

# APPROVED

## MINUTES OF THE MEETING

### GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

NOVEMBER 16, 2010

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:00 a.m. on November 16, 2010, 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  
Bryan K. Beswick, Member  
Jennifer E. Closshey, Member  
Neil Combee, 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  
Eugene A. Schiller, Deputy Executive Director  
Bruce C. Wirth, Deputy Executive Director

#### Board's Administrative Support

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

#### Board Member(s) Absent

Carlos Beruff, 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. Approved minutes from previous meetings can be found on the District's Web site ([www.WaterMatters.org](http://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 said there was one deletion to the agenda.

**Consent Agenda**

*The following items were deleted from consideration:*

7. Individual Water Use Permits Referred to the Governing Board
  - b. WUP No. 20000742.010 - City of Tarpon Springs (Pinellas County)
8. Initiate Rulemaking and Approve Amendment to Rule 40D-8.041, Florida Administrative Code (F.A.C.), to Establish Minimum Flows for the Chassahowitzka River System and Accept Report

Chair Oakley noted for the record that the deletions were accepted for today's agenda. (Track 1 – 00:00/05:24)

4. **District Recognition – Florida's Heartland Rural Economic Development Initiative (FHREDI), Inc.**

Mr. Roy Mazur, Director, Planning Department, introduced Ms. Lynn Topel, Executive Director of the Florida's Heartland Rural Economic Development Initiative (FHREDI), who provided information regarding the FHREDI organization. She presented an award and plaque to the Governing Board in appreciation for its support in creating economic stability in the FHREDI region. (Track 1 – 05:24/07:10)

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

5. **Employee Recognition**

Mr. Moore recognized staff members who have achieved milestones of 20 years or greater.

MILESTONE	EMPLOYEE NAME	TITLE	DEPARTMENT	OFFICE LOCATION
30 Years	Margie Hagin	Water Resource Permit Evaluator	Tampa Regulation	Tampa
25 Years	Cheryl Glenn	GIS Analyst 3	Operations	Brooksville

Mr. Moore recognized Mr. Don Wood who is the new Manager in the Human Resources Department and welcomed him to the District's management team. He then introduced Mr. Eric DeHaven, Director, Resource Development and Restoration Department, to recognize staff through the District's Employee Suggestion Program (ESP) for Meritorious Service Award Recognition.

Mr. DeHaven said an ESP form was received from Mr. Jason Hust, Field Technician Supervisor, Water Quality Monitoring Program (WQMP) Section, on behalf of his employees: Bob Brady, Senior Field Technician; Tim Crosby, Staff Field Technician; Stacy Joyner, Field Technician; Joel Durkee, Field Technician; Rik Mathias, Field Technician; Kendale Antoine, Assistant Field Technician (currently an Assistant Well Driller); and Josh Kraft, Assistant Field Technician (no longer a District employee). WQMP has 12 multi-probe YSI meters, which are used on a daily basis to measure field parameters at ground and surface water monitoring sites. The accuracy of data collected depends on the appropriate calibration and maintenance of these meters. The District was sending the meters to the manufacturer for repair but now the WQMP staff has obtained the technical skills to perform these tasks in-house. In addition, the WQMP are making repairs to groundwater sampling pumps and water level monitoring equipment when possible to save down-time and repair costs. As a result, the District has realized a substantial decrease in the associated cost related to YSI meter repairs. Costs reduction

has been realized in reduced down-time and lower equipment repair cost. A breakdown of cost savings for Fiscal Year (FY) 2009 totaled \$16,094.00. A \$1,609.40 Meritorious Service Award was equally split between the employees listed above.

Mr. DeHaven said an ESP form was received from Mr. Jerry Mallams, P.G., Manager, Geohydrologic Data Section, on behalf of his employee, George DeGroot, Senior Well Driller. Mr. DeGroot improved the efficiency of the Geohydrologic Data Section's wire-line operations by reducing the time required to clear obstructions when coring through fractured dolostone formations. Mr. DeGroot did this through developing a process and tools that allow removal of obstructions from the core rods. This has been termed the Rock Bailer. The Rock Bailer method uses the wire-line cable on the drill rig to remove the core rod obstruction in-situ, thereby negating the need to remove and reinstall the entire drill string, saving hours of drill rig and staff time. As a result, the District has realized a substantial decrease in the associated cost related to core drilling. Costs reduction has been realized in equipment and salary. A breakdown of cost savings for FY2009 totaled \$34,448.63. Mr. DeGroot received a \$2,000 Meritorious Service Award in appreciation for his cost-saving suggestion.

Chair Oakley thanked these staff members and said he appreciated their outstanding work for the District. (Track 1 – 07:10/16:15)

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

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

Chair Oakley noted that no requests to speak were submitted. (Track 1 – 16:15/16:27)

## Consent Agenda

Items 7.b. and 8 were deleted from consideration.

### Regulation Committee

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

a. **WUP No. 20002486.004 - Circle G Farm and Ranch LLC (Hillsborough County)**

Staff recommended to approve the proposed permit.

b. **WUP No. 20000742.010 - City of Tarpon Springs (Pinellas County)** – This item was deleted from consideration.

### Resource Management Committee

8. **Initiate Rulemaking and Approve Amendment to Rule 40D-8.041, Florida Administrative Code (F.A.C.), to Establish Minimum Flows for the Chassahowitzka River System and Accept Report** – This item was deleted from consideration.

9. **Facilitating Agricultural Resource Management Systems (FARMS) – Polkdale Farms, L.L.C. Wind Machine – Polk County**

Staff recommended to (1) approve the Polkdale Farms, L.L.C. Wind Machine project for a not-to-exceed project reimbursement of \$40,000 with the entire reimbursement provided by the Governing Board; (2) authorize the transfer of \$40,000 from fund 010 H017 Governing Board FARMS funds to H618, Polkdale Farms, L.L.C. Wind Machine project fund; and (3) authorize the Executive Director to execute the agreement.

### Finance & Administration Committee

10. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for October 2010.

