

Approved

Minutes of the Meeting

PINELLAS-ANCLOTE RIVER BASIN BOARD
Southwest Florida Water Management District

Gulfport, Florida

April 2, 2008

The Pinellas-Anclote River Basin Board of Southwest Florida Water Management District convened for a regular meeting at 9:00 a.m. on April 2, 2008, in Gulfport City Hall, Gulfport, Florida.

Board Members Present

Todd Pressman, Co-Chair Ex Officio
Sallie Parks, Co-Chair Ex Officio
Rodney Fischer, Vice Chair
Terry England, Secretary
Kathryn Starkey, Member
Janet Hoppe, Member
Chet Renfro, Member

Staff Present

Bruce Wirth	Lou Kavouras
Mark Hammond	Linda Pilcher
Kathy Scott	Beth Putnam
Veronica Crow	Jennette Seachrist
Eric DeHaven	Eric Sutton
Mike Holtkamp	Kathy Scott
Tamera McBride	Jason Mickel
Ralph Lair	Scott Harbison

Board Member Absent

Mitch Hammer, Member

Recording Secretary

Phyllis Young

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

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

Co-Chair Ex Officio Sallie Parks called the meeting to order at 9:00 a.m. She recognized Gulfport Mayor Michael Yakes who welcomed everyone to Gulfport, thanked the Basin Board and the District for their concern for the environment, and offered the City's assistance during the meeting.

Ms. Young called the roll and noted a quorum was present. (CD 1/Track 1)

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

Co-Chair Parks led the Pledge of Allegiance to the American Flag. (CD 1/Track 1)

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

Deputy Executive Director Lou Kavouras, Outreach, Planning, and Board Services, reported that Agenda Item 4, the Oath of Office, was deleted from the agenda since no Basin Board appointments had been forthcoming from the Governor's office. An update on the Clam Bayou Habitat Restoration and Stormwater Treatment Project was added to the agenda. (CD 1/Track 1)

4. **Consent Items:**

After consideration, **Mr. Fischer moved, seconded by Mr. England, to approve the Consent Items, as follow:**

- a. **Minutes of the February 6, 2008, Meeting** – Amend the minutes to clarify the motion regarding Agenda Item 5c, Approval of Funding for the City of Tarpon Springs Brackish Groundwater Supply Project, on Page 4 of 6 of the minutes.

Motion was amended to read "The Basin Board fund the Tarpon Springs Brackish Groundwater Supply Project at 50 percent of eligible costs up to a maximum of \$22.5 million and contract with Tarpon Springs to pay that amount over a five-year period, so impact on the Basin's Cooperative Funding budget would not be all at once.

- b. **Second Amendment to License Agreement with Tampa Bay Water – Starkey Wilderness Preserve** - Recommend the Governing Board approve the second amendment to the license agreement with Tampa Bay Water, SWF Parcel Nos. 15-010-053X, 16-010-028X, and 16-010-037X.

Motion carried unanimously. (CD 1/Track 1)

6. **Discussion Items:**

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

Election results and committee selections were the following:

Vice Chair: Rod Fischer

Secretary: Terry England

Basin Board Education Committee:

Primary Representative: Chet Renfro

Alternate: Janet Hoppe

Basin Board Land Resources Committee:

Primary Representative: Kathryn Starkey

Alternate: Mitch Hammer (CD 1/Track 2)

During election of officers, Co-Chair Ex Officio Todd Pressman arrived.

ADD-ON

Update on the Clam Bayou Habitat Restoration and Stormwater Treatment Project

This update was presented by Jennette Seachrist, Surface Water Improvement and Management (SWIM) Program Manager, in response to recent local and legislative interest in the Clam Bayou project. Ms. Seachrist shared history of the 1999 SWIM plan for Tampa Bay, aspects of restoration projects within the District, and photos that showed alteration of Clam Bayou through the years. She explained aspects of the completed Clam Bayou projects (Phases 1 and 2) and the proposed project (Phase 3). Ms. Seachrist also spoke on the potential for dredging in Clam Bayou, particularly reporting on a sediment study by the Florida Department of Environmental Protection (FDEP) and the United States Geological Survey performed in 2001, which indicated dredging is not warranted as a restoration approach in Clam Bayou.

