

APPROVED

MINUTES OF THE MEETING

**HILLSBOROUGH RIVER BASIN BOARD
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

Tampa, Florida

April 8, 2010

The Hillsborough River Basin Board of the Southwest Florida Water Management District convened for a regular meeting at 1:32 p.m., on April 8, 2010, at the Tampa Service Office.

Board Members Present

Hugh Gramling, Co-Chair
Renee Gilmore, Vice Chair
Susan Welsh, Secretary
George Burt, Member
Devon Higginbotham, Member
John Nicolette, Member

Board Member Absent

Maritza Rovira-Forino, Co-Chair

Staff Members Present

Lou Kavouras	Veronica Crow
Bruce C. Wirth	Cori Cuttler
Eric DeHaven	Randy Emberg
Mark Hammond	Sid Flannery
Roy Mazur	Michael Hancock
Linda Pilcher	Ken Herd
Eric Sutton	Danny Kushmer
Anthony Andrade	Beth Putnam
Maya Burke	Jennette Seachrist

Recording Secretary: Dianna Brass

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**

Co-Chair Hugh Gramling called the meeting to order at 1:32 p.m. and noted a quorum was present.

2. **Pledge of Allegiance to the American Flag**

Co-Chair Gramling led the Pledge of Allegiance to the American Flag.

3. **Additions and Deletions to the Agenda**

Ms. Lou Kavouras, Deputy Executive Director, Outreach, Planning and Board Services, noted there were no additions or deletions to the agenda. She introduced Ms. Dianna Brass, Administrative Supervisor, Boards and Executive Services, who will provide administrative support to the Board, replacing Ms. Frances Sesler who retired last month.
(00:00/01:28)

4. **Basin Activities Report and Agenda Review**

Ms. Maya Burke, Staff Planner, Planning Department, advised that the One Bay Congress of Regional Leaders event is set for April 16. The program is designed to discuss the vision produced by Reality Check, a one-day exercise, held in May 2007, designed to analyze and develop alternative growth scenarios through 2050 for our rapidly growing region. The District is a partner of One Bay, and Board members are welcome to attend and encouraged to invite community members as well. She reminded the Board of the third *Get Outside!* event scheduled for Saturday, April 10, at Deep Creek Preserve, Arcadia, to increase awareness of recreational opportunities on District properties. Ms. Burke called attention to today's agenda item on the Lower Hillsborough River Recovery Strategy, a Basin budget

priority item. She noted that on May 21, a tour of the Hillsborough River and Tampa Bypass Canal System is being arranged, and details will be forthcoming.

This item was presented for the Board's information; no action was required. (01:29/02:59)

5. **Consent Items:**

a. **Minutes of the February 4, 2010, Basin Board Meeting**

Approve the February minutes as presented.

b. **Facilitating Agricultural Resource Management Systems – Carl Little (H600) Hillsborough County**

1. Approve the Carl Little project for a not-to-exceed reimbursement of \$12,000 with \$3,000 provided by the Hillsborough River Basin Board, \$3,000 provided by the Governing Board, and \$6,000 provided from State Appropriations to the Governing Board;
2. Authorize the transfer of \$3,000 from fund 013 H017 Hillsborough River Basin FARMS funds, \$3,000 from fund 010 H017 Governing Board FARMS funds, and \$6,000 from State Appropriations allocated to fund 010 H017 FARMS funds, to the H600 Carl Little project fund; and
3. Authorize the Executive Director to sign the agreement.

Following consideration, **Ms. Gilmore moved, seconded by Ms. Welsh, to approve Consent Items 5a and 5b, as presented. Motion carried unanimously.** (3:00/3:24)

6. **Discussion Items:**

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

Co-Chair Gramling facilitated election of officers and committee representatives. The results are as follows: Ms. Gilmore to continue as Vice Chair; Ms. Welsh to continue as Secretary; Ms. Gilmore to serve as primary representative and Ms. Welsh as alternate to the Basin Board Education Committee; Ms. Higginbotham to serve as primary representative and Mr. Nicolette as the alternate to the Basin Board Land Resources Committee; and Mr. Nicolette as the primary and Ms. Gilmore as the alternate representative on the Hillsborough River Interlocal Planning Board Technical Advisory Committee. All positions are for one-year terms. (3:25/06:04)