### General Counsel's Report

11. **Settlement Agreement – SWFWMD v. Matthew Smith, et al, Case No. 53-2010-CA-004082, 10<sup>th</sup> Judicial Circuit – Lake Hancock Project, SWF Parcel No. 20-503-110P – Polk County**

Staff recommended to approve the Settlement Agreement in the total amount of \$157,000.

12. **Settlement Agreement – SWFWMD v. Sharon E. Pitz & Charles R. Connolly, et al, Case No. 2009-CA-010078, 10<sup>th</sup> Judicial Circuit – Lake Hancock Project, SWF Parcel No. 20-503-198P – Polk County**

Staff recommended to approve the settlement of this matter for a total of \$132,350.70 by entry of a Stipulated Amended Order of Taking and Final Judgment.

13. **Initiation of Litigation – Well Construction - License No. 9021 - Brett Roth – Levy and Citrus Counties**

Staff recommended to authorize the initiation of litigation against Mr. Roth to take disciplinary action against his license, recover an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney's fees.

#### **Executive Director's Report**

14. **Approve Governing Board Minutes**

a. **October 22, 2010 Finance and Administration Screening Committee Meeting**

b. **October 26, 2010 Meeting**

Staff recommended to approve the minutes.

**Mr. Tharp moved, seconded by Mr. Gramling, to approve the Consent Agenda as amended. Motion carried unanimously. (Track 1 – 16:27/16:55)**

Chair Oakley relinquished the gavel to Regulation Committee Vice Chair Pressman. (Track 1 – 16:55/17:19)

## **Regulation Committee**

### ***Discussion Items***

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

16. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, said October historically marks the first month of the eight-month dry season (October-May) and provisional rainfall totals for the month have been at record low amounts. Rainfall during the four-month wet season (June-September) was lower than expected. Provisional rainfall data for the District indicate that October 2010 is the driest October since records began in 1915. Provisional data indicate that the District-wide 12-month rainfall accumulation has declined into deficit conditions, now showing a deficit of approximately 0.91 inch below the long-term average. The 24- and 36-month cumulative rainfall deficits also increased during the month and are approximately 7.8 and 11.9 inches, respectively, below the historic average. As a result of the low rainfall, all hydrologic indicators declined during October. Regional groundwater levels, lake levels and streamflow have now fallen below-normal in most of the District, with the Central region holding out with low-normal conditions. The U.S. Drought Monitor (as of October 26) indicates that abnormally dry conditions have returned throughout the District, and are expanding and intensifying. National weather forecasts for the three-month period from November through January, as well as the coming winter and spring, continue to predict below-normal rainfall due to La Niña conditions in the Pacific Ocean. Further declines in hydrologic conditions are likely should below-normal rainfall conditions occur during the coming winter and spring. (Track 2 – 00:00/06:59)

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

17. **Consider Water Shortage Declaration**

Ms. Lois Sorensen, Demand Management Program Manager, Tampa Regulation Department, noted that staff routinely monitors hydrologic conditions and other pertinent factors in accordance with the District's Water Shortage Plan (Rule 40D-21, Florida Administrative Code) to determine when a water shortage may need to be declared. As of October 27, below-normal rainfall was already contributing to unseasonably early ground and surface water declines, especially in a region that encompasses Citrus, Hernando,

Levy and Sumter counties. Conditions have continued to decline since then; however, public supply storage is in good shape, for now. As such, instead of taking more aggressive action at this time, staff's recommendation is to declare a Phase I (Moderate Water Shortage) order District wide, effective December 1, 2010; continue monitoring conditions; and, in the absence of a supply emergency, reassess the situation in January.

Ms. Sorensen said Phase I is primarily an alert intended to raise the public's awareness of dry conditions, and also intended to direct water utilities and their local governments to prepare for worsening conditions. Under Phase I, residents are asked to check their irrigation systems to ensure they are working properly. In addition to making any necessary repairs, residents should check their irrigation timer to ensure the settings are correct and verify the rain sensor or soil moisture sensor is working properly in accordance with state law. There are no changes to watering days or times in a Phase 1 water shortage therefore the District's year-round water conservation measures remain in effect. Under Phase I, water utilities and their local governments are expected to review and revise water restriction enforcement procedures, begin monthly enforcement reporting and communicate with customers about water restrictions and water conservation.

**Mr. Gramling moved, seconded by Chair Oakley, to approve staff's recommendation to declare a Phase I water shortage order Districtwide effective December 1, 2010; continue monitoring conditions; and, in the absence of a supply emergency, reassess the situation in January. Motion carried unanimously. (Track 3 – 00:00/08:07)**

18. **Approve Amendments to Chapters 40D-1, 40D-2, 40D-8 and 40D-80, F.A.C., including the Water Use Permit Basis of Review, to Establish a Water Use Caution Area in the Dover/Plant City Area and Associated Water Use Permitting Requirements, Minimum Level and Recovery Strategy**

Mr. Owen said the Board members have received a copy of comments provided by Mr. Doug Manson, an attorney representing the Strawberry Growers Association, on the rules the Board is considering at this meeting. He said staff has identified a number of issues that warrant additional changes for clarity purposes and concerns of the industry that possibly can be resolved. Mr. Owen said staff has strived to engage those parties who will be affected by these additional regulations. He said the District's goal has been to have these rules in place for the coming winter.

Mr. Owen said the staff recommendation is to postpone this presentation until the December Board meeting when staff will be prepared to review the rules in detail, explain how the Board's direction is being accomplished, and resolve the issues brought to staff's attention by Mr. Manson.

**Mr. Gramling moved to accept the staff recommendation to postpone consideration of this item until the December meeting. (Track 4 – 00:00/02:45)**

Mr. Gramling said he has three areas he would like addressed: (1) when a permit holder is given a well complaint, it be investigated and the cost of inspection passed to the well owner; (2) language is not clear regarding the frost-freeze average annual figure; and (3) whether modeling for frost-freeze quantities is per event or an annual average.

**Chair Oakley seconded the motion. (Track 4 – 02:45/05:20)**

Ms. Closshey said she would like to see the language made as simple and direct as possible, and addressing confusion regarding transfer of property and well use, as well as modeling in place so each farmer understands the rules. She said the District needs an aggressive messaging plan to ensure stakeholders are aware of these rule changes. She said she would like the Board to have a policy discussion regarding the simplicity of rule language. Discussion ensued. (Track 4 – 05:20/21:50)

Committee Vice Chair Pressman said two speaker cards had been submitted.

