

APPROVED

MINUTES OF THE MEETING

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

Tampa, Florida

December 2, 2010

The Hillsborough River Basin Board of the Southwest Florida Water Management District convened for a regular meeting at 1:30 p.m. on December 2, 2010, at the Tampa Service Office.

Board Members Present

Hugh Gramling, Chair
Renee Gilmore, Vice Chair
George Burt, Member
John Nicolette, Member

Board Members Absent

None

Staff Members Present

Lou Kavouras
Bruce Wirth
Eric DeHaven
Mark Hammond
Mike Holtkamp
Eric Sutton

David Crane
Cori Cuttler
Randy Emberg
Jennette Seachrist
Shelley Thornton

Steve Blaschka
Maya Burke

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 are also filed in the permanent files of the District.

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

Chair Hugh Gramling called the meeting to order at 1:30 p.m. Ms. Dianna Brass, Administrative Supervisor, Boards and Executive Services, called the roll and noted a quorum was present.

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

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 of one additional information item, McKay Bay Dredge Hole Restoration Project (W309), which does not require Board action. Chair Gramling requested that staff provide a presentation on this project following agenda item 6.a., Lake Stemper Water Levels Discussion. (Track 1)

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

Ms. Maya Burke, Staff Planner, reminded the Board that this agenda item provides an opportunity for the Basin Planner to give an overview of relevant items on the agenda, information items, and other topics of interest. She provided updates on: (1) the 23rd Annual Tampa Bay Beautification Hillsborough River and waterways cleanup held on November 20; (2) a FEMA Map Modernization District workshop on best management practices for stakeholders in the Cypress Creek watershed to enlist support in prioritizing floodplain management projects; (3) Itchepackasassa Creek is currently undergoing District and Peer review for the watershed management program/FEMA map modernization with public workshops scheduled for Spring 2011; and (4) Hillsborough County recently completed several lake assessments as part of the Lake and Stream Water Watch Program, which employs education through citizen science, one of the Basin's priorities.

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

5. **Consent Item**

a. **Minutes of the October 7, 2010, Basin Board Meeting**

Approve the October minutes as presented.

Following consideration, **Mr. Burt moved, seconded by Mr. Nicolette, to approve Consent Item 5.a. Motion carried unanimously.** (Track 3)

6. **Discussion Item**

a. **Lake Stemper Water Levels**

Mr. David Crane, Manager, Structure Operations Section, provided a description of Lake Stemper which is downstream of the Thirteen Mile Run chain of lakes which drains to Cypress Creek in Lutz. He discussed the benefits of increasing the operational water levels in the lake. The District has maintained the lake below levels deemed desirable for the environmental health and recreational benefits of the lake due to structural damage to the Fontanills residence, the lowest property on the lake. Following data collection, staff concluded that the only option that would allow for raising the level was a potential buyout of the home. Subsequently, the District hosted a public meeting for Lake Stemper residents and all in attendance, excluding the Fontanills, supported maintaining a higher lake level. Mr. Eric Sutton, Land Resources Director, apprised the Board of the unique real estate appraisal of the property which provided two values; he addressed a number of questions from Board members related to the appraisal and the home itself. Board members were able to view photographs of internal and external subsidence damage to the Fontanills' home.

Chair Gramling called upon members of the public who requested to speak to this issue.

Ms. Marjorie Hemphill, Lake Stemper property owner and resident since 1989, requested Board members consider purchase of the Fontanills' home. She expressed concern for environmental harm and lowered property values when the lake is low.

Mr. Scott Lyle, representing the Lake Stemper Civic Association and Homeowners Association, and a resident on the Lake since 1985, advised that the association paid for an augmentation well on the Lake and has an interest in keeping the lake level up. He spoke in favor of the negotiation for purchase of the Fontanills property.

Mr. Henry Fontanills, Jr., advised he purchased his home on Lake Stemper in 1978 knowing it is a shallow lake. At the time he didn't know that his property was the lowest one on the lake. He described the damage he has incurred since 1995 which he believes is related to droughts and pumping by Tampa Bay Water. He said he understands everyone wants the lake levels higher. Mr. Fontanills said he loves his home and where the water stands now, and although he is not giving his house away, he is willing to work with staff and negotiate for a potential sale.