b. **Safety Harbor Sediment Assessment Project (W317)**

Ms. Jennette Seachrist, P.E., Manager, Surface Water Improvement and Management Program, said the Safety Harbor Sediment Assessment Project is part of a larger assessment proposed by the Tampa Bay Estuary Program (TBEP) to determine why water quality and seagrass coverage in Old Tampa Bay has not responded as well as other bay segments. The study resulted from requests by the citizens in the watershed asking what could be done about the accumulation of muck in Safety Harbor. The study was funded by the Pinellas-Anclote River Basin Board, but has implications for the Hillsborough River Basin Board since the watershed is split between the two basins. Ms. Seachrist introduced Ms. Holly Greening, Executive Director, TBEP, who reviewed the study objectives: to develop a 3-D map of the extent and volume of organic-rich sediment ("muck") accumulation; determine the origin of recent and historic sediment accumulation; and investigate the ecological context of any accumulation of organic-rich sediments in Safety Harbor. Scientists from University of South Florida, Eckerd College and the U.S. Geological Survey determined that sediments are accumulating in the Central Harbor, dredged areas, and near shore areas landward of shallow shoals. The

technical findings concluded the source of the muck is primarily the remains of microalgae and small shrimplike animals living in Safety Harbor rather than decomposed vascular plants coming down the Lake Tarpon Outfall Canal. Organic-rich sediments are accumulating more rapidly in recent years and may be influenced by changes in circulation and nutrient loading from the watershed, and the source of nutrients for these organisms has changed over time. Ms. Greening said the technical recommendations include reducing existing sources of nutrients from the watershed, i.e., fertilizer management, etc.; evaluating freshwater flow patterns to better understand the implications for Safety Harbor and Old Tampa Bay; and determining whether causeways/bridge structures have a negative effect on flushing of the system. She said final management recommendations will be developed in cooperation with Pinellas and Hillsborough Counties, the Cities of Oldsmar and Safety Harbor, the District, Florida Department of Transportation and Army Corps of Engineers. Responding to questions from Board members, Ms. Greening said muck is a natural product and a limited number of animals can live in the sediment. If the area is cleaned up, it is likely that different fish and perhaps seagrasses would be living in the area. She said the major issue is the perception of folks around the watershed that the area is mucky.

This item was presented for the Board's information; no action was required.
(06:05/20:45)

c. **Establishment of Numeric Water Quality Standards for Nutrients Update**

Ms. Veronica Crow, Environmental Section Manager, Resource Projects Department, provided an update on the U.S. Environmental Protection Agency's (EPA) proposal on numeric nutrient criteria for Florida. Ms. Crow began the overview by stating three main points of this issue: 1) it is a Federal process; 2) it was driven by a lawsuit filed by environmental organizations against the Environmental Protection Agency (EPA) in 2008; and 3) this District, along with other State agencies, is working to provide constructive criticism on the EPA findings.

She commented on background of this issue including Clean Water Act requirements for water quality standards, the Department of Environmental Protection's (DEP) responsibility in developing criteria for water bodies in the state, and the existing narrative standard for Florida water bodies. Instrumental to this issue were environmental groups that believe narrative criteria are inadequate and too open to interpretation and that the DEP is too slow in developing numeric criteria. As a result, the EPA was sued and signed a consent decree to develop Numeric Nutrient Criteria.

Ms. Crow said District staff is taking a proactive role regarding this issue by evaluating criteria, submitting written comments, examining potential effects of the Federal rule on the District's operations and projects, attending EPA public meetings, and coordinating with other water management districts, the Federal DEP, and National Estuary Programs.

Public meetings are scheduled throughout the state this month; written comments are due April 28, 2010. Instructions for submitting comments are available at www.epa.gov/waterscience/standards/rules/florida/. Final criteria for lake, stream, and springs is scheduled for completion in October 2010; final estuarine and coastal criteria in October 2011.

In response to Board member questions, Ms. Crow said no federal funding was proposed to implement or enforce the rule. Co-Chair Gramling commented that the rule is beyond the economic ability of entities to implement.