Mr. Doug Manson, representing the Strawberry Growers Association, said his client would like to have a delay from the standpoint that the rule be correct when it becomes effective. He said the Association wants the rule to be in place because it is an improvement over the existing policies being utilized and wants to work with staff to resolve issues. He noted a provision exists for emergency rules should a freeze event occur before the rule is adopted. (Track 4 – 21:50/24:50)

Mr. Ted Campbell, representing the Florida Strawberry Growers Association, said the industry is aware of this issue due to the unprecedented event last year and agriculture has agreed to seek alternative freeze methodologies. He said the rulemaking process is to find alternatives to freeze water mitigation, and the industry understands its responsibility to protect the water resources and neighbors. He then provided his comments on the proposed rules. (Track 4 – 24:50/32:10)

Discussion ensued regarding wells affected, aquifer rebound, sinkholes, litigation due to rule challenges and emergency rule process.

Mr. Gramling called the question. **Motion carried unanimously.** (Track 4 – 32:10/44:52)

Committee Vice Chair Pressman thanked industry representatives for attending today's meeting and noted staff exemplary work on this issue. (Track 4 – 44:52/45:18)

## 19. Mitigation Issues

### a. District Conservation Easements and Mitigation Banking

Mr. Eric Sutton, Director, Land Resources Department, provided an overview of conservation easements. The District purchases conservation lands through the purchase of fee and less than fee interests (conservation easements). To date, the District has acquired approximately 343,300 acres in fee title and 104,100 acres in less than fee interests. Conservation easements were viewed as a mechanism to keep the lands from being more intensely developed, would keep the lands productive through low intensity agriculture and ranching, would not require public agencies to manage the land, and would allow more land to be protected since the costs of an easement were substantially below the cost to purchase in fee. In the mid 1990s, legislation was passed that required state agencies and the water management districts to identify and implement creative techniques and alternatives to acquiring land in fee. This included a statutory requirement for state agencies and water management districts to identify in their 1997 land acquisition plans specifically which lands were appropriate for fee acquisition and those where alternative techniques would meet the desired conservation objectives. The statutes further presumed that a private landowner retains the full range of uses for all the rights or interests in the landowner's land which are not specifically acquired by the public agency. Similar language encouraging the use of alternatives to fee acquisition was later included in the Florida Forever Act. Beginning with the 1997 Five-Year Land Acquisition Plan, the District distinguished which lands identified for acquisition in the Plan were more suitable for fee acquisition and those that were more suitable for the purchase of a conservation easement. In 2009, the District completed another comprehensive review of lands identified for protection in the Plan, which also distinguished whether the lands were more suitable for fee or less than fee acquisition and this updated plan was adopted by the Board as part of the 2010 Consolidated Annual Report. (Track 5 – 00:00/08:50)

Discussion ensued regarding restoration versus enhancement, purchase of mineral rights, commercial operations cease, appraisals based on best use, best management

practices, concept of conservation easements, and policy procedure since a statewide issue. (Track 5 – 08:50/33:32)

Committee Vice Chair Pressman said two speaker cards had been submitted.

Mr. Doug Manson, representing W.R.B. Enterprises, said his client's property is known as Boar's Head Ranch and there is a conservation easement. He said it was contemplated there would be mitigation in the future and is stated in the conservation easement. He said there should not be double dipping on a conservation easement. He said the mitigation permit should never be given credit to preservation that has already been purchased by the District. Mr. Manson said the property has a pristine wetland yet allows other parts of the property to be used for cattle, homes, etc. He said each property's consideration is a case-by-case analysis, and staff is addressing issues. (Track 5 – 33:32/36:26)

Mr. Chet Bradshaw, a resident of Citrus County, said he is a volunteer environmentalist working in the Withlacoochee watershed. He said one of the topics of discussion is the Florida Department of Environmental Protection's Regional Offsite Mitigation Areas (ROMA) program which are environmental enhancement projects conducted by the department, a water management district, or a local government that serve as mitigation for multiple impact projects. Mr. Bradshaw said the landowner is restoring the land and the District should not have to pay for something that has already been done. (Track 5 – 36:26/38:25)

Mr. Owen noted there is a second presentation as part of this discussion. (Track 5 – 38:25/38:45)

Mr. H. Clark Hull, Jr., Environmental Regulation Program Director, Resource Regulation, provided an overview of mitigation banking and to specifically address the issue of establishing mitigation banks on lands already under a conservation easement. Mitigation as a regulatory concept is authorized in Section 373.414(1)(b), Florida Statutes (F.S.) which states: "If the applicant is unable to otherwise meet the criteria set forth in this subsection, the governing board or the department, in deciding to grant or deny a permit, shall consider measures proposed by or acceptable to the applicant to mitigate adverse effects that may be caused by the regulated activity." Although the statutory concept of mitigation encompasses a broad scope of permitting requirements, it is most commonly applied to activities in wetlands and other surface waters which adversely impact fish and wildlife. Mitigation is addressed in the Environmental Resource Permitting (ERP) Basis of Review which states: "Mitigation (for wetland impacts) usually consists of restoration, enhancement, creation or preservation of wetlands, other surface waters or uplands." Florida Statutes anticipate the establishment of mitigation banks on both private and public lands. Section 373.4135(1) directs the water management districts "to participate in and encourage the establishment of private and public mitigation banks." If a mitigation bank is proposed on publicly owned lands or on privately owned lands which are encumbered by a conservation easement, mitigation credit is not granted for preservation of the site since it is already preserved through public ownership or the existing conservation easement. Only the ecological "value added" beyond the existing preservation is credited as mitigation. Mitigation banks receive credits only for environmental improvements to those values already protected by the conservation easement. An entity wishing to establish a mitigation bank must obtain a mitigation bank permit from the District and may also obtain a Mitigation Banking Instrument (MBI) from the U.S. Army Corps of Engineers (ACOE) in coordination with other Federal resource agencies. Some mitigation banks are unable or unwilling to obtain a Federal MBI and can only use their credits for impacts outside the jurisdiction of the ACOE. At present, there are approximately 50 mitigation banks in Florida, eight of which are located District. (Track 6 – 00:00/14:16)

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

b. **Florida Department of Transportation Mitigation Program**

Mr. H. Clark Hull, Jr., ERP Program Director, Resource Regulation, provided an overview of the District's Florida Department of Transportation (FDOT) Mitigation Program. This presentation examined the state's Department of Transportation Mitigation Program and how recent changes to Federal mitigation rules by the U.S. Environmental Protection Agency and the Army Corps of Engineers (ACOE) affect that state program. Additionally, Mr. Don Ross with EarthBalance has requested to share his perspective relative to the FDOT Program based on his experience as a mitigation banker.

