

APPROVED

MINUTES OF THE MEETING

GOVERNING BOARD
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

APRIL 26, 2011

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:05 a.m. on April 26, 2011, at the District's headquarters in Brooksville. The following persons were present:

Board Members Present

Ronald E. Oakley, Chair
Hugh Gramling, Vice Chair
H. Paul Senft, Secretary
Douglas B. Tharp, Treasurer
Jeffrey M. Adams, Member
Carlos Beruff, Member
Bryan K. Beswick, Member
Jennifer E. Closshey, Member
Albert G. Joerger, Member
Todd Pressman, Member
Judith C. Whitehead, Member

Staff Members

David L. Moore, Executive Director
William S. Bilenky, General Counsel
Lou Kavouras, Deputy Executive Director
Richard S. Owen, Deputy Executive Director
Bruce C. Wirth, Deputy Executive Director
Kurt P. Fritsch, Acting Deputy Executive Director

Board's Administrative Support

LuAnne Stout, Administrative Coordinator
Tahla Paige, Sr. Administrative Assistant

Board Member(s) Absent

Neil Combee, Member

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. Due to audio difficulties, the first portion (Items 1 through 25 and part of Item 26) of the meeting was not recorded. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

Public Hearing

1. Call to Order

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

2. Pledge of Allegiance and Invocation

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

Public Hearing

Chair Oakley 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 Oakley 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 Oakley 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**

Mr. Moore noted the following changes to today's agenda:

Consent Agenda

*The following item is **moved** for discussion on the Resource Management Committee:*

- 9. Flying Eagle Youth Conservation Center – Flying Eagle Preserve, SWF Parcel No. 19-334-147X
 - a. Memorandum of Understanding

Finance and Administration Committee

*The following item is **added** for discussion:*

- Lake Hancock Outfall Wetland Treatment Project Bid Award

Chair Oakley noted for the record that the agenda was accepted as amended.

4. **Employee Recognition**

Mr. Moore recognized staff members who have achieved milestones of 20 years or greater for the period of March 1, 2011 to March 31, 2011.

MILESTONE	EMPLOYEE	TITLE	DEPARTMENT	LOCATION
20 Years	Mark Alford	Field Technician Supervisor	Bartow Regulation	Bartow
	Ilka Chestnut	Risk & Safety Analyst	Human Res & Risk Mgt	Brooksville
	Mike Martin	Field Operations Supervisor	Operations	Bartow

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

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

Chair Oakley noted there is one request to speak at this time.

Mr. Mark Simpson, representing Manatee County Utilities, expressed the County's support for the current Basin Board structure.

Consent Agenda

Item 9.a. was moved for discussion on the Resource Management Committee.

Regulation Committee

6. **Individual Water Use Permits Referred to the Governing Board**

- a. **WUP No. 20010420.006 - Peace River Manasota Regional Water Supply Authority – DeSoto County**
Staff recommended to approve the proposed permit as included in the Board's meeting materials.
- b. **WUP No. 20011026.003 - C. Anderson #35 Farm – Levy County**
Staff recommended to approve the proposed permit as included in the Board's meeting materials.

Resource Management Committee

7. **Lease Agreement with the Division of Forestry for Use of Property in Green Swamp Wilderness Preserve – SWF Parcel No. 10-200-1046X**

Staff recommended to approve the Lease Agreement for a fire tower at the Green Swamp Forestry Site in the Green Swamp Wilderness Preserve between the District and the State