Mr. Burt moved, seconded by Mr. Nicolette, to authorize staff to enter into negotiations with Henry and Jacqueline Fontanills for the acquisition of their property on Lake Stemper subject to the upper and lower limits of the two appraised values, and that any final offer and acceptance must be approved by the Basin Board and the Governing Board.

Board members discussed other areas of the District where multimillion dollar lakefront properties have lost significant value due to sinkholes and lowered water levels, ramifications for buying properties when similar issues arise elsewhere, and the possibility that even with the purchase, residents may not receive the results they are seeking. Follow consideration, the question was called and the **motion carried unanimously.** (Track 4)

ADD-ON McKay Bay Dredge Hole Restoration Project (W309)

Ms. Jennette Seachrist, SWIM Program Manager, provided an update on the McKay Bay Dredge Hole Restoration Project. In a 2005 assessment by the Tampa Bay Estuary Program of 11 dredge holes in Tampa Bay, McKay Bay Dredge Hole was revealed to have the poorest habitat. The Basin Board budgeted \$2.5 million in its fiscal year 2011 budget for a feasibility study, design and permitting, to pursue restoration activities related to partial or complete filling of the dredge hole. Staff recently met with the Tampa Port Authority (TPA) and Army Corps of Engineers and discussed opportunities to potentially expedite the restoration project by using fill from upcoming TPA dredging projects. District staff will shortly be entering into a purchase order agreement for \$9,900 with a marine consultant using funds budgeted for the feasibility study to determine if disposal from the TPA projects is compatible with the existing sediments in the McKay Bay dredge hole. If the material is deemed suitable, the District anticipates entering into an agreement with the TPA for a feasibility study, cost determination, and permitting requirements, and staff will return to the Basin Board in February 2011 seeking the Board's approval of an agreement. Chair Gramling thanked Ms. Seachrist for apprising the Board of these recent actions. He said it is important for the Board to be aware of the potential impact on the Board's budget. (Track 5)

7. **Reports**

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

Ms. Cori Cuttler, Community and Legislative Affairs Program Manager, reported that at its last meeting the Committee heard speakers discuss aquatic invasive plants in Hillsborough County lakes. Many lakes in the area are experiencing new problems due to low water levels and the fact that the county is no longer spraying because of budget cuts. She advised that the Hillsborough River Technical Advisory Committee has followed the Stewart Middle School SWIM Project. Upon completion of the project, Mayor Pam Iorio was the keynote speaker at the celebration, and she recognized Ms. Seachrist and the SWIM staff with an award and appreciation for their work on this collaborative project.

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

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

Mr. Nicolette said the November 18 meeting was his first occasion to represent the Hillsborough River Basin Board at the BBLRC and he appreciated the opportunity. He reviewed the major topics of discussion: (1) the 2011 Florida Forever Work Plan; (2) a lengthy discussion on expansion of hunting on District lands; (3) *Get Outside!* Phase 2; and (4) potential for sale and consumption of alcohol on cooperatively managed lands for special events. The Committee agreed to continue the joint meetings with the Land Use Stakeholders Group with the understanding that modifications will be made concerning allocation of time for individual speakers.

Chair Gramling noted that Mr. Nicolette is the alternate representative to the Committee and the primary position is currently vacant. Following consideration, **Mr. Burt moved, seconded by Ms. Gilmore, to select Mr. Nicolette as the Board's primary representative to the BBLRC. Motion carried unanimously.**

c. **Governing Board Activities**

Chair Gramling advised that at its November meeting the Governing Board approved implementation of a Phase I water shortage effective December 1. The Board delayed action until its December meeting on the frost/freeze management strategy rules to provide additional time for stakeholders' input, approved the 2012-2016 Strategic Plan, and heard presentations on the SWIM Program and the mitigation banking program.

These reports were presented for the Board's information; no action was required.

8. **Announcements**

Ms. Kavouras reminded Board members that the next Basin Board meeting is scheduled for Thursday, February 10, 2011 at 1:30 p.m. in the Tampa Service Office.

9. **Adjournment**

No further business was brought before the Board. **Mr. Nicolette moved, seconded by Ms. Gilmore, to adjourn the meeting.** Chair Gramling adjourned the meeting at 2:38 p.m. (Track 6)

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352) 796-7211, ext. 4702 or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-631-6103; or email to ADACoordinator@swfwmd.state.fl.us