Numerous members of the public attended the meeting to show their concern for Clam Bayou. Gulfport City Manager Bob Brobeil, City Councilman Bob Worthington, and 12 members of the public addressed the Board to voice their concern about the condition of Clam Bayou, lack of wildlife and fish, lack of water flow, length of time it was taking to do the project, and excessive trash. One brought photos to show the condition of the Bayou. Several noted that the proposed project will improve the condition of Clam Bayou, but they also believe dredging should be a part of the restoration plan to "properly restore ecological function." Members of the public were also concerned about erosion from the Twin Brooks Golf Course, which is owned by the City of St. Petersburg.

During this presentation, Board Member Kathryn Starkey arrived.

Board members asked questions and participated in discussion of topics including other similar restoration projects, how they were accomplished, and the timeframe; permitting issues; cost/benefit of such projects; land acquisition; issues regarding Twin Brooks Golf

Course erosion; the recurrence of sediment; whether Clam Bayou is different from many other similar areas in the District; and the possibility of a third party investigation of Clam Bayou issues.

Bruce Wirth, Deputy Executive Director, Division of Resource Management, made several points:

- The District can only do what has value and is productive; we must consider what the cost/benefit is.
- There are many areas in the District that have been altered, as Clam Bayou has. Clam Bayou can never get back to the way it was; development of condominiums, homes, marinas, etc., must be taken into consideration.
- FDEP issues dredging permits. If FDEP feels the Clam Bayou area is productive, a permit to dredge State lands will be difficult to obtain.
- A Technical Advisory Committee, FDEP, Tampa Bay Estuary Program, the District, and perhaps others, could be assembled to evaluate aspects of this project without hiring an engineering firm.

After the project is complete, the District will work with an organization, such as Tampa Bay Watch, to organize a "clean sweep" effort to remove trash in Clam Bayou. Ms. Seachrist reiterated that science does not support dredging, obtaining an FDEP Environmental Resource Permit for dredging may not be possible, and removing debris may improve the flushing process. Phase 3 of the project will target stormwater quality improvements including the reduction of sediment load to the bayou and habitat improvement for fish nurseries to provide the necessary low-salinity habitat, which are priorities for any SWIM or Tampa Bay Estuary Program restoration.

Co-Chair Pressman interjected that projects, thus far, have been done well; however, these issues need to be investigated further. He requested District staff investigate the potential erosion issue at the Twin Brooks Golf Course.

After consideration, **Mr. Fischer moved, seconded by Mr. England, that the Basin Board direct staff to look into this entire issue to see if there are recommendations on improving tidal flushing of Clam Bayou and the removal of some of the sediment.**

In regard to the motion, Mr. Fischer added these seem to be the primary problems at this time and previous projects seem to be taking care of other problems.

Motion carried unanimously.

Co-Chair Parks thanked the public for attending, adding it is very important to this Board to know what the issues are.

Councilman Worthington asked that the City of Gulfport be kept informed of meetings on this issue. CD 1/Track 2 – Track 16)

b. **Tampa Bay Estuary Program Update**

Ms. Seachrist introduced Holly Greening, new Executive Director of the Tampa Bay Estuary Program (TBEP), who presented this update. She provided a brief history of the TBEP, which started in 1991 after Tampa Bay was identified as an estuary of Federal Significance and included in the National Estuary Program in 1990. The TBEP was established to assist the region in developing a comprehensive plan for the restoration and protection of Tampa Bay. Included in the update was information on the TBEP partners and their Interlocal Agreement, funding, goals, priority issues, and TBEP successes and challenges. Ms. Greening expressed appreciation for the District's participation in the Interlocal Agreement and contribution to Tampa Bay restoration and

protection. She reminded the Board that their commitment to the Program requires annual funding approval.

Since 1998, the District and other partners have completed numerous stormwater retrofit and habitat restoration projects toward achieving goals of the TBEP comprehensive plan and the SWIM plan.

