

APPROVED
MINUTES OF THE MEETING

HILLSBOROUGH RIVER BASIN BOARD
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Tampa, Florida

June 15, 2007

The Hillsborough River Basin Board of the Southwest Florida Water Management District convened for a regular meeting at 9:10 a.m. on June 15, 2007, at the Tampa Service Office.

Board Members Present

Heidi B. McCree, Chair Ex Officio
Renee Benton, Member
George R. Burt, Secretary
Hugh M. Gramling, Member
Hung T. Mai, Member

Members Absent

Gary P. Reckart, Vice Chair

Recording Secretary

Annette D. Zielinski

Staff Members Present

Bruce C. Wirth
Lou Kavouras
Eric DeHaven
Eric Sutton
Chuck Lane
Marty Kelly
Raina O'Neil
Rand Baldwin
Roy Mazur
Miki Renner
Maya Burke

A list of others who attended and signed the attendance roster is filed in the permanent files of the Basin. Compact disks of the audio and copies of materials and handouts, as set forth in full herein, are also filed in the permanent files of the District.

1. **Call to Order and Roll Call**

Chair McCree called the meeting to order at 9:10 a.m. In the absence of the recording secretary, Ms. Zielinski called the roll and noted a quorum was present.

2. **Pledge of Allegiance**

Chair McCree led the Pledge of Allegiance to the American Flag.

3. **Additions/Deletions to Agenda**

Ms. Kavouras stated no gubernatorial appointments or Senate confirmations concerning this Board had been received; therefore, Agenda Item 4 will be carried over to the next meeting.

In addition, the proposed Basin Board Annual Calendar of Meeting Dates – Fiscal Year 2008 was handed out for review and approval. This item was voted on under the Discussion Agenda as item 6. d.

4. ~~**Oath of Office for Appointed/Re-Appointed Board Members**~~

This item was deleted from the agenda.

5. **Consent Items:**

a. **April 13, 2007, Meeting Minutes**

Staff recommended approval of the April minutes, as presented.

b. **Approval of the Revised Operating Agreement between the District and the Florida Department of Agriculture and Consumer Services for the Facilitating Agricultural Resource Management Systems Program and Approval of Revisions to District Procedure 13-9 - Facilitating Agricultural Management Systems Program**

Staff recommended the Governing Board approve and authorize the Executive Director to sign the revised District/FDACS/FARMS Operating Agreement, Procedure 13-9, and the Funding Contract.

c. **Lower Hillsborough Flood Detention Area – Non-Exclusive License Agreement to Back to Basics Charter School Foundation, SWF Parcel Number 13-300-778X**

Staff recommended the Governing Board approve the Non-Exclusive License Agreement between the District and the Back to Basics Charter School Foundation.

Following consideration, **Mr. Mai moved, seconded by Mr. Gramling, to approve the Consent Items referenced above. Motion carried unanimously.** (CD 1/Track 1 – 00:00/02:20)

6. **Discussion Items:**

a. **Election of Officers and Committee Representatives**

Election results were the following:

Vice Chair: George Burt

Secretary: Hugh Gramling

Basin Board Education Committee:

Primary Representative: Hugh Gramling

Alternate: Renee Benton

Basin Board Land Resources Committee:

Primary Representative: George Burt

Alternate: Open

Hillsborough River Interlocal Planning Council:

Primary Representative: Renee Benton

Alternate: Open

(CD 1/Track 1 – 02:20/09:31)

b. **Minimum Flows for Tampa Bypass Canal, Sulphur Springs and the Lower Hillsborough River and Recovery Strategy for Lower Hillsborough River and Approval of Joint Funding Agreement with City of Tampa**

Dr. Martin H. Kelly, Ph.D., Manager, Resource Conservation and Development Department, said the purpose of today's presentation was to discuss the proposed minimum flows for the Tampa Bypass Canal (TBC), Sulphur Springs, and the Lower Hillsborough River (LHR), and present the proposed recovery strategy for LHR.

The District has now prepared and had peer reviewed minimum flow documents for three watercourses: the TBC, Sulphur Springs, and the LHR. At the request of several interested parties, the Board agreed to delay adoption of minimum flow rules until all the proposed minimum flows had been developed and peer reviewed for all three water bodies. The following summarizes the proposed minimum flows developed over the last several years for these three water bodies.