- of Florida Department of Agriculture and Consumer Services, Division of Forestry, SWF Parcel No. 10-200-1046X.
8. **Rocky Creek Lake Enhancement Project Land Acquisition – SWF Parcel No. 14-009-104P**
Staff recommended to accept the appraisal and approve the agreement for SWF Parcel No. 14-009-104P.
 9. **Flying Eagle Youth Conservation Center – Flying Eagle Preserve, SWF Parcel No. 19-334-147X**
 - a. **Memorandum of Understanding** – This item was moved for discussion on the Resource Management Committee.
 - b. **Budget Transfer**
Staff recommended to approve the transfer of \$20,000 from Governing Board Reserves for Contingencies.
 10. **Appraisal and Purchase/Sale Agreement – Lake Panasoffkee Project, SWF Parcel No. 19-528-148**
Staff recommended to (1) accept the appraisal, (2) approve the Purchase/Sale Agreement and (3) designate SWF Parcel No. 19-528-148 as having been acquired for conservation purposes.
 11. **Appraisal and Purchase/Sale Agreement – Hálpata Tastanaki Preserve, SWF Parcel No. 19-733-117**
Staff recommended to (1) accept the appraisal, (2) approve the purchase and sale agreement, and (3) designate SWF Parcel No. 19-733-117 as having been acquired for conservation purposes.
 12. **Non-Exclusive Easements to Verizon Florida, LLC for a Fiber Optic Communication Line and to the City of Bartow Electric Department for an Electric Transmission Line – Lake Hancock Lake Level Modification Project, SWF Parcel Nos. 20-503-242X and 20-503-245X**
Staff recommended to authorize conveyance of the non-exclusive utility easements for SWF Parcel Nos. 20-503-242X and 20-503-245X to Verizon Florida, LLC and the City of Bartow Electric Department.
 13. **Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Myakka Prairie, SWF Parcel No. 21-199-108C**
Staff recommended to (1) accept the appraisals, (2) approve the Purchase/Sale Agreement, (3) approve resolution requesting funds in the amount of \$557,500 and (4) designate SWF Parcel No. 21-199-108C as being acquired for conservation purposes.
 14. **Clearwater Glen Oaks/Palmetto Reclaimed Water Project – First Amendment**
Staff recommended to approve the no-cost change first amendment to the agreement with the City of Clearwater for the Glen Oaks/Palmetto Reclaimed Water project to modify the scope of work, and authorize the Executive Director to execute the amendment.
 15. **City of Dunedin – Implementation of Best Management Practices – Orangewood Outfall**
Staff recommended to approve the amendment to the agreement with the City for \$2,470,000, with the Pinellas-Anclote River Basin Board's share not to exceed \$1,235,000; and authorize the Executive Director to execute the amendment.
 16. **Resolution Number 11-06 Requesting Encumbrance of Fiscal Year 2011 Budgeted Funds from the Water Management Lands Trust Fund (WMLTF) for Surface Water Improvement and Management (SWIM) Activities**
Staff recommended to approve Resolution Number 11-06 requesting the Florida Department of Environmental Protection to encumber the District's FY2011 budget requirements for SWIM Activities within the WMLTF, and authorize staff to request reimbursements for FY2011 costs not to exceed \$11,213,977.
 17. **Authorize Submission of Preliminary Flood Insurance Rate Maps (FIRMs) for the Anclote River Watershed (East of the Suncoast Parkway) in Pasco County to the Federal Emergency Management Agency (FEMA)**
Staff recommended to authorize staff to submit the preliminary FIRMs for the Anclote River watershed (east of the Suncoast Parkway) in Pasco County to FEMA.

