

APPROVED

Minutes of the Meeting

PEACE RIVER BASIN BOARD

Southwest Florida Water Management District

Bartow, Florida

April 4, 2008

The Peace River Basin Board of the Southwest Florida Water Management District convened for a regular meeting on Friday, April 4, 2008, at 9:35 a.m., in the Bartow Service Office.

Board Members Present

C. A. "Neil" Combee, Jr. , Co-Chair Ex Officio
J. "Ken" Harrison, Vice Chair
Rufus C. Lazzell, Secretary
Paul G. Samuels, Member
Fred W. Trippensee, III, Member
Patricia Crisman, Member

Staff Present

Bruce Wirth	Lou Kavouras
Eric DeHaven	Mark Hammond
Marty Kelly	Veronica Crow
Kathy Scott	Jennette Seachrist
Brian Armstrong	Alison Ramoy
Chan Springstead	Terri Behling
Danny Kushmer	Randy Emberg

Board Members Absent

Patsy C. Symons, Co-Chair Ex Officio
H. Paul Senft, Jr., Co-Chair Ex Officio
James L. Hageman, Member

Via Video Conference

Linda Pilcher

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 Combee called the meeting to order at 9:35 a.m. Ms. Young called the roll and noted a quorum was present. (CD 1/Track 1)

2. **Pledge of Allegiance and a Moment of Silence**

Co-Chair Combee led the Pledge of Allegiance to the American Flag, followed by a moment of silence. (CD 1/Track 1)

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

Deputy Executive Director Lou Kavouras, Outreach, Planning and Board Services, stated there were no additions to the agenda; Agenda Item 4 was deleted since no appointments had been forthcoming from the Governor's office. (CD 1/Track 1)

4. **Consent Items:**

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

a. **Minutes of the February 8, 2008, Meeting** – Approve the February 2008 meeting minutes, as presented.

b. **Facilitating Agricultural Resource Management Systems**

i. **The Groves of Peace River, Inc. (H552) – Hardee County**

1) **Approve The Groves of Peace River, Inc., FARMS project for a not-to-exceed project reimbursement of \$12,500 with \$3,125 provided by the Peace River Basin Board, \$3,125 provided by the Governing Board, and \$6,250 provided from 2008 State Appropriations;**

- 2) Authorize the transfer of \$3,125 from Fund 020 H017 Peace River Basin Board FARMS funds; \$3,125 from Fund 010 H017 Governing Board FARMS funds; and \$6,250 from the 2008 State Appropriations allocated to Fund 010 H017 FARMS funds to H552, The Groves of Peace River, Inc., FARMS project fund;
 - 3) Authorize the Executive Director to sign the agreement.
- ii. **Las Lomas Holdings, Inc. (H553) – Hardee County**
- 1) Approve the Las Lomas Holdings, Inc., project for a not-to-exceed project reimbursement of \$20,000 with \$5,000 provided by the Peace River Basin Board, \$5,000 provided by the Governing Board, and \$10,000 provided from 2008 State Appropriations to the Governing Board;
 - 2) Authorize the transfer of \$5,000 from Fund 020 H017 Peace River Basin Board FARMS funds; \$5,000 from Fund 010 H017 Governing Board FARMS funds; and \$10,000 from the 2008 State Appropriations allocated to Fund 010 H017 FARMS funds to H553, Las Lomas Holdings, Inc., project fund;
 - 3) Authorize the Executive Director to sign the agreement.
- iii. **I. M. G. Enterprises, Inc. (H551) – Polk County**
- 1) Approve the I.M.G. Enterprises, Inc. project for a not-to-exceed project reimbursement of \$15,000 with \$3,750 provided by the Peace River Basin Board, \$3,750 provided by the Governing Board, and \$7,500 provided from 2008 State Appropriations to the Governing Board;
 - 2) Authorize the transfer of \$3,750 from Fund 020 H017 Peace River Basin Board FARMS funds; \$3,750 from Fund 010 H017 Governing Board FARMS funds; and \$7,500 from the 2008 State Appropriations allocated to Fund 010 H017 FARMS funds, to H551, I.M.G. Enterprises, Inc. project fund;
 - 3) Authorize the Executive Director to sign the agreement.
- iv. **Running W Citrus, Limited Partnership (H554) – Highlands County**
- 1) Approve the Running W Citrus, Limited Partnership, project for a not-to-exceed project reimbursement of \$40,000 with \$10,000 provided by the Peace River Basin Board; \$10,000 provided by the Governing Board; and \$20,000 provided from 2008 State Appropriations to the Governing Board;
 - 2) Authorize the transfer of \$10,000 from Fund 020 H017 Peace River Basin Board FARMS funds; \$10,000 from Fund 010 H017 Governing Board FARMS funds; and \$20,000 from the 2008 State Appropriations allocated to Fund 010 H017 FARMS funds to H554, Running W Citrus, Limited Partnership, project fund;
 - 3) Authorize the Executive Director to sign the agreement. (CD 1/Track 1)
6. **Discussion Items:**
- a. **Election of Officers and Committee Representatives**
Election results were the following:
Vice Chair: Ken Harrison
Secretary: Rufus Lazzell
Basin Board Land Resources Committee:
Primary Representative: Ken Harrison
Alternate: Fred Trippensee
Basin Board Education Committee:
Primary Representative: Pat Crisman
Alternate: Fred Trippensee

Charlotte Harbor National Estuary Program Policy Committee: Rufus Lazzell
(CD 1/Track 2)

b. **Consumer Fertilizer Task Force Report**

Veronica Craw, 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. Craw's presentation included Task Force membership, the State legislative charge, timeline, recommendations, and correlation 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.)

Discussion ensued on ordinances already in place, county versus city ordinances, and pending legislation regarding mining. In closing, Ms. Craw stated that pending legislation on these issues is "proposed" and will likely change.

This item was presented for the Board's information; no action was required. (CD 1/Track 3)

At this time, Co-Chair Combee recognized Governing Board Member Sallie