to the public for this information.

Board members requested to receive an email listing projects in the cooperative funding process that address the issues discussed.

Mr. Beltran noted the District has organizationally established a technical area of expertise to bring staff together, as well as done succession planning to hire staff to coordinate these issues. He said the District is also coordinating with agencies throughout the state. (Track 8 – 65:00/88:06)

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

Submit & File Report

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

47. **Five-Year Water Resource Development Work Program**

Routine Reports

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

48. **Minimum Flows and Levels**
49. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**
50. **Significant Water Supply and Resource Development Projects**

Resource Management Committee Chair Babb adjourned the Committee meeting and relinquished the gavel to Chair Senft. (Track 8 – 88:06/88:20)

GENERAL COUNSEL'S REPORT (Video – 181:48)

Ms. Donaldson noted that, on January 15, 2012, the Chassahowitzka-Homosassa Minimum Flows and Levels (MFLs) Public Hearing was held at the Brooksville office and Mr. Tharp presided over the meeting.

Mr. Tharp reported that more than 30 people attended the hearing with 14 speakers addressing the proposed rules. He said the person requesting the hearing provided a presentation outlining his issues with the rulemaking which included concerns that the proposed rules are vague and difficult to enforce. Mr. Tharp said that, overall, most of the comments were similar to the comments received at the October meeting. Many attendees stated that no additional

withdrawals from these rivers should be authorized and expressed concerns with the methodologies used by the District in formulating the MFLs. A handful of attendees expressed support for the rules as proposed including representatives from the Florida Farm Bureau who indicated that altering the proposed rules to authorize no new withdrawals would significantly impact agricultural interests in the area. Mr. Tharp said he agrees with Ms. Griffin that the District should keep these citizens informed as to how their concerns are being addressed.

Ms. Donaldson said staff is moving forward with rule adoption. (Track 9 – 00:00/02:30)

Discussion Items

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

52. **Annual Sunshine Law Refresher**

Ms. Donaldson provided an overview of Florida's open-government laws and how the daily conduct of District business is affected. Board members asked clarifying questions.

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

Submit & File Report

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

53. **Environmental Resource Permit (ERP) Penalties Equal to or Greater than \$5,000 for the Period October 1, 2012 through December 31, 2012**

Routine Reports

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

54. **Litigation Report**

55. **Rulemaking Update** (Track 9 – 02:30/14:00)

COMMITTEE/LIAISON REPORTS

The following reports were provided for the Board's information.

56. **Well Drillers Advisory Committee Meeting**

57. **Environmental Advisory Committee Meeting**

58. **Other Liaison Reports** – None (Track 10 – 00:00/00:20)

The agenda was altered slightly at this time.

CHAIR'S REPORT (Video – 195:58)

60. **Chair's Report**

Chair Senft noted that the Joint Policy Board of the three Estuary Programs has created an executive committee to rank RESTORE Act projects and approve the Southwest Florida Gulf Coast Regional Plan (RESTORE Act projects may be eligible for funding through fines collected from BP following the Deepwater Horizon oil spill). He said staff will make a brief presentation to the Board about this in the coming months.

Chair Senft said the executive committee will be comprised of one representative from each of six coastal counties and one District representative. Mr. Joerger sits on the Sarasota Bay Estuary Program Policy Board and has volunteered to participate on this committee. Since Mr. Joerger is the Board's veteran policy board representative and the

committee meetings are to be held in Sarasota, Chair Senft said he appoints Mr. Joerger for the committee with the understanding that he will provide a liaison report following the committee meetings. Also, he requested Ms. Griffin to serve as alternate in Mr. Joerger's absence at a meeting and she accepted.

Mr. Beruff asked that the future report include the hierarchy and appointees who decide approvals of funding. (Track 10 – 00:20/05:00)

EXECUTIVE DIRECTOR'S REPORT

59. **Executive Director's Report**

Mr. Guillory said he had nothing to report at this time. He encouraged Board members to review the current Strategic Plan and think about it in terms of the four planning areas and importance for each area.

Board members expressed their appreciation to Ms. Lou Kavouras, Bureau Chief of Board and Executive Services, for her many years of service and professionalism to the Board and District as she will be retiring in February.

There being no further business to come before the Board, Chair Senft recessed the public hearing and adjourned the meeting at 12:26 p.m. (Video – 204:15, Track 10 – 00:00/08:22)