18. **Authorize Submission of Preliminary Flood Insurance Rate Maps and Flood Insurance Study for Pasco County to the Federal Emergency Management Agency**
Staff recommended to authorize staff to submit the preliminary Pasco County FIRMs for Pasco County to FEMA.
19. **Authorize Submission of Preliminary Hardee County Flood Insurance Rate Maps to the Federal Emergency Management Agency**
Staff recommended to authorize staff to submit the preliminary Hardee County FIRMs for Hardee County to FEMA.
20. **Facilitating Agricultural Resource Management Systems (FARMS)**
 - a. **The Way Family Farms – Hernando County**
Staff recommended to (1) approve The Way Family Farms, Inc. project for a not-to-exceed project reimbursement of \$11,230 with \$5,615 provided by the Withlacoochee River Basin Board and \$5,615 provided by the Governing Board; (2) authorize the transfer of \$5,615 from fund 019 H017 Withlacoochee River Basin Board FARMS funds, \$5,615 from fund 010 H017 Governing Board FARMS funds to H632 The Way Family Farms, Inc. project fund; and (3) authorize the Executive Director to execute the agreement.
 - b. **Astin Farms, Inc.-South Farm and Karpee Road Site – Hillsborough County**
Staff recommended to (1) approve the Astin Farms-South Farm and Karpee Road Farm projects for a not-to-exceed project reimbursement of \$263,240 with \$131,620 provided by the Alafia River Basin Board and \$131,620 provided by the Governing Board; (2) authorize the transfer of \$131,620 from fund 011 H017 Alafia River Basin Board FARMS funds and \$131,620 from fund 010 H017 Governing Board FARMS funds to H636 Astin Farms, Inc. project fund; and (3) authorize the Executive Director to execute the agreement.
 - c. **San-Way Farms, Inc. – Hillsborough County**
Staff recommended to (1) approve the San-Way Farms, Inc. project for a not-to-exceed project reimbursement of \$165,868 with \$82,934 provided by the Alafia River Basin Board, \$82,934 provided by the Governing Board; (2) authorize the transfer of \$82,934 from fund 011 H017 Alafia River Basin Board FARMS funds and \$82,934 from fund 010 H017 Governing Board FARMS funds to H634 San-Way Farms, Inc, project fund; and (3) authorize the Executive Director to execute the agreement.
 - d. **Sewell Farms, LLC – Hillsborough County**
Staff recommended to (1) approve the Sewell Farms, LLC, project for a not-to-exceed project reimbursement of \$92,480 with \$46,240 provided by the Alafia River Basin Board and \$46,240 provided by the Governing Board; (2) authorize the transfer of \$46,240 from fund 011 H017 Alafia River Basin Board FARMS funds, and \$46,240 from fund 010 H017 Governing Board FARMS funds, to H633 Sewell Farms, LLC, project fund; and (3) authorize the Executive Director to execute the agreement.
 - e. **Sizemore Farms-English Creek – Hillsborough County**
Staff recommended to (1) approve the Sizemore Farms, Inc.-English Creek project for a not-to-exceed project reimbursement of \$395,182 with \$197,591 provided by the Alafia River Basin Board and \$197,591 provided by the Governing Board; (2) authorize the transfer of \$197,591 from fund 011 H017 Alafia River Basin Board FARMS funds and \$197,591 from fund 010 H017 Governing Board FARMS funds, to H635 Sizemore Farms, Inc.-English Creek project fund; and (3) authorize the Executive Director to execute the agreement.
 - f. **Sydney Farms-Donini Farm – Hillsborough County**
Staff recommended to (1) approve the Sydney Farms, Inc.-Donini Farm project for a not-to-exceed project reimbursement of \$110,500 with \$55,250 provided by the Alafia River Basin Board and \$55,250 provided by the Governing Board; (2) authorize the transfer of \$55,250 from fund 011 H017 Alafia River Basin Board FARMS funds, \$55,250 from fund 010 H017 Governing Board FARMS funds to 010 H638 Sydney Farms, Inc.-Donini Farm project fund; and (3) authorize the Executive Director to execute the agreement.

g. **FLM, Inc.-Blossom Grove Phase 2 – Manatee County**

Staff recommended to (1) approve the FLM-Blossom Grove Phase 2 project amendment for a not-to-exceed project reimbursement of \$168,750 with \$69,299 provided by the Manasota Basin Board, \$69,299 provided by the Governing Board and \$30,153 provided from State Appropriations; (2) authorize the transfer of \$69,299 from fund 021 H017 Manasota Basin Board FARMS funds, \$69,299 from fund 010 H017 Governing Board FARMS funds, and \$30,153 from fund 021 H017 State Appropriations to H615, FLM, Inc.-Blossom Grove Phase 2, project fund; and (3) authorize the Executive Director to execute the agreement.

Finance and Administration Committee

21. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for March 2011.

General Counsel's Report

22. **Consent Judgment – Surface Water Activity - Lake Sebring Estates Development Corp. - Case No. 08-892GCS – Highlands County**

Staff recommended to approve the proposed Consent Final Judgment.

Executive Director's Report

23. **Approve Governing Board Minutes – March 29, 2011 Meeting**

Staff recommended to approve the minutes.

24. **Location Change for July 26, 2011 Governing Board Meeting**

Staff recommended to approve changing the meeting location of the July 26, 2011 meeting to the Tampa Service Office.

Mr. Tharp moved, seconded by Mr. Senft, to approve the Consent Agenda as amended. Motion carried unanimously.

Chair Oakley relinquished the gavel to Outreach and Planning Committee Chair Beswick.

Outreach and Planning Committee

Discussion Items

25. **Legislative Update**

Mr. David Rathke, Director, Community and Legislative Affairs Department, provided an update on the 2011 legislative session. Numerous bills have been filed and are moving through the legislative process which include, but are not limited to, bills regarding the District's Basin Boards, urban redevelopment and budgetary oversight. On the federal level, the debate over earmarks, implementation of numeric nutrient criteria and other issues is ongoing.