Several factors have changed since the Legislature created the FDOT Mitigation Program; therefore, staff is seeking direction on several policy level issues. One policy issue involves use of the statutory exclusion provision referenced above. FDOT District One (Bartow) has expressed a desire to exclude roadway projects from the FDOT Mitigation Program if they can purchase credits directly from a mitigation bank for those projects. In staff's opinion, this approach would require that FDOT seek the necessary statutory changes to allow these projects to be excluded. It should be recognized that allowing FDOT to exclude projects because mitigation bank credits are available for less than the statutory amount (currently \$102,959 per impact acre) could result in the District excluding road projects in urban basins where mitigation costs exceed the statutory amount.

Another substantive change since the inception of the FDOT Mitigation Program is the adoption of Federal mitigation rules by U. S. Environmental Protection Agency and the ACOE. FDOT road projects often require federal permits as well as ERPs. Florida statutes specifically require that the FDOT Mitigation Plan also meet the Federal mitigation requirements and so FDOT mitigation projects are developed to be consistent with State and Federal requirements. Federal mitigation rules recognize three types of mitigation: (1) mitigation banks, (2) in-lieu fee mitigation projects, and (3) permittee responsible mitigation. The District has not obtained a mitigation banking instrument or in-lieu fee agreement from the ACOE for any of the FDOT mitigation projects developed thus far and so the ACOE has categorized these projects as permittee responsible mitigation. As a consequence of this decision, the ACOE has recently begun to condition FDOT road permits with a requirement that FDOT be responsible for the mitigation projects developed by the District and liable for the mitigation if those projects should fail. This consequence seems to be inconsistent with statutory intent and could be remedied by seeking a mitigation banking instrument or in-lieu fee agreement with the ACOE for those projects.

Mr. Owen noted that correspondence has been received on this issue and copies have been provided to the Board. (Track 7 – 00:00/21:42)

At the August 2010 Governing Board meeting, Mr. Don Ross spoke to the Board and raised concerns regarding the District's FDOT Mitigation Program. Subsequently, in a letter dated September 27, 2010, Mr. Ross requested the Board approve a policy to allow FDOT to buy credits directly from fully permitted mitigation banks serving the basins in which impacts occur.

Mr. Don Ross, representing EarthBalance, thanked the Board for its interest in this issue. He said, after consulting with agencies and mitigation bankers, the District's staff will present a recommendation at the Board's January 2011 meeting. He said the Board is not being asked for a decision today but only for policy guidance. Mr. Ross said mitigation started about 1994 and it represents a private-public partnership since most of it occurs on private land but the purpose is conservation and preservation. He



said the land is enhanced or restored as appropriate for that property at no cost to the public and is perpetually maintained through a trust fund. He said the mitigation plan is at a crossroads since the District DOT has requested to withdraw from a specific project to save a considerable amount of money which was denied. Mr. Ross said more is being spent on road projects that need to be done and changes have occurred with the ACOE regarding grandfathering. He said the program currently is not meeting the FDOT's needs. Mr. Ross said that Mr. B.T. Longino is here today and his property was mentioned earlier. He said Mr. Longino is a legacy landowner and asks that he speak briefly. He noted that another group represented here are the private investors who are looking for a return on investment for perhaps a pension fund. He noted they are driving this process forward looking for long-term investment with a return on capital.

Mr. Ross introduced Mr. Longino who is a former Governing Board and Basin Board member, Agriculture Hall of Fame Inductee and partner in the Myakka Mitigation Bank. He also introduced Mr. Grey Stevens who has a banking background, works with private land groups and has negotiated directly on behalf of Florida mitigation banks with institutional investors. (Track 8 – 00:00/07:01)

Mr. Longino thanked the Board for allowing him to speak. He said it was a pleasure to see faces he hasn't seen for some time and it speaks well for the District that there are so many loyal employees. He briefly provided history of his family's ranch. Mr. Longino noted that the property has always been a cattle and timber operation. He said it was a unanimous decision of the family to maintain the ranch as a sustainable agricultural enterprise in perpetuity. He said the family has in place a corporate structure which should ensure the continuity of the family's business. Mr. Longino said the land is in several conservation easements to restrict development of the land. He said sources of income are required to maintain the ranch as a provider of food, fiber, recreation, wildlife habitat, air and water purification, and all the amenities that come with forested natural and open pasture lands. He said the ranch is depending on its natural capital which is applicable due to the mitigation bank. Mr. Longino said the District encouraged the family ten years ago to develop a mitigation bank and they took Mr. Ross as a partner. He said the District instructed, approved, allocated credits and now regulates the bank. He said today there is a very successful restoration of a large wetland that was drained and degraded many years ago by a previous landowner. Mr. Longino said this required a lot of expense, time and effort to get all the permits needed. He said the credits allocated are limited to the Myakka River basin which is largely in public ownership or in private conservation lands which limits the opportunity to sell credits. He said, if the FDOT is not allowed to buy the credits, then the whole project may not be viable which affects the sustainability of the ranch. Mr. Longino said he is urging the Board to consider carefully the ramifications. (Track 9 – 00:00/09:38)