Lower Hillsborough River Minimum Flow - In 1999, the Governing Board established a minimum flow for the LHR of 10 cubic feet per second (cfs) at the base of the City dam on the Hillsborough River. The minimum flow was subsequently challenged and as a result the District reevaluated and proposed a minimum flow of 20 cfs, essentially doubling the previously established minimum flow. While the peer review panel made several recommendations, the most substantive one suggested that the proposed minimum flow be increased to 24 cfs during the months of April, May, and June due to the increased seasonal importance of the estuarine nursery habitat. District staff concurs with this recommendation.

Sulphur Springs Minimum Flow - The proposed minimum flows for Sulphur Springs were based on three ecological criteria: 1) maintain low - salinity habitats in the spring run; 2)

provide flow to reduce salinity in the LHR; and 3) maintain a thermal refuge for manatees in the lower river during cold winter months. It was determined that a flow of 18 cfs to the spring run would meet all criteria and was the recommended minimum flow for routine use. It was proposed, however, that this minimum flow could be adjusted under two sets of conditions. First, the minimum flow can be reduced to 10 cfs during low tides, as this will not cause the incursion of high-salinity river water into the spring run and thus not violate criterion 1. In evaluating criteria 2 and 3, the District examined the response of salinity and water temperature in the lower river to discharges of spring water at the base of the dam and at the spring run outfall.

Tampa Bypass Canal Minimum Flow - Based on the peer review findings, staff is recommending a minimum flow of zero cfs at S160 and exploring opportunities to create a low salinity habitat in McKay Bay.

Recovery Strategy for Lower Hillsborough River and Funding Agreement with City of Tampa - As required by statute, if the actual flow of a water course is below the proposed minimum flow or is projected to fall below the proposed minimum flow over the next 20 years, a "recovery strategy" is developed as part of the minimum flow development process. In the case of the LHR, a recovery strategy is needed. The proposed recovery strategy for the LHR was included in Basin Board information packet. Dr. Kelly reviewed the projects and their associated costs and funding in detail for the Basin Board members. Total maximum costs to fund all projects as outlined in the recovery strategy is \$45.5 million. Project costs are expected to be split on a 50/50 basis with the City. The District's share is expected to be split evenly between the Governing Board and the Hillsborough River Basin Board.

Chair McCree said, as requested by Basin Board members, staff will be back throughout the summer to report on the upper Hillsborough River MFL peer review, the MFL recovery strategy funding plan, and TBC groundwater issues associated with the proposed recovery strategy.

Chair McCree heard public comment on this item at this time.

Toni Riordan, Tampa Bay Water, said she was made aware late yesterday that there is a new proposed recovery strategy; she said she has not had a chance to review it yet. The recovery strategy proposed thus far does not include water coming out of the reservoir to meet this MFL. Ms. Riordan said TBW has issues with taking potable supplies and not taking water from the dam.

This item was presented for the Board's information, and no action was required at this time. (CD 1/Track 1 – 09:31/77:20)

c. Fiscal Year 2008 Budget Preparation

Mr. Bruce C. Wirth, Deputy Executive Director, Division of Resource Management and Development, said in April, the Hillsborough River Basin Board received a preliminary budget for the upcoming year. He said the Special Session is to consider a variety of approaches to mandate a rollback of ad valorem tax revenues, which may impact local governments and may include independent special districts such as the water management districts. Since the Basin Board will adopt its proposed millage rate before the Special Session is scheduled to end, staff is recommending that the Basin Board adopt a proposed millage rate based on FY2008 project funding requirements, and delegate authority to the Executive Director to reduce the millage rate for any mandated change in the amount of ad valorem taxes to be generated by the Basin Board.

The ad valorem taxes have been computed based on a millage rate of 0.285 and an assumed 8 percent estimated growth in taxable property values based on the March 1, 2007 Revenue Estimating Conference of the Office of Economic and Demographic Research, the Florida Legislature. This millage rate is pending the results of the Legislature's Special Session to be held June 12-22.

Mr. Mai asked for clarification on the proposed Mosaic reclaim water project. Mr. Wirth provided a brief overview of the preliminary discussions that have been taking place; he said if the project does move forward he does not believe it will impact the Hillsborough River Basin Board. Chair McCree said staff would bring back any information that may become pertinent to the Hillsborough River Basin Board.

Mr. Wirth reviewed the proposed budget line-by-line. He said the resolution to adopt a proposed millage rate for FY2008 and to delegate authority to the Executive Director to change the proposed millage rate if mandated by the Legislature was provided in the information packet.