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

26. **2013 Strategic Plan – Water Quality**

Mr. Roy Mazur, Director, Planning Department, informed the Board of the progress of the Strategic Plan, and introduced staff recommendations to adjust the Water Quality strategic initiatives. Staff has been providing overviews of each of the District's statutory areas of responsibility: Water Supply, Water Quality, Natural Systems and Flood Protection. This month staff presented a recommendation to carry forward the existing Water Quality strategic initiatives (Assessment and Planning, Maintenance and Improvement); and changing the context to reflect activities addressing surface water, groundwater and springs water quality. The presentation featured a discussion on the linkage of Water Quality to the Program Budget along with three programmatic presentations discussing well construction and back plugging, springs initiatives and water quality targeted educational projects. (Track 1 – 00:00/01:29; Track 2 – 00:00/10:27)

Mr. Anthony E. Gilboy, Manager, Well Construction Regulation Program, provided an overview of the District's Well Construction Program. (Track 3 – 00:00/19:30)

Committee Chair Beswick noted that a request to speak card was submitted.

Mr. Al Grubman, member of TOO FAR, Citrus County Task Force and Withlacoochee River Basin Board, commented on mud disposal and associated issues. (Track 3 – 19:30/22:47)

Mr. Jerry L. Mallams, Manager, Geohydrologic Data Section, provided an overview of Water Quality Maintenance and Improvement, including the Quality of Water Improvement Program (QWIP) and the Facilitating Agricultural Resource Management Systems (FARMS) Well Back-Plugging Program. (Track 4 – 00:00/12:53)

Mr. Mazur introduced the District's Springs Initiative. (Track 5 – 00:00/01:26; Track 6 – 00:00/00:50)

(Video A – 00:00)

Dr. Gary E. Williams, Senior Environmental Scientist, Resource Projects Department, provided an overview of the District's Springs Initiative, including restoration/management and education/coordination efforts. The discussion included issues and threats such as decreases in flow, increases in nutrients, shifts from rooted plants to filamentous algae, and sea level rise. Dr. Marty Kelly, Minimum Flows and Levels Program Director, Ecologic Evaluation Section, addressed questions raised by the Board related to sea level rise. (Track 6 – 00:50/33:21)

Mr. Mazur noted that each presentation highlighted the strategies and success indicators associated with each initiative and associated budget, and reviewed the topic for next month's presentation.

Mr. Joerger requested receiving the updated Strategic Plan information at least two weeks prior to the next meeting. (Track 7 – 00:00/05:30)

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

Submit & File Reports – None

Routine Reports

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

27. **Comprehensive Plan Amendment and Related Reviews**
28. **Development of Regional Impact Reviews**
29. **Speakers Bureau**
30. **Significant Activities**

Outreach and Planning Committee Chair Beswick relinquished the gavel to Finance and Administrative Committee Chair Tharp. (Track 7 – 05:30/05:49)

Finance and Administration Committee (Video A – 41:40)

One item not appearing on the published agenda was added for consideration: Lake Hancock Outfall Wetland Treatment Project Bid Award.

Discussion Items

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

32. **Workload and Staffing Analysis Status**

Ms. Jan Sullivan, representing North Highland Consulting Company, provided an update on its progress to date against the projected timeline, as well as information about project tasks still to be completed. Two major events occurred during the month: employee survey (88-percent response rate) and Office of General Counsel categorized statutes for correlation to core mission. (Track 8 – 00:00/10:33)

Discussion ensued regarding using the current programs and projects to determine the workload and staffing analysis, circumstances that have yet to be determined which may affect the evaluation, analysis methodology, and participation by the Board in the analysis. (Track 8 – 10:33/33:30)

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

33. **Total Compensation (Salary & Benefits) Review Status** (Video A – 01:15:00)

Ms. Elaine M. Kuligofski, Director, Human Resources and Risk Management Department, introduced Dr. Christopher Diaz, representing Evergreen Solutions, LLC, who provided a status report on the Total Compensation (Salary and Benefits) Review being performed. Evergreen Solutions has conducted an assessment of current conditions, held employee focus groups and interviewed department directors when appropriate. (Track 9 – 00:00/19:32)

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

Committee Chair Tharp recessed the meeting at 12:10 p.m. to provide a lunch break (Video A – 01:34:40). The meeting reconvened at 12:45 p.m.