Mr. Grey Stevens then addressed the Board and said he represents Sandy Creek Partners which invests in wetlands restoration and preservation via investing in mitigation banks. He said investors look for opportunities to invest and there is ample capital available. He said the capital is not only individual, private money but it is also institutional money. Mr. Stevens said that, given the state of the economy, it is actually an attractive opportunity due to low interest rates and other investment opportunities difficult in terms of risk profile. He noted there is a big interest in green investing right now by the public and private sectors. He said that capital is typically specialized because, with mitigation banks, the process to invest, ultimately sell credits and receive a return on the investment takes quite a while. Mr. Stevens said there are about 48 private banks covering 115,000 acres and this growth will continue. He said investors are looking for a reasonable return on investment particularly given the timeframes required with mitigation banking. He said a level playing field is needed also which is the way the private sector can provide the efficient outcomes to users of

the mitigation so competition is expected which is part of the game. Mr. Stevens said having rules which are applied consistently are expected for a level playing field. He said the capital is sensitive to any notion of competing with governmental agencies which regulate mitigation banking. He said the level of interest is high. (Track 10 – 00:00/04:00)

Mr. Ross said he asks the Board consider providing guidance on using private banking, the District continue to mitigate on its own land bought with Florida Forever money, and whether FDOT should be required to buy credits at a higher price than available in the private market. He thanked the Board for its attention to this matter. (Track 10 – 04:00/04:50)

Discussion ensued regarding land prices affected by the economy, public-private partnerships, FDOT pricing and one division requesting to be exempt from participation, Attorney General opinion regarding legislation, whether all districts are consistent with state statutes, staff examining to ensure District's interpretation meets the statutes, and moot point to continue discussion until the District's legal department determines a policy change is needed. (Track 10 – 04:50/20:10)

Committee Vice Chair Pressman said there are five requests to speak.

Ms. Sheri Lewin with Environmental Resource Marketing represents eight mitigation banks around the state. She noted the North Tampa Mitigation Bank was approved in 2009 so this is the first year of selling credits. She said she has statewide experience mitigation both to public and private users. She provided a brief history of mitigation banks in Florida. She noted the districts do the mitigations, but FDOT is ultimately responsible. She said multiple, competing banks can bid for combined projects to receive a volume discount on credits and, in a recent case, a large discount was provided which saved substantial funds. (Track 10 – 20:10/24:30)

Mr. James Brearley said he is a stakeholder as a small mitigation banker in Hillsborough County. He said it is a pleasure to work with Mr. Hull and noted he is an asset to the District. He provided his perspective as a small banker. (Track 10 – 24:30/29:02)

Ms. Marian Ryan, a resident of Winter Haven, said the FDOT mitigation program has done great things environmentally. She noted that there are currently no mitigation banks for the Peace River Basin in Polk County although there are thousands of wetland acres suitable for this purpose. Ms. Ryan said any projects to improve water quality and quantity will benefit the users downstream. She said that, while the FDOT program liability issues can be resolved, incentivizing the use of mitigation would prove to be detrimental to the public interest especially when creating buffers and linkages or the ability to take advantage of new opportunities for restoration as they arise. (Track 10 – 29:02/30:12)

Mr. Mike Britt, Natural Resources Director for the City of Winter Haven, said he was in attendance for the City Manager. He said the City has been taking a holistic look at water resources and how the City fits into the Peace Creek watershed. He said the City has completed a two-year effort to develop a sustainable water resource plan which identifies the need for about 7,000 acres of wetland which should be restored to improve the watershed area and makes an opportunity for mitigation banks. Mr. Britt said there are many partnerships with the District but, for every benefit traded off downstream, eventually the public will have to pay those restoration dollars in future projects. He said the City recommends the District look for opportunities in the future and provide those benefits. In response to Mr. Combee's queries, Mr. Britt said the City is working on two large projects where the private development interests are investigating restoration of the land to create a mitigation bank or applying for

cooperative funding. He said private interests may be more successful at working out an arrangement. In response to Mr. Senft's request, Mr. Britt said the City decided to incorporate the entire Peace Creek Watershed in its planning efforts and explained the watershed approach to involve the other local governments. (Track 10 – 30:12/37:40)

Mr. Stan Cann, representing the FDOT, noted District I incorporates 12 counties from Polk to Collier Counties. He said he appreciates the professional relationship of the District's staff. He said the program has been beneficial and provides the ability for mitigation. He noted Mr. Moore, he and his counterpart in District VII, Mr. Don Skelton, met a couple of months ago and said he appreciates the District's openness to consider private mitigation banks. Mr. Cann said the FDOT has had to defer \$10 billion of projects in its five-year work program over the past four years and is looking for cost-effective options. He said \$3.8 million is budgeted for mitigation based on Senate bill figures. He said the FDOT estimates that \$1.5 million can be saved and remain in the transportation trust fund. He noted that the South Florida Water Management District does not require the FDOT to go through the Senate bill and the mitigation credits are bid out on the projects. He said the St. Johns River Water Management District recently gave an exception to some projects there. Mr. Cann said there is some inconsistency in application of the statutes which needs to be corrected. He said the FDOT remains committed to providing mitigation for these projects which the districts deem necessary. He said the FDOT is asking for consideration in saving funds in the transportation trust fund and will continue discussions with staff. (Track 10 – 37:40/41:10)

Ms. Closshey requested staff provide a financial overview of this program so the Board understands the costs, implications, future commitments that are outstanding, benefits provided, and whether the District may need to consider withdrawal. In response to Mr. Senft's question, Mr. Cann said the FDOT is requesting the option of participating or not.

Committee Vice Chair Pressman thanked Mr. Cann for attending this meeting. He noted the Board has clearly heard that the competition drives the price down. He urged staff to work to open those opportunities to reach a positive result. (Track 10 – 41:10/44:20)

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

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

***Submit & File Reports*** – None

***Routine Reports***

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

21. **Public Supply Production Report**
22. **Southern Water Use Caution Area Quantities**
23. **Overpumpage Report**
24. **E-Permitting Metrics: Online vs. Paper Applications**
25. **Individual Permits Issued by District Staff**
26. **Resource Regulation Significant Initiatives**

(Track 10 – 44:20/44:54)

At this time, the meeting was recessed for lunch and reconvened at 1:15 p.m.

Regulation Committee Vice Chair Pressman relinquished the gavel to Committee Chair Beswick.

