

APPROVED

MINUTES OF THE MEETING

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

Tampa, Florida

August 5, 2010

The Hillsborough River Basin Board of the Southwest Florida Water Management District convened for a regular meeting at 1:31 p.m. on August 5, 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

Staff Members Present

Lou Kavouras
Bruce Wirth
Mark Hammond
Mike Holtkamp
Alba Más
Eric Sutton
Maya Burke
Cori Cuttler
Randy Emberg
Bill Orendorff
Jennette Seachrist

Board Member Absent

Maritza Rovira-Forino, Co-Chair

Via Videoconference

Beth Putnam
Cathy Linsbeck

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 1:31 p.m. Ms. Dianna Brass, Administrative Supervisor, called the roll 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, Board Services and Ombudsman, advised there were no additions or deletions to the agenda. (Track 1)

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

Ms. Maya Burke, Staff Planner, Planning Department, reported that the proposed tours in the Hillsborough River Watershed sponsored by Tampa Bay Beautification will be rescheduled to later this fall. Hillsborough County has passed a fertilizer ordinance, and although not consistent with the Tampa Bay Estuary Program recommendation, it is consistent with the Department of Environmental Protection's model ordinance. Ms. Burke advised that staff is addressing public comments received on the Regional Water Supply Plan, and adoption is anticipated by the end of this year.

This item was provided for the Board's information; no action was required. (Track 2)

5. **Consent Items:**

a. **Minutes of the June 10, 2010, Basin Board Meeting**

Approve the June minutes as presented.

b. **Annual Calendar of Meeting Dates – Fiscal Year 2011**

Approve the FY2011 Basin Board meeting schedule as presented:

Date	Time	Location
Thursday, October 7, 2010	1:30 p.m.	Tampa Service Office
Thursday, December 2, 2010	1:30 p.m.	Tampa Service Office
Thursday, February 10, 2011	1:30 p.m.	Tampa Service Office
Thursday, April 7, 2011	1:30 p.m.	Tampa Service Office
Thursday, June 2, 2011	1:30 p.m.	Tampa Service Office
Thursday, August 11, 2011	1:30 p.m.	Tampa Service Office

c. **Board Encumbrances:**

i. **Facilitating Agricultural Resource Management Systems (FARMS) Program (H017)**

Approve the encumbrance of \$74,242, or the remaining funds available, from the FY2010 budget to be used for future years FARMS projects.

ii. **Rocky Creek Lake Enhancement Project (B027)**

Approve the encumbrance of \$1,000,000, without a contract, to be used in FY2013 for Phase III (construction) of the Rocky Creek Lake Enhancement project.

d. **Budget Transfer for Land Acquisition - Cypress Creek Project (S010)**

Approve the transfer of \$86,094 from the cancelled Phase V, Part II Flatwoods Recreational Development project to Cypress Creek project to provide a budget appropriation for the purchase of land within the Hillsborough River Basin.

Following consideration, **Ms. Higginbotham moved, seconded by Ms. Welsh, to approve Consent Items 5 a., b., c. and d. Motion carried unanimously.** (Track 3)

6. **Discussion Items:**

(Ms. Gilmore entered the meeting at this time.)

a. **January 2010 Freeze Event Update**

Ms. Alba E. Más, P.E., Director, Tampa Regulation Department, provided background of the District's resulting Management Strategy for freeze protection in the Dover/Plant City area. Following the extensive pumping of water for crop protection during the 11-day freeze event in January, the District received over 750 complaints regarding well impacts and approximately 140 sinkholes. A group of stakeholders was convened and subsequently identified nine subject areas for consideration in refining and developing new approaches to significantly reduce the risk of sinkhole development and well problems in the event of a future freeze occurrence in eastern Hillsborough County. Ms. Más discussed the Management Strategy recommendations provided to the Governing Board including seeking state and federal funding, expansion of the area subject to special well construction standards, a revised process for allocating investigation and remediation of well complaints, enhanced communications, local government planning and coordination, optimizing water use for freeze protection, enhanced data collection, and alternative freeze protection methods. She said an incentive-based, cooperatively funded program to reduce freeze protection quantities (tailwater recovery ponds, covers and foam) to be implemented through the FARMS program will be discussed following her comments.

Ms. Más advised that rulemaking is necessary to implement the regulatory components of the management strategy, including limitations on groundwater for freeze protection, new methodologies for more equitably allocating well mitigation complaints, the requirement for meters on Small General Water Use Permits and automatic meter reading devices on all permits with frost/freeze protections. She also discussed the communications protocol enhancements for notifying the public during freeze events and ongoing efforts to encourage the use of the Florida Automated Weather Network (FAWN) and implementation of FARMS projects to address recovery in the area. Ms. Más said the District will achieve a 20 percent rollback in quantities over ten years through a voluntary system in which farmers are encouraged through incentives to use alternative methods for freeze protection. Proposed rule amendments to accomplish the action plan will include declaring a water use caution area, establishing minimum aquifer level for frost/freeze event, developing a recovery strategy, and revising permitting criteria. At its July meeting, the Governing Board directed staff to begin rule writing anticipating adoption of rules in November.