This item was presented for the Board's information; no action was required.
(20:46/39:29)

d. **Lower Hillsborough River Minimum Flows Recovery Plan – Agreement and Amendment (H400 and H401)**

Mr. Sid Flannery, Senior Environmental Scientist, Resource Projects Department, presented the history of the Governing Board's adoption of a minimum flow rule for the Lower Hillsborough River in August 2007. Because the river does not meet its minimum flows for much of the year, a recovery plan was adopted with the rule that specifies that several projects be implemented to provide flow to the base of the Hillsborough River dam to meet the minimum flows. The recovery plan specifies that a number of these projects will be funded by cooperative funding agreements between the District and the City of Tampa. To provide funds for these projects, the District and the City entered into a multi-year umbrella joint funding agreement for a potential total of \$44,500,000 with the District share not to exceed \$22,250,000. Each individual project requires a specific agreement and District approval. Approval is needed to initiate a new cooperative funding agreement and amend an existing cooperative funding agreement as part of the recovery plan. Mr. Flannery described in detail these two City of Tampa projects that the Basin Board is requested to recommend Governing Board approval based on a 50/50 cost share between the Basin and Governing Boards. He outlined the staff recommendation:

1. Recommend the Governing Board approve a cooperative funding agreement with the City of Tampa for an Investigation of Storage or Additional Supply Options for a total of \$100,000 with the Basin's share not to exceed \$25,000; and authorize the Executive Director to sign the agreement.
2. Recommend the Governing Board approve an amendment to a cooperative funding agreement with the City of Tampa for the Sulphur Springs Lower Weir Project and the transfer of \$82,303 in FY2010 funds from Project H400 to Project H401 for a total agreement cost of \$493,546 with the Basin's share not to exceed \$116,152; and authorize the Executive Director to sign the agreement.

Mr. Flannery advised that the May 21 field trip associated with the Hillsborough minimum flows recovery projects will include the Hillsborough River Dam, Sulphur Springs, Blue Sink, Morris Bridge and the Tampa Bypass Canal. He encouraged Board members to attend.

Following consideration, **Ms. Higginbotham moved, seconded by Mr. Nicolette, to approve the staff recommendation; motion carried unanimously.** (39:30/50:56)

e. **2010 Regional Water Supply Plan Update**

Mr. Roy Mazur, Planning Director, said Florida Statutes requires each water management district to initiate a District-wide water supply assessment that describes water demands and identifies potential sources of water to meet demand over a 20-year planning horizon. The Regional Water Supply Plan (RWSP) is required to be updated every five years. The draft 2010 RWSP has been through the internal review process and is now being finalized for public input. Mr. Mazur said the updated Plan covers the entire District and now includes the northern six counties (to prevent a water use caution area situation). He said the document has been streamlined and is composed of an executive summary and four volumes covering the north, south, Tampa Bay and Heartland areas of the District. Mr. Mazur discussed the significant findings within each Planning Region. Presentations to the Basin Board and Advisory Committees will occur in April. In May, comments will be solicited in public meetings at each of the District's

service offices, and staff will meet with the water supply authorities and the regional planning councils. Public input may also be posted on the District's website. All comments will be due by July 16 with the expectation that the Plan will be completed and presented to the Governing Board for approval in the November/December 2010 timeframe. Mr. Mazur confirmed that municipal public supply entities must complete a 10-Year Water Supply Facility Work Plan within their Comprehensive Plan that describes how they accommodate the demands of their citizens. Once the Governing Board has approved the RWSP, Planning Department staff will provide all municipalities a community plan worksheet to assist them in preparing their plans. Co-Chair Gramling said he appreciated staff's outreach on this effort, especially to the small governments.

This item was presented for the Board's information; no action was required. (50:57/1:06:49)

f. **Budget Transfer for Pasco County Reclaimed Water Natural Systems Treatment and Restoration Feasibility Study (H092)**

Mr. Michael Hancock, Senior Professional Engineer, Resource Projects Department, said staff is requesting out-of-cycle funding for a project to assess the feasibility of using reclaimed water to restore impacted natural systems in central Pasco County. Pasco County is currently conducting a study, without District funding, to use extra reclaimed water not being utilized by its customers to improve conditions at Crews Lake. Staff proposed the expansion of Pasco's study to other areas of central Pasco County since central Pasco is an important location in the Northern Tampa Bay Recovery area. Mr. Hancock reviewed the objectives of the study: to determine feasibility of several reclaimed water recharge concepts in various areas of Central Pasco County; estimate benefits and costs of each variation; and decide which concepts to pursue. Concepts to be explored include infiltration basins and wetlands treatment and recharge. Today staff is requesting the Basin Board provide fiscal year 2010 funding for the expansion. Results of the study will determine whether fiscal year 2011 funds will be proposed. He presented the staff recommendation:

1. Recommend the transfer of \$98,382 from the Hillsborough River Basin Board's Water Supply and Resource Development reserves to Pasco County Reclaimed Water Natural Systems Treatment and Restoration Feasibility Study.
2. Recommend the Governing Board approve an agreement with Pasco County for the Reclaimed Water Natural Systems Treatment and Restoration Feasibility Study for \$98,382; and authorize the Executive Director to sign the agreement.