## Outreach and Planning Committee

### *Discussion Items*

27. **2012 – 2016 Strategic Plan Update**

Mr. Roy A. Mazur, Director, Planning Department, informed the Board of the completion of the fiscal year 2012 – 2016 Strategic Plan Update and communicated staff ideas to adjust the strategic planning process moving forward. Staff recommended to approve the 2012 – 2016 Strategic Plan for publication. Once approved, copies will be sent to all Regional Planning Councils, Water Supply Authorities, the Florida Department of Environmental Protection, the Florida Department of Community Affairs, all Advisory Committee members and Basin Board members, as well as all District legislative delegation members.

**Mr. Tharp moved, seconded by Mr. Gramling, to approve the 2012 – 2016 Strategic Plan. Motion carried unanimously.** (Track 11 – 00:00/04:24)

Mr. Mazur discussed ideas to modify the Strategic Plan update process to (1) ensure additional Governing Board and executive staff input, (2) improve the utility of the Strategic Plan as a communication tool to facilitate policy discussions at the Governing Board meetings, and (3) enhance accountability with Governing and Basin Board members relative to the District's strategic initiative. (Track 11 – 04:24/13:37)

28. **Surface Water Permitting for Projects in Urban Redevelopment Areas**

Mr. David Rathke, Director, Community and Legislative Affairs Department, provided a brief update on the upcoming 2011 legislation session that will begin in March with a focus on a potential legislation relating to surface water permitting for projects in urban redevelopment areas. Staff will be working with the Florida League of Cities, Florida Association of Counties, Department of Environmental Protection and the other water management districts to further this proposal moving into 2011. (Track 12 – 00:00/13:20)

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.

29. **Comprehensive Plan Amendment and Related Reviews**

30. **Development of Regional Impact Reviews**

31. **Speakers Bureau**

32. **Significant Activities**

(Track 12 – 13:20/13:41)

Committee Chair Beswick relinquished the gavel to Resource Management Committee Chair Joerger.

## Resource Management Committee

### *Discussion Items*

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

34. **Memorandum of Understanding for the District's Maintenance of the Peace Creek Canal and Report of Progress in Acquiring Access Rights Necessary for Long-Term Canal Maintenance**

Mr. Chuck Lane, Senior Land Use Specialist, Land Resources Department, said at the request of local governmental entities along the Canal, District staff have been conducting

Canal maintenance activities since 2005. Local governments include Polk County, the City of Bartow, the City of Lake Wales, the Town of Lake Hamilton and the Town of Dundee. The District is in the process of developing a Peace Creek Watershed Management Plan which is intended to identify projects that will restore lost basin storage, improve water quality, provide flood protection benefits and improve natural systems in the watershed. While the Memorandum of Understanding (MOU) specifically addresses the Canal's function with respect to flood protection, it will not preclude the development of other beneficial water resource projects in the area. According to the MOU, local governments will discuss opportunities for no-cost conveyances of easements for access and Canal maintenance from developers through the land development review process. The proposed MOU is intended to establish a consistent coordination process between the District and all local governments with jurisdiction along the Canal. In addition to pursuing opportunities through the land development process, the MOU recognizes that the District and each local government agree to seek voluntary conveyances of easements from private property owners.

Staff recommended to (1) approve the Memorandum of Understanding for the District's Maintenance of the Peace Creek Canal between the District and local governments consisting of Polk County, the City of Bartow, the City of Lake Wales, the Town of Lake Hamilton and the Town of Dundee; and (2) authorize the Land Resources Director to execute the Memorandum of Understanding with the above-mentioned local governmental entities. **Ms. Closshey moved, seconded by Mr. Senft, to approve the staff recommendation. Motion carried unanimously.** (Track 13 – 00:00/07:00)

35. **Memorandum of Understanding with Mosaic Fertilizer, LLC for Consideration of a Public/Private Partnership for the Restoration of Flatford Swamp**

Ms. Lisann Morris, Senior Professional Engineer, Resource Projects Department, provided an overview of the Memorandum of Understanding (MOU) between the District and Mosaic Fertilizer (Mosaic) agreeing to move forward with the development of a feasibility study scope of services for restoration of Flatford Swamp located in the Myakka River Watershed. The MOU outlines important topics to be discussed during the development of scoping documents to further evaluate a potential project with Mosaic. The discussion is divided into two phases: the first is to develop a feasibility study scope of services to gain a better understanding of how and when the excess water from Flatford Swamp could be beneficially utilized in Mosaic's operations; the second, if all parties agree to move forward, is to discuss operational, financial, and environmental issues and develop a scope of services for design, permitting and construction of the proposed project. Once agreement on the scope of services is reached, a contract will be executed under the Flatford Swamp Restoration (H089) project.

Staff recommended to authorize the Executive Director to execute the MOU so that staff can move forward with developing a scope of services for a feasibility study to determine if a joint project with Mosaic for removing excess water from Flatford Swamp is practicable. **Mr. Combee moved, seconded by Mr. Gramling, to approve the staff recommendation. Motion carried unanimously.** (Track 14 – 00:00/05:44)

36. **District-Funded Agricultural and Urban Landscape Research Program**

Mr. Ron Cohen, Senior Professional Engineer, Resource Projects Department, provided an overview of the District's Agricultural and Urban Landscape Research Program with the University of Florida Institute of Food and Agricultural Sciences (IFAS). He presented an overview of the program's accomplishments and current objectives along with a review of District staffing required for support of the program. The District's IFAS research program is one of the District's longest ongoing initiatives. Since the program's start in 1979, the District Governing and Basin Boards have funded over 200 projects costing \$12,698,300. The District's funding share of the projects is \$11,895,245. These projects provide the science that supports many aspects of the District's regulatory, conservation, communications, planning and FARMS programs. The District works primarily with three of

the 29 units of IFAS, although the interdependent units work collaboratively as needed to respond to specific research objectives. The three units are: Agricultural and Biological Engineering, the Gulf Coast Research and Education Center, and Soil and Water Science.