Responding to questions from Board members, Ms. Más said homeowners who suffered sinkhole damage may qualify for low interest loans from the Small Business Administration. She said the District has allocated \$4.5 million over three years to fund upgrades to automatic meter reading devices on all permits for freeze protection. She clarified that no new permits will be approved in the newly-established water use caution area; however, permittees may still transfer a permit or transfer quantities from one site to another. The goal is to protect existing permittees to the greatest extent practical. Mr. Gramling informed the Board that Hillsborough County is investigating making grants available to those who lost or incurred damages to homes because of a sinkhole. It is proposed in the form of compensation for taxes that would have been paid up to a limited amount from the Hillsborough County portion of taxes only. (Track 4)

Mr. Bill Orendorff, FARMS Program Manager, Resource Data and Restoration Department, provided background on the FARMS program, a cooperative venture with the Florida Department of Agriculture and Consumer Services. FARMS promotes public-private partnerships to implement best management practices that reduce groundwater withdrawals, improve water quality and improve natural system function in the Upper Myakka Watershed. He reviewed the overall number of projects within the District, project costs and offset in millions of gallons per day (MGD) and described the accomplishments of the seven FARMS projects within Hillsborough County. Mr. Orendorff noted that the use of tailwater recovery ponds has proved successful in strawberry FARMS projects in the Hillsborough County area, and staff is working to implement additional projects in the Dover/Plant City area. He discussed the proposed rule revisions that will allow frost/freeze protection quantities to be used in the calculation of groundwater offset and allow reduction of permitted frost/freeze protection withdrawals from the Upper Floridan aquifer within the new proposed Dover/Plant City water use caution area to qualify for 75 percent maximum cost-share reimbursement. He summarized his presentation by saying that additional FARMS funding has been specifically budgeted for FY2011 frost/freeze projects.

This item was provided for the Board's information; no action was required. (Track 5)

b. **Fiscal Year 2011 Budget Discussion and Approval of Final Millage Rate and Budget**

Mr. Bruce Wirth, Deputy Executive Director, Resource Management, outlined the Board's obligation to approve its final millage rate, budget and resolution affirming the

millage and budget for fiscal year (FY) 2011. He presented the Basin's updated proposed FY2011 budget which reflects ad valorem revenue based on the proposed millage rate (0.2300) adopted at the Board's June 10, 2010, meeting, and the 2010 Certifications of Taxable Value received from the county property appraisers. He noted that final taxable values declined 11.41 percent. Mr. Wirth reviewed projects by category and explained changes since the June meeting. The lowered millage rate adopted in June resulted in a reduction in revenue of approximately \$694,000 from last year. He thanked Ms. Higginbotham for her comments that led to organizing the reserves accounts. He discussed the H100 Water Supply and Resource Development Reserves which has a substantial amount primarily because of the unexpected cancellation of City of Tampa projects and the Z964 reserves fund that is restricted to land purchases. Additional Basin funds were placed in H017 FARMS for projects in the proposed water use caution area in the Dover/Plant City area as discussed earlier. The Governing Board will match these funds and those from the Alafia River Basin Board for a total of \$2 million available for FARMS projects.

All Cooperative Funding Projects considered for funding in June are included in the budget. Mr. Wirth advised that, since the Board notebook was mailed, the District received a letter from Pasco County withdrawing the Odessa High Service Pump Expansion (N243) project, and therefore the Basin's match will be moved into the water supply and resource development reserves and salary accounts. Ms. Pam Wright, Reuse Coordinator, Pasco County Utilities, addressed questions from the Board. Following review of its budget, she said the County reprioritized projects due to limited funds. The N243 project placed lower in priority, however, it is anticipated the County will be coming back in the future to request funding for this project.

In conclusion, Mr. Wirth noted a correction to the income per 100th mill in the June proposed budget figure; he said this does not change the revenue or balance forward numbers. He advised of a slight decrease in taxable values from June to present which resulted in a reduction of approximately \$758,000, and a slight decrease in earnings on interest due to final payment on some projects since the June meeting. For the record, Ms. Kavouras read the staff recommendation:

- (1) Approve and adopt the required final millage rate of 0.2300 mill for FY2011.
- (2) Approve and adopt the final FY2011 budget as presented today, which includes the withdrawal of the N243 project and reallocation of its funds.
- (3) Approve Resolution No. 149 -- Resolution Affirming the Required Final Millage Rate and Budget for Fiscal Year 2011.