For the record, Ms. Kavouras read the three-part staff recommendation:

1. Provide tentative selection of FY2008 Cooperative Funding projects.
2. Approve and adopt a required proposed millage rate of 0.285 for FY2008.
3. Approve Resolution No. 142 - Resolution Affirming the Required Proposed Millage Rate for Fiscal Year 2008.

Following consideration, **Mr. Gramling moved, seconded by Ms. Benton, to approve the staff recommendation as referenced above. Motion carried unanimously.** (CD 1/Track 2 – 00:00/48:48)

Add-On

6. d. **Annual Calendar of Meeting Dates – Fiscal Year 2008**

Date	Time	Location
*Monday, October 15, 2007 (Meeting and Workshop)	9:00 a.m.	Tampa Service Office
Monday, December 10, 2007	9:00 a.m.	Tampa Service Office
Monday, February 11, 2008	9:00 a.m.	Tampa Service Office
Monday, April 7, 2008	9:00 a.m.	Tampa Service Office
Monday, June 9, 2008	9:00 a.m.	Tampa Service Office
Monday, August 11, 2008	9:00 a.m.	Tampa Service Office

*Special Meeting

Staff recommended approval of the FY2008 Basin Board meeting schedule:

Following consideration, **Mr. Mai moved, seconded by Mr. Gramling, to approve the staff recommendation for approval of the FY2008 Basin Board meeting dates. Motion carried unanimously.** (CD 1 /Track 3 – 00:00/01:25)

7. **Reports:**

a. **Tampa Bay Ground Water Institute for Teachers™**

Ms. Raina O'Neil, Youth Education Coordinator, Communications Department, gave an overview of the Tampa Bay Ground Water Institute for Teachers which was held at Nature's Classroom in Thonotosassa on May 31–June 2, 2007. The goal of the program was to increase water resources awareness among teachers and students within the watershed so that they are empowered to play an active role in protecting these resources.

The Institute is funded by the Hillsborough River, Alafia River, Coastal Rivers, Northwest Hillsborough and Pinellas-Anclote River Basin Boards through the FY2007 Basin Initiative for Youth Education (P259). Youth Education staff coordinated the training with American Ground Water Trust (AGWT) and U.S. Geological Survey (USGS). The

Institute was promoted to all public and private schools within Hillsborough, Pasco and Pinellas Counties.

These teacher workshops provided an overview of local hydrology, water quality issues and the dynamics of surface water and groundwater interactions within the respective basins. This item was for the Board's information, no action was required. (CD 3/Track 1 – 01:25/09:07)

b. **Report on Governing Board Activities**

Staff played pre-recorded highlights of the May 29, 2007, Governing Board meeting. Ms. Kavouras narrated the brief recap, which included the current drought conditions and water restrictions, the lower Hillsborough River minimum flows and levels, an out-of-cycle request for funding from Mosaic Fertilizer, the District's policy regarding brackish water projects, Peace River/Manasota Regional Water Supply Authority projects, Peace River watershed events, and an update of the District's Strategic Plan. (CD 1/Track 3 – 09:07/18:53)

8. **Announcements**

Ms. Kavouras directed Board members to the announcements listed on the agenda.

9. **Adjournment**

The day's business being complete, Chair McCree adjourned the meeting at 12:05 p.m. (CD 1/Track 4 – 00:00/03:44)

★ ★ ★ Information Items ★ ★ ★

The item(s) listed below are for the Board's information, intended to keep the Board apprised of completed projects, cancelled projects, and projects that have executed contracts and are ready to begin. The item(s) did not require Board action at this time. Formal presentations were not made, but staff will make presentations and/or answer questions at the next Board meeting, if requested.

1. County Parcel Data Acquisition (B530) – Execution Notice
2. Evaluating the Potential for Aquifer Storage and Recovery Operation in the Avon Park Formation (B242) - Execution Notice
3. Hillsborough County Lake and Stream Monitoring Program (K057) - Execution Notice
4. Lake Thonotosassa Diagnostic Assessment and Water Quality Treatment - First Amendment (W763) - Execution Notice
5. Pasco County State Road 52 East/West Regional Reclaimed Water Interconnect (H055) - Execution Notice
6. Pasco County Overpass Road Reclaimed Water Transmission Main (L729) - Execution Notice
7. Pasco County Wet-Weather Reclaimed Water Storage Reservoir - Boyette (H056) - Execution Notice

Attest:

Chairman

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact the Executive Department at (352) 796-7211 or 1-800-423-1476 (Florida only), extension 4610; TDD only, 1-800-231-6103 (Florida); fax (352) 754-6874/SunCom 633-6874.