Mr. Cohen noted that currently the District is funding over 30 ongoing research projects and six new projects will start in fiscal year (FY) 2011. The ongoing projects include determining water use for biofuel crops, water requirements for strawberry crop establishment, landscape water needs, and agricultural and urban irrigation controllers. New FY2011 IFAS projects include non-water alternatives for strawberry cold protection, improving current recommendations for strawberry cold protection, irrigation for turfgrass establishment, acceptable irrigation deficits for turf irrigation, and the Florida Automated Weather Network (FAWN). FAWN is a successful ongoing District-funded IFAS project in partnership with the South Florida and St. Johns River Water Management Districts and the agricultural community. In FY2011, FAWN will expand its educational efforts, enhance the urban irrigation scheduling tool and provide new tools to assist growers with irrigation management for cold protection.

Mr. Gramling complimented Mr. Cohen for his efforts in keeping the District ahead of the curve and thanked him for many years of service. Mr. Moore thanked Mr. Cohen for the outstanding job he has done over the years. Mr. Gramling noted that Mr. Cohen developed the AGMOD program. (Track 15 – 00:00/21:04)

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

Since Committee Chair Joerger needed to leave the meeting, he relinquished the gavel to Committee Vice Chair Gramling.

**37. Surface Water Improvement and Management Program Overview**

Ms. Jennette M. Seachrist, SWIM Program Manager, Resource Data & Restoration Department, provided an update on the staffing, completed and ongoing projects, funding and trends associated with the District's Surface Water Improvement and Management (SWIM) Program. For 23 years, the District's SWIM Program has improved water quality and restored habitats in these ten priority water bodies: Tampa Bay, Rainbow River, Banana Lake, Crystal River/Kings Bay, Lake Panasoffkee, Charlotte Harbor, Lake Tarpon, Lake Thonotosassa, Winter Haven Chain of Lakes, and Sarasota Bay. Since 1987, the SWIM Program has completed more than 250 water quality improvement and habitat restoration projects, which are providing treatment to over 50,000 acres of watershed and improvement to more than 6,000 acres of impacted habitat. The SWIM Program and these projects have received 49 environmental excellence awards.

Ms. Seachrist noted that one of the keys to the success of the SWIM Program has been the District's Basin Boards and many partnerships with local governments. State and federal agencies have also been key partners with funding or with in-kind services. Since 1998, approximately \$245 million has been budgeted for SWIM projects, which include several large District initiatives such as Lake Panasoffkee Restoration, Lake Hancock Outfall Treatment System, and the Sawgrass Lake Restoration projects. The State has provided approximately 50 percent of the funding for SWIM projects through fiscal year 2009. Each year the District's SWIM Section produces an annual report of the program accomplishments. The 2009 Annual Report was updated in June 2010 and was included in the Board's meeting materials. (Track 16 – 00:00/31:23)

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

At Committee Vice Chair Gramling's request, Ms. Veronica Crow, Environmental Manager, Resource Projects Department, noted that the Environmental Protection Agency (EPA) has released a pre-publication of the final Water Quality Standards for Flowing Waters and Lakes within the state. She said it is important to note that the final rule that was pre-published is for

freshwaters only and does not cover estuarine or coastal systems. Ms. Craw said the rule has not been published in the Federal Register which is expected this week. She said staff is reviewing the technical aspects of this rule and an update will be provided at the December Board meeting. In response to Committee Vice Chair Gramling's question, Ms. Craw said the EPA has delayed implementation or enforcement of the rule for 15 months; however, there is a portion of the rule which is effective immediately regarding the site specific alternative criteria process. (Track 17 – 00:00/03:00)

### ***Submit & File Reports***

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

38. **Scientific Peer Review of Recommended Minimum Flows for the Homosassa River System and Staff Response**
39. **Scientific Peer Review for Upper and Middle Withlacoochee River and Staff Response**

Committee Vice Chair Gramling said two speaker cards have been submitted.

Mr. Ron Miller, representing the Homosassa River Alliance, said District staff has presented the information to the Alliance which takes exception to the minimum flows and levels (MFLs) projected, and investments made in the area to protect the coastal springs and rivers. He requested that the Homosassa River be protected now by allowing any additional major wellheads to take water and keep the MFLs at current levels. (Track 17 – 03:00/08:10)

Mr. Al Grubman, representing TOOFAR, had to leave but left a handout for the Board which was distributed.

### ***Routine Reports***

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

40. **Florida Forever Funding**
41. **Minimum Flows and Levels**
42. **Structure Operations**
43. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**
44. **Significant Water Supply and Resource Development Projects**
  - Mr. Wirth provided an update on Lake Henry in the Winter Haven Chain of Lakes. This issue involved a structure which is one of four that was turned over to the Lakes Region Lakes Management District (LRLMD). There was a subdivision built that has several properties built historically too low. The golf course had to be shut down off and on for several weeks due to high water. Staff held a workshop for residents and Mr. Senft was in attendance. At the end of September, high water was being experienced and the District requested the LRLMD to lower Lake Henry which was done. (Track 17 – 08:10/12:25)

Ms. Closshey requested an update on the arsenic issue at a future meeting and whether there are any opportunities which may be beneficial to the District.

Resource Management Committee Vice Chair Gramling relinquished the gavel to Finance and Administration Committee Chair Tharp. (Track 17 – 12:25/13:05)

## **Finance and Administration Committee**

### ***Discussion Items***

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

46. **Office of Inspector General – Proposed Annual Audit Plan for Fiscal Year 2011**

Mr. Kurt P. Fritsch, Inspector General, said in accordance with Chapter 373 and Section 20.055, Florida Statutes, the Office of Inspector General develops an annual audit plan for approval by the Governing Board. The plan shows the Office's proposed work schedule and presents specific cost estimates for the provision of services. In accordance with Board Policy 140-3, the Inspector General will provide a semi-annual progress report at the April 2011 meeting. In addition, the Inspector General provides a final accounting of the projects in an annual report submitted each October.