(Mr. Beswick left the meeting.)

34. **Fiscal Year 2012 Budget Update** (Video B – 00:37)

Mr. Fritsch provided an update on the fiscal year 2012 (FY2012) budget development process which is on schedule with the FY2012 budget calendar. He informed the Board on information received during the prior month, and presented a financial model to demonstrate the impacts of various assumptions regarding District Board structure, ad valorem revenue alternatives, and expenditure projections. Mr. Fritsch reviewed the FY2012 preliminary budget to date (revenue, program and expenditure budgets), historical trends, and projected trends.

Board members requested the budget be presented in a format similar to the Basin budget; a report provided on encumbrances and project status; a report provided for projection of cash balances and estimated pay down; and a breakdown provided of operations, and administration and management costs. Mr. Moore said staff's goal is to reduce the number of full-time equivalent employee positions to 800.

Mr. Fritsch noted that May discussions for the Board's consideration are (1) does the strategic approach remain appropriate, (2) does the FY2012 expenditure budget set the base, (3) re-affirming the cooperative funding market/needs approach, (4) willingness to commit to long-term projects agreed upon, and (5) approving the fund balance policy (financial stability reserve, committed long-term projects reserve, and millage stability reserve). (Track 10 – 00:00:00/01:02:14)

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

The following item was added to the agenda for consideration.

Lake Hancock Outfall Wetland Treatment Project Bid Award (Video B – 01:02:40)

Mr. Malcolm Wilson, Manager, Purchasing Section, said that yesterday the District received an Intent to Protest. Mr. Bilenky said the party protesting is the winning bidder. He explained the protester, in order to prevail, must somehow demonstrate that the bidder is adversely affected by the processes used by the District. Mr. Bilenky said a public records request from the bidder was also received which is free discovery for possible litigation. He said the District is complying with the records request and within ten days from the Intent of Protest the party must file a Notice of Protest at which time the District will know the party's issue. (Track 11 – 00:00/02:45)

Submit & File Report

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

35. **Fiscal Year 2011 Second Quarter Financial Report**

Routine Reports

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

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

Finance and Administration Committee Chair Tharp relinquished the gavel to Regulation Committee Chair Beruff. (Track 11 – 02:45/03:04)

Regulation Committee (Video B – 01:06:00)

Discussion Items

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

39. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, said March historically marks the sixth month of the eight-month dry season, and provisional rainfall totals for the month show accumulations were well above-normal in all regions of the District. Analysis of dry-season rainfall shows October through March totals to be slightly below the historic mean in the northern and southern regions of the District, while they are slightly above the historic mean in the central region. Rainfall during the month was scattered, regionally variable and associated with several cold fronts moving through the District. Severe weather conditions associated with frontal system(s) from March 28-31 brought gusty winds, approximately 80 percent of the month's rainfall, minor localized flooding in some areas, and nearly six inches of rainfall District-wide with local accumulations of over nine inches reported. The cumulative 12-month District-wide rainfall deficit improved during March, ending the month approximately 4.2 inches below the long-term average. The 24-month and 36-month cumulative rainfall totals improved and are approximately 3.2 inches above and 7.2 inches below, respectively, the long-term average. The abundant rainfall associated with the March 28-31 storms allowed declining hydrologic indicators to stabilize and/or show improvement, although much of the improvement is not seen in the March data due to late timing of the rain event. Sharp rises in surface water and groundwater levels were seen immediately following the heavy rainfall. Regional lake levels ended the month within the annual normal range in the Tampa Bay region, but remained at below-normal levels in the Northern, Polk Uplands and Lake Wales Ridge regions. Groundwater and streamflow conditions ended the month below-normal in the northern and southern regions and in the normal range in the central region. (Track 12 – 00:00/07:38)

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

40. **Water Shortage Order 2010-022 – Consider Current and Projected Conditions**

Mr. Owen said staff is not recommending changes to the Modified Phase I Water Shortage as declared by the Governing Board at its November 16, 2010 meeting; therefore, no action is required.

41. **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.