Following consideration, **Mr. Nicolette moved, seconded by Ms. Higginbotham, to approve the staff recommendation as presented. Motion carried unanimously.**

Ms. Gilmore recognized staff for a well presented budget and for recommending the Board reduce its reserves given the economic conditions. (Track 6)

c. **Fiscal Year (FY) 2011 Budget Review and Priority Analysis**

Ms. Kavouras said staff is scheduling cooperative funding workshops beginning the week of September 13. To provide the best information to local governments on what the Basin Board considers its priorities, staff is requesting the Board establish its fiscal year (FY) 2012 Budget Priorities this month rather than wait until October. In October, the focus will be on the Board's accomplishments, and field trips are planned through November to highlight recent accomplishments and future challenges. Ms. Burke

presented the FY2011 Board Priorities by budget categories. She then reviewed the FY2011 Basin Board Budget Priorities established in February 2009 and reaffirmed in August 2009. Suggested modifications were discussed and Board members' input solicited on other potential revisions to these priorities to make them more specific and reflect changes in budget allocations, District initiatives and water resource needs. Mr. Burt requested that in the future staff provide this information in advance of the meeting to allow sufficient time for Board review.

Staff recommended approval of the following Budget Priorities for FY2012:

- Monitoring and Recovery of Established MFLs
- Reclaimed Water
- Flood Protection/Stormwater Quality Improvement
- Tampa Bay Restoration
- Agricultural Conservation
- Education Through Citizen Science

Following consideration, **Ms. Welsh moved, seconded by Mr. Nicolette, to approve the Budget Priorities for FY2012 as outlined above. Motion carried unanimously.** (Track 7)

7. **Reports:**

a. **Basin Board Education Committee (BBEC)**

Ms. Beth Putnam, Communications Manager, joined the meeting via teleconference from the Brooksville office. She noted a summary of the July 14 Committee meeting, which included presentations on (1) Starkey exhibits ribbon-cutting, (2) "Skip a Week" campaign results and (3) Tampa Bay Estuary Program education efforts, was provided in the Board's meeting notebook. She announced that a workshop is scheduled on Thursday, September 16, from 9:30 a.m. to noon at the Tampa Service Office, to provide an in-depth overview on all District education and outreach efforts. All Basin Board members are invited to attend. Ms. Putnam referenced the WaterPro Restaurant Outreach cards placed at Board members' seats. WaterPro is a program for restaurants to reduce water use and expenses. Currently 273 restaurants in the District participate, and there is ample potential for greater involvement and conservation. She requested Board members leave the cards with the manager or wait staff of restaurants they patronize to assist in promoting the program.

This item was presented for the Board's information; no action was required. (Track 8)

b. **Basin Board Land Resources Committee (BBLRC)**

Ms. Higginbotham, the Board's representative to the BBLRC, said the BBLRC met jointly with the Land Use Stakeholders for the second time on July 14. A presentation was provided by the United Waterfowlers, a hunting advocacy group. Although 48 percent of District lands are open to hunting, the group wants further expansion. District staff will reevaluate the criteria for determining whether or not hunting is allowed on District lands. Other topics of discussion concerned recreation monitoring and revenue generating projects for District properties. The Committee will meet again in November.

This item was presented for the Board's information; no action was required. (Track 9)

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

Ms. Cori Cuttler, Community and Legislative Affairs Program Manager, reported that the Committee engaged in lengthy discussions on two major items at its June 15 meeting: (1) a presentation by District staff on the Regional Water Supply Plan, and (2) review and comment on the plans by the Cities of Tampa and Temple Terrace regarding their proposed dock ordinances.

This item was presented for the Board's information; no action was required. (Track 10)

d. **Governing Board Activities**

Co-Chair Gramling advised that at the July 27 meeting, the Governing Board adopted its proposed millage rate for fiscal year 2011; the millage remained the same but may be considered for reduction in August. The proposed budget is approximately \$283 million, which is a reduction of about \$16 million from last year. Regarding the January 2010 frost/freeze event, the Board approved initiation of rulemaking to establish a 256-square mile area in the Dover/Plant City region as a water use caution area and associated water use permitting requirements, a minimum aquifer level and associated recovery strategy. The Board heard a status report on the District's Outreach Utility Program, and Co-Chair Gramling requested a presentation on this item at the next Basin Board meeting. District staff was recognized by the Florida Nursery, Growers and Landscape Association for its support of the Landscape Challenge and ongoing partnership to promote Florida-Friendly Landscaping™ principles and best management practices. A team from the District's Facilities and Construction Services Section placed third, competing against long-established landscaping businesses.

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

8. **Announcements**

Ms. Kavouras called attention to the announcements on the agenda. The next Basin Board meeting will be held Thursday, October 7, 2010, at 1:30 p.m., in the Tampa Service Office. Ms. Kavouras reminded Board members to insert the approved FY2011 meeting dates in their appointment books.

9. **Adjournment**

There being no objection and no further business to come before the Board, Co-Chair Gramling adjourned the meeting at 2:42 p.m. (Track 11)