Staff recommended to approve the Office of Inspector General's proposed Annual Audit Plan for Fiscal Year 2011. **Ms. Closshey moved, seconded by Mr. Senft, to approve the staff recommendation. Motion carried unanimously.** (Track 18 – 00:00/02:49)

47. **Request for Proposals for Total Compensation (Salary and Benefits) Review**

Committee Chair Tharp thanked staff for their effort in preparing this information. Staff was requested to prepare a Request of Proposals (RFP) to seek a consultant to perform a comprehensive review of the District's salary and benefits, and to ensure continued competitiveness in the District's total compensation package. A copy of the RFP was provided to each Board member for their review and the timeframe for completion was written to run concurrently with the prior RFP for workload and staffing review with a target date of July 1, 2011. The primary factor impacting both of these RFPs is the scope of review with respect to how many of the District's position titles will be benchmarked by the selected consultant. Staff has written the draft to provide for three possible scenarios: (1) performance of a benchmark review for 85 position titles, representing approximately 30 percent of the District's total position titles; (2) performance of a benchmark review for 150 position titles, representing approximately 50 percent of the District's total position titles; and (3) performance of a benchmark review for all District position titles. The draft RFP requests each consultant to provide a recommendation and estimate as to the amount of time and costs associated with each option—performing an 85-position review, 150-position review and a review of all 282 District position titles. (Track 19 – 00:00/03:45)

Committee Chair Tharp requested a motion or Board discussion on the draft RFP and staff's recommendation. Ms. Elaine M. Kuligofski, Director, Human Resources & Risk Management Department, noted there is an option for oral presentations before the Board.

Board members voiced their opposition to the salary and benefits review which included salary raises not occurring, low employee turnover, first completing the workload and staffing review, low morale at a number of agencies due to salary freeze, and staff treated fairly and properly relative to the private sector. (Track 19 – 03:45/09:30)

Committee Chair Tharp said one speaker card has been submitted.

Ms. Janet Dougherty, former Governing Board member and a resident of Riverview, said the District is a great oversight for citizens' tax dollars and the SWIM projects reviewed earlier are indicative. She said the District is run like a business and tax dollars are well spent. She spoke in support of District staff, and the great work being done. (Track 19 – 09:30/12:50)

Board comments ensued regarding not spending money at this time for a study, issues with morale not because of salary and benefits, staff motivated by ways of doing their jobs better, needing recent information when salary raises can occur, not appropriate during the current economic climate, and employees being fairly compensated.

**Ms. Closshey moved, seconded by Mr. Pressman, to reject the RFP on salary and benefits, and not conduct the study.** (Track 19 – 12:50/19:35)



Discussion ensued regarding a past study (KPMG) showing that additional staff was needed and having information that is current so staff knows they are being compensated fairly.

**Motion carried with Messrs. Adams, Combee, Senft and Tharp voting in opposition.**  
(Track 19 – 19:35/23:48)

Ms. Closshey requested that, at the time salary raises are contemplated, staff include in the work plan a study prepared so the Board has current information to act on. Board members were in agreement with Ms. Closshey. (Track 19 – 23:48/26:45)

### ***Submit & File Report***

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

48. **October 2010 Interim Report on Workforce and Vendor Diversity**

### ***Routine Reports***

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

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

50. **Management Services Significant Activities**

(Track 19 – 26:45/27:34)

Finance and Administration Committee Chair Tharp relinquished the gavel to Chair Oakley.

## **General Counsel's Report**

### ***Discussion Items***

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

52. **District's Authority to Lend Matching Funds to Cooperators**

Ms. Lori Tetreault, Senior Attorney, noted that, at the September 2010 Governing Board meeting, staff was asked whether the District could loan money to local governments to assist those governments in making up their percentage contribution within the cooperative funding process. Included in the Board's meeting materials was a Memorandum of Law explaining that the District may clearly establish a revolving loan program for Alternative Water Supply (AWS) projects for both public and private entities. It may be possible to establish a revolving loan fund for other kinds of projects, such as traditional water supply or water resource developments, although the legal authority for projects other than AWS is somewhat less clear. The Governing Board may wish to seek clarification on this issue from the Legislature. Before establishing any District loan fund, the Board may wish to consider the need, if any, by local cooperators, whether there are legal constraints on local governments concerning a new loan fund, the source or sources of District capitalization, and the administrative and operational resources required to establish and maintain such a loan fund.

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

### ***Submit & File Report***

### ***Routine Reports***

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

53. **Litigation Report**

54. **Rulemaking Update**

(Track 20 – 00:00/05:44)

## Committee/Liaison Reports

### 55. Joint Green Industry/Agricultural Advisory Committee Meeting

Mr. Tharp said the joint meeting was held on November 4, 2010. Topics discussed included updates on the January 2010 freeze event management plan, staff delegation and Governing Board action on Individual Permits, hydrologic conditions and water shortage plan, MFL Priority List and Schedule, SWUCA Recovery, public service advertising for appropriate fertilizer use, and economic feasibility of reclaimed water use by non-utility end users.

Mr. Pressman provided an update on the November Tampa Bay Regional Planning Council meeting which included a presentation on Florida's Broadband Initiative. (Track 21 – 00:00/01:40)

## Executive Director's Report

### 56. Executive Director's Report

- Mr. Moore said the Board was given a handout about the Strategic Plan for the members to provide feedback. He noted that this handout shows the plethora of tools available under Water Supply. He said, over the next year, staff will bring to the Board the major programs being undertaken and provide a presentation showing where dollars and staff resources are allocated. He said staff is looking for feedback from the Board about whether it is comfortable with the strategic initiatives or should new initiatives or programs be identified. Board discussion ensued. (Track 21 – 01:40/05:30)

## Chair's Report

### 57. Chair's Report

- Chair Oakley said that the Board was provided a list of items discussed at the workshop held in September. He noted that several items were presented at today's meeting.
- Chair Oakley noted that two new members of the Basin Boards—Messrs. Al Grubman and Mac Martin—attended a portion of today's meeting.
- Chair Oakley said Board members and staff attended a tour of Highlands Hammock State Park to view lands which had been restored. They also visited the City of Lake Placid to view a cooperative funding project for stormwater cleanup and then traveled to the Archibold Research Station to see progress on the new education center.

There being no further business to come before the Board, Chair Oakley adjourned the meeting. (Track 21 – 05:30/11:35)

The meeting was adjourned at 3:48 p.m.