42. **Dover/Plant City Water Use Caution Area Management Rules Update**

Routine Reports

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

43. **Public Supply Production Report**

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

45. **Overpumpage Report**

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

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

48. **Resource Regulation Significant Initiatives**

Regulation Committee Chair Beruff relinquished the gavel to Resource Management Committee Chair Joerger. (Track 13 – 00:00/00:57)

Resource Management Committee (Video B – 01:14:30)

Item 9.a. was moved from the Consent Agenda for discussion.

Discussion Items

49. **Consent Item(s) Moved for Discussion**

9. **Flying Eagle Youth Conservation Center – Flying Eagle Preserve, SWF Parcel No. 19-334-147X**

a. **Memorandum of Understanding**

Mr. Eric Sutton, Director, Land Resources Department, said the Boy Scouts of America (BSA) currently operates a youth center on the McGregor-Smith tract of the Flying Eagle Preserve under a lease agreement with the District. Decreased funding for BSA programs has brought forth challenges in managing the youth center under the current partnership structure. Since the Board presentation in October, the Fish and Wildlife Conservation Commission (FWC) has continued its development of this statewide initiative and on December 1, 2010, formally approved Flying Eagle to be paired with Chinsegut Nature Center as one of seven sites to be included in the first phase of the Florida Youth Conservation Centers Network. While the proposed Memorandum of Understanding (MOU) is intended to define the role of each entity related to the management structure of the partnership, it does not address the need for an initial capital outlay or distribution of operating expenses. The FWC and District staffs propose to combine resources to conduct an analysis of the property's existing infrastructure to identify needed capital improvements. At the conclusion of the analysis, all parties to the MOU will establish more specific terms and conditions that will be incorporated into a management agreement for the youth center. A management agreement will include specific parameters as to the management of the center as well as funding requirements as each entity will be responsible for contributing to the project. This item will be provided to the Withlacoochee River Basin Board as an information item at its next meeting.

Staff recommended to (1) approve the Memorandum of Understanding (MOU) for the Flying Eagle Youth Conservation Center between the District, the Florida Fish and Wildlife Conservation Commission, the Gulf Ridge Council of the Boy Scouts of America and the Wildlife Foundation of Florida, SWF Parcel No. 19-334-147X; and (2) authorize the Executive Director to execute the MOU.

Mr. Tharp moved, seconded by Mr. Pressman, to approve the staff recommendation. The motion carried with Committee Chair Joerger abstaining from the vote. (Track 14 – 00:00/08:19)

50. **Revenue Generation on District Lands: A Review of Current and Potential Multiple Uses Opportunities** (Video B – 01:23:00)

Mr. Eric Sutton, Director, Land Resources Department, provided an overview of revenue generation on District lands. At its July 2009 meeting, the Basin Board Land Resources Committee recommended staff conduct a review of District practices regarding revenue generating uses on District lands and specifically, to investigate whether these uses were being maximized under current limitations and constraints. Based on the findings of this review, staff believes that given the current limitations and constraints, the District is maximizing the potential for revenue generation on its conservation lands. District policies and procedures dictate that due to substantial ecological, economical, and infrastructural costs, "acreage-dependant uses," such as timber management and cattle grazing leases should be confined to areas of predominately altered habitat. A careful examination of current scientific literature and best management practices determined that these constraints are still valid. A subsequent land availability analysis was conducted, finding a total of 448.3 acres of unoccupied land available for the expansion of current revenue-generating uses; however, only 93 acres of this available land are contiguous. It was concluded that the revenue-generating uses currently being conducted on District lands are at capacity.

Mr. Tharp moved, seconded by Chair Oakley, to accept the report: "Revenue Generation on District Lands: A Review of Current and Potential Multiple Uses Opportunities." Motion carried unanimously. (Track 15 – 00:00/17:10)

Mr. Beruff requested staff provide at the May Board meeting a timeline for receiving surplus lands information.

This item was presented for the Committee'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.

51. **Second Amendment to the Agreement with Florida Fish and Wildlife Conservation Commission for the Potts Preserve Wildlife Management Area – SWF Parcel No. 19-484-119X**

Routine Reports

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

52. **Florida Forever Funding**

53. **Minimum Flows and Levels**

54. **Structure Operations**

55. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**

56. **Significant Water Supply and Resource Development Projects**

- Mr. Wirth said the Wares Creek project received its permit and should begin construction soon. He noted that this is an example of project funds that have been available for three to four years before the work begins.