Mr. Nicolette referenced the withdrawal of ground water from Pasco County and its severe impact on lakes such as Big Fish Lake which is in the general area of the proposed expansion. He expressed his support of this project. Following consideration, **Mr. Nicolette moved, seconded by Mr. Burt, to approve the staff recommendation. Motion carried unanimously.** (1:06:50/1:15:48)

g. **Fiscal Year 2011 Budget Preparation**

Mr. Bruce Wirth, Deputy Executive Director, Resource Management, said the preliminary budget for fiscal year (FY) 2011 is being presented today for the Board's initial perusal. Staff and invited cooperators are available to answer questions on the projects identified, the rankings and how they fit with the Board's designated priorities. Mr. Wirth said the projects are still in the evaluation process, and the Basin is well positioned to fund projects. No action by the Board is required today, but staff is seeking direction on developing the Basin's proposed FY2011 budget for the June meeting. The preliminary

budget is based on the current millage rate of 0.2421 mill remaining the same and a decline in property valuations of nine percent. In June, the estimate of ad valorem revenue for FY2011 will be updated and a proposed millage rate will be adopted for recommendation to the Governing Board. In August, the Basin Board will be requested to adopt the final FY2011 millage rate and budget for recommendation to the Governing Board.

Due to the state's budget shortfall, Mr. Wirth advised that no new state dollars, i.e., Water Management Lands Trust Fund, Florida Forever (land acquisition funds), or Senate Bill 444 (alternate water supply development), etc. are anticipated. Any West Central Florida Water Restoration Action Plan monies, if allocated, will be shared among the responsible Basin Boards. He said prior year state funds are already allocated to projects. Staff suggested the Board consider reallocating an estimated \$5.5 million in the Water Management Lands Trust Fund (prior year funds) that had been allocated to the Lake Hancock Outfall Treatment Project to pay for Save Our Rivers land management costs for FY2011. Mr. Wirth briefly reviewed the preliminary budget and Cooperative Funding projects. He also discussed the Board's preliminary surplus that had been allocated to the H100 Water Supply and Resource Development reserves explaining that the majority of this relates to the projects cancelled by the City of Tampa which the Basin Board had committed to fund. He reviewed the preliminary budget and new Cooperative Funding projects, and emphasized that the budget is in the initial development phase. He requested Board members contact the project manager, Ms. Burke, Ms. Kavouras or him with any questions. Following questions and discussion, the Board requested that staff investigate the potential for a slight decrease in the millage rate, fund the land management activities out of reserves rather than tap state revenue allocated for Lake Hancock, and investigate increasing the reserves for contingencies by the amount set forth in the Northwest Hillsborough Basin Board prior to the merger with this Board. (1:15:49/1:58:15)

Ms. Burke compared the Cooperative Funding applications with the Basin's current budget priorities and noted a substantial trend toward flood protection and stormwater retrofits, reclaimed water, and conservation research and education projects. She remarked that the Board's priorities are spread throughout the budget. (1:58:16/2:02:27)

As requested by the Board, the following cooperators were in attendance and provided additional information and addressed questions regarding their Cooperative Funding applications for FY2011:

1. Mr. Warren Hogg, Tampa Bay Water, presented an overview of the System Configuration II (H065) project. (2:02:28/2:08:46)

Mr. Hogg then discussed the Surface Water Enhancement and Recharge Study (H082). Board members expressed concern regarding the concepts for potential new wells in Pasco County and the lack of a commitment from the City of Tampa relative to the reclaimed water component. Ms. Paul Dye, Tampa Bay Water, addressed questions related to the City of Tampa and the technical analysis required before a contract can be developed. (2:08:46/2:28:29)

2. Mr. Duke Clem, Polk County Utilities, discussed the Polk County Northwest Regional Utility Service Area Reclaimed Water Storage and Pumping Station (N024) project. (2:28:30/2:32:15)