This item was presented for the Board's information; no action was required. (CD 1/ Track 17)

c. **Consumer Fertilizer Task Force Report**

Veronica Crow, Manager in the Resource Projects Department, prefaced her presentation by stating that improperly used and applied fertilizer can run off lawns into rivers and spring systems, and ultimately into the Gulf of Mexico. Excess nutrients in that run-off can lead to low dissolved oxygen, fish kills, and other environmental degradation. Thus, the Florida Consumer Fertilizer Task Force was created within the Department of Agriculture and Consumer Services (DACS) by the Florida Legislature in July 2007 to review and provide recommendations on the State's policies and programs regarding consumer fertilizers. Using the best available data and science, the 13-member Task Force developed recommendations on fertilizer use, application, training, education, research, and funding.

Ms. Crow's presentation included Task Force membership, the State legislative charge, timeline, recommendations, and relevance to House Bill 1267 and Senate Bill 2352, the "Protecting Urban and Residential Environments & Water Act."

(Task Force recommendations were included in the meeting notebook as Exhibit 2.)

This item was presented for the Board's information; no action was required. (CD 1/ Track 18)

d. **Fiscal Year 2009 Budget Preparation**

Mr. Wirth began the budget discussion by making comments to orient members on their first look at a preliminary budget for fiscal year (FY) 2009. He emphasized the importance of their direction concerning funding levels of the various budget categories, including prioritization of Cooperative Funding proposals and other Basin projects. First-time cooperative funding proposals, after staff review, were tentatively ranked as 1A, High, Medium, or Low priority. Mr. Wirth explained that the cooperative funding project ranking was preliminary. He also explained that the budget was prepared assuming ad valorem revenue at five percent below FY2008. This is due to tax reform legislation enacted in 2007, the constitutional amendment approved in January 2008, and declining property values. In June, staff will provide an updated ad valorem revenue estimate to the Basin Board and present a revised budget, based on the Board's input and further investigation by staff. At the July meeting, the Basin Board will vote on a final FY2009 millage rate and budget for recommendation to the Governing Board. (CD 1/ Track 19)

Before Mr. Wirth's budget review, Mark Hammond, Resource Projects Director, provided information on two significant projects that were included in the FY2009 budget for the Board's consideration.

1. The New Development Reclaimed Water Distribution Initiative (B276) arose from the Governing Board's Reclaimed Water Task Force and was formed to address concerns about increasing the amount of reclaimed water and how much water was being offset by the use of reclaimed water. The Initiative would be an incentive to developers to install distribution lines, during residential construction, that would

- facilitate the use of reclaimed water in new residential development, if the reclaimed water was available within five years and if no other alternative water sources were identified. District funding would be provided to developers through the Cooperative Funding Initiative. For this Basin, \$500,000 would be set aside, if the Board approves, for FY2009. Funding would be 50 percent of the average unit cost of \$1,200, or \$600 per home, which represents approximately 830 homes within this Basin and would offset 0.25 million gallons of water per day. Mr. Hammond highlighted elements of the Initiative, including local government requirements for reclaimed lines in developments and, also, retrofits. The issue of utilities "making money" on the reclaimed lines in the future was mentioned by Mr. Fischer. (CD 1/Track 20)
2. The Watershed Management Program is a high priority of the District to obtain floodplain information that will help identify areas at-risk for flooding. With the heavy rains of the mid-1990s, the need for the Watershed Management Program was evident. Mr. Hammond used the Zephyrhills area of eastern Pasco County as an example of mapped flood zones compared to areas where flooding complaints were made by the public and local governments asked for assistance from the District to identify areas at-risk for flooding. Mr. Hammond reviewed the Program goals and the relationship to the Federal Emergency Management Agency (FEMA) Map Modernization Process, which is integral to the Program. He closed by emphasizing the importance of prioritizing the watershed studies in order to get "ahead of the curve" and alleviate the need for costly new "fixes" in the future. (CD 1/Track 20:13:39)

Mr. Wirth continued the budget discussion by briefly reviewing the tentative budget and new Cooperative Funding projects. He reminded members that the budget process is in the beginning stages; questions should be directed to the Project Manager, Ms. Kavouras, Basin Planner Jason Mickel, or him.