Committee Chair Joerger relinquished the gavel to Chair Oakley. (Track 15 – 17:10/21:03)

General Counsel's Report (Video B – 01:44:00)

Discussion Items

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

Mr. Beruff requested an update on the status of proposed changes to the Basin Boards. Mr. Bilenky said the District has submitted an amendment to legislation so that the ability will exist under the law to merge, delete, continue or restructure the Basin Boards, along with several other recommendations. Discussion ensued regarding possible scenarios, and direction from the Governor and/or legislation. Board members expressed their views on Basin Boards' efficiency, structure and representation. Mr. Gramling reminded the Board of the motion passed last month relative to re-structuring. Mr. Senft suggested that, following the legislative session, the General Counsel provide a white paper on the Basin Board alternatives and the Board consider scheduling a work session.

Submit & File Reports – None

Routine Reports

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

58. **Litigation Report**

59. **Rulemaking Update**

(Track 16 – 00:00/34:19)

Committee/Liaison Reports (Video B – 02:18:15)

60. **Industry Advisory Committee (IAC) Meeting**

Ms. Closshey briefly reviewed the topics discussed at the April 19, 2011, meeting. The next meeting is scheduled for July 19, 2011, in the District's Tampa Service Office.

61. **Public Supply Advisory Committee (PSAC) Meeting**

Mr. Senft briefly reviewed the topics discussed at the April 19, 2011, meeting. The next meeting is scheduled for July 19, 2011, in the District's Tampa Service Office.

Since the IAC and PSAC often share agenda topics, it was suggested to schedule joint meetings when appropriate.

62. **Well Drillers Advisory Committee Meeting**

Chair Oakley briefly reviewed the topics discussed at the April 13, 2011, meeting. The next meeting is scheduled for July 13, 2011, in the District's Tampa Service Office.
(Track 17 – 00:00/03:10)

Executive Director's Report (Video B – 02:21:30)

63. **Executive Director's Report**

a. **September 28, 2010 Governing Board Workshop Summary Update**

- Mr. Moore noted that an updated summary table of the Governing Board's workshop held on September 28, 2010, is provided for the Board's feedback.

b. **Other**

- Mr. Moore provided an update on efforts for the establishment of minimum flows and levels on the Chassahowitzka and Homosassa Springs. If the Board has no objection, he said staff is extending the public process for six-months to address concerns.

- Mr. Moore apprised the Board of current activities planned for the District's fiftieth anniversary celebration in October 2011.
- Mr. Moore noted that Governor Scott has directed there be zero tolerance for executive and other designated staff receiving gifts.

(Track 17 – 03:10/06:50)

Chair's Report (Video B – 02:25:08)

64. **Chair's Report**

a. **March 30, 2011 Meeting with Tampa Bay Water**

- Chair Oakley provided an update on the meeting he and Mr. Moore held with Tampa Bay Water (TBW) Chair Hildebrand and General Manager Jerry Seeber to discuss issues involving the TBW Desalination Plant. He said TBW Board still wants a joint meeting to express their views. Mr. Gramling said there is pending legislation and suggested continuing this discussion after the legislative session ends. Mr. Rathke provided an update on the pending legislation. (Track 17 – 06:50/12:40)

b. **Governor Scott's Direction on Water Management**

- Chair Oakley briefly addressed two recent communications which were included in the Board's meeting materials. Governor Scott sent a letter dated April 12, 2011, to Department of Environmental Protection (DEP) Secretary Herschel Vinyard regarding expectations for DEP in oversight of Water Management Districts (WMDs). DEP Secretary Vinyard sent a memorandum dated April 14, 2011, to WMD Governing Board chairs and executive directors further elaborating on Governor Scott's direction.
- Chair Oakley noted a meeting has been scheduled for May 18, 2011, in Tallahassee with the DEP Secretary and the WMDs chairs and executive directors.

c. **Other**

- In response to Ms. Closshey's question, Mr. Gramling noted the Board approved last month that the Executive Director's contract continue month-to-month until the salary and benefit analysis is completed.

(Track 17 – 12:40/16:30)

There being no further business to come before the Board, Chair Oakley adjourned the meeting at 3:29 p.m. (Video B – 02:34:45)