3. Mr. Curtis Porterfield, Polk County lakes biologist, presented the Itchepackesassa Creek Regional Stormwater System (W082) project. (Mr. Burt advised that he owns property on Itchepackesassa Creek and may have a conflict.) (2:32:16/2:47:06)
4. Mr. Glenn Greer, P.E., Pasco County, Utility Engineering Director, presented an overview of the Design and Construction of Shady Hills Waste Water Treatment Facility/SR-52 Regional Reclaimed Water Interconnect (H067) project. (2:47:06/2:56:12)

7. **Reports:**

a. **Basin Board Education Committee Meeting Report**

Ms. Beth Putnam provided an overview of the Basin Board Education Committee meeting held on March 3, 2010, at the Tampa Service Office. She said the Landscape Challenge event was rained out and has been rescheduled to Friday, April 16. An update was provided on the Florida Water StarSM Gold program. Currently, 22 homes have been certified and agreements are in place for another 278; and the first commercial property was certified in Lakeland. The *Get Outside!* and the "Skip a Week" campaigns, and the Education projects criteria were other presentations the Committee heard. A written summary of the topics and discussion was included in the Board's information notebook. The next BBEC meeting will be held on Wednesday, July 14, 2010, at the Tampa Service Office.

This item was presented for the Board's information; no action was required. (2:56:12/2:58:10)

b. **Basin Board Land Resources Committee and Land Use Stakeholders Joint Meeting**

Ms. Higginbotham, the Board's primary representative to the Basin Board Land Resources Committee, said this was the first joint meeting of the Committee and Land Use Stakeholders. The meeting was held March 16, 2010, in the Sarasota Service Office. Significant topics included signage strategy, multiple use report, legislation, and recreation strategy/*Get Outside!* campaign. A written summary of the discussions was included in the Board notebook. The next meeting is set for Wednesday, July 14, 2010, at the Lecanto Government Center.

This item was presented for the Board's information; no action was required. (2:58:10/2:58:39)

c. **Hillsborough River Interlocal Planning Board Technical Advisory Committee**

Ms. Cori Cuttler, Community and Legislative Affairs Program Manager, provided an overview of the highlights from the March 16, 2010, meeting held in Tampa. The Committee heard an update on the Environmental Protection Commission public meetings related to the proposed fertilizer ordinance. The City of Tampa will be updating its ordinances on docks along the Hillsborough River within the City. The Committee will discuss both proposals at its next meeting.

This item was presented for the Board's information; no action was required. (2:58:40/2:59:22)

d. **Governing Board Activities**

Co-Chair Gramling provided a brief overview of significant issues before the Governing Board at its March 30, 2010, meeting. The Board heard an update on the January 2010

freeze event and the work group assembled to determine process improvements for handling similar events in the future. The work group met on March 24 and additional sessions are scheduled for April 21 and May 18. The Board also directed staff to discontinue negotiations to purchase the CS-11 property in Polk County. Initially, the clay settling area was proposed as a reservoir that could be used to store and release water into the upper Peace River to meet minimum flows; other projects are now expected to meet this need. The Board approved a resolution designating April as water conservation month; authorized the submission of the Hernando County Flood Insurance Rate Maps to FEMA; heard a presentation on the Hampton Tract; and accepted the 2009 Comprehensive Financial Annual Report presented by the District's auditors.

This item was presented for the Board's information; no action was required.
(2:59:23/3:01:04)

8. **Announcements:**

Ms. Kavouras called attention to the announcements on the agenda; the next Basin Board meeting will be held Thursday, June 10, 2010, 1:30 p.m., Tampa Service Office. She said Board members are invited to participate in two upcoming field trips: a tour of two Tampa Bay SWIM Ecosystem Restoration Projects (Terra Ceia and Cockroach Bay) scheduled for April 23, and a tour of the Hillsborough River and Tampa Bypass Canal System on May 21, as discussed earlier by Mr. Flannery. Mr. Nicolette thanked staff for arranging a great Volunteer Appreciation Day on Saturday, April 10. Ms. Kavouras said staff appreciated Co-Chair Gramling and Mr. Nicolette attending the event. (3:01:04/3:3:02:20)

9. **Adjournment:**

Mr. Nicolette moved, seconded by Mr. Burt to adjourn the meeting. There being no objection and no further business to come before the Board, Co-Chair Gramling adjourned the meeting at 4:34 p.m. (3:02:20/3:02:35)

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