To a concern expressed by Basin Board Secretary Terry England about cooperators rescinding Cooperative Funding applications, due to 2007 tax reform, Mr. Wirth assured the Board that staff is monitoring that situation closely to ensure the District is aware of withdrawn applications as soon as possible. Ralph Lair, Senior Community Affairs Coordinator, interjected that the Community and Legislative Affairs Department has sent a letter to all cooperators in that regard.

This item was presented for the Board's information; no action was required. (CD 1/Track 21)

John Mulvihill, Public Works Director for the City of Oldsmar, thanked the Board, on behalf of the City, for the Board's continuing support of their Alternative Water Supply Project, N041. He also thanked staff, particularly Tamera McBride, Professional Geologist/Engineer in the Hydrologic Evaluation Section, for recent work with the City, which resulted in a medium ranking for the project. He then provided a brief update on progress of the project.

Co-Chair Parks asserted that a really good project survives whether it receives District funding or not. She also stated her appreciation for Oldsmar's moving forward with their Alternative Water Supply Project even before the Basin Board's decision on the Tarpon Springs brackish water project. A good project, she said, survives through its own merits. (CD 1/Track 22)

- e. **Board Member Discussion** – No other discussion topics were forthcoming.

7. **Reports:**

a. **Basin Board Education Committee**

Communications Manager Beth Putnam brought the Board's attention to a report on the March 11 Basin Board Education Committee meeting, Exhibit 3, in the meeting notebook. She announced that (1) Robin Grantham is the new Water Conservation Hotel and Motel Program (C.H.A.M.P.) coordinator and (2) a new addition to Water C.H.A.M.P. is outreach to restaurants through the Florida Restaurant and Lodging Association. (CD 1/Track 23)

b. **Governing Board Activities**

At Co-Chair Park's request, staff played pre-recorded highlights of the March 25, 2008, Governing Board meeting. Communications Manager Robyn Felix narrated the brief recap of the meeting, which included the Oath of Office and welcome to new Governing Board member Paul Senft, the Governor's designation of April as Water Conservation Month, an emergency authorization for the Peace River/Manasota Regional Water Supply Authority to utilize aquifer storage and recovery (ASR) wellfields to meet regional water demands due to ongoing drought, acquisition of the Hamilton property as part of the Lake Hancock Lake Level Modification project, and renewal of the City of Lakeland's water use permit. (CD 1/Track 24)

7. **Announcements:**

Co-Chair Parks reminded the Board of announcements listed in the agenda.

Due to conflicts with the tentative July 16 Basin Board meeting date, the Board agreed to change the July meeting to Friday, July 25.

8. **Adjournment**

The day's business being complete, Co-Chair Parks thanked everyone for attending and for their patience; she adjourned the meeting at 12:29 p.m. (CD 1/Track 24)

******Information Items******

The items listed below were 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. These items did not require Board action.

1. Drainage Pond Water Quality Improvements for Tampa Bay (W262) and St. Joseph Sound (L381) – Contract Termination
2. Implementation of Best Management Practices in the 22nd Street South and Vicinity Watershed – First Amendment (L751) – Execution Notice
3. Implementation of Best Management Practices in the 30th Avenue North and Vicinity Watershed – First Amendment (L748) – Execution Notice
4. Implementation of Best Management Practices at Childs Park, 44th Street South and Vicinity (L838) – Execution Notice
5. Implementation of Best Management Practices in the Jungle Lake to Boca Ciega Bay Watershed – First Amendment (L750) – Execution Notice
6. Lake Coronado and Vicinity Storm Drainage Improvements - First Amendment (L398) – Execution Notice
7. Pasco County Ultra Low Volume Toilet Rebate Project (L843) – Execution Notice
8. Research Project: Evaluation of Soil Moisture Based On-Demand Irrigation Controllers Using Reclaimed Water Irrigation (B252) – Execution Notice
9. Wall Springs Water Quality Improvement and Habitat Restoration (L710) – Execution Notice

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the Americans with Disabilities Act (ADA) should contact the Executive Department at (352) 796-7211 or 1-800-423-1476 (Florida only), extension 4615; TDD only, 1-800-231-6103 (Florida); fax (352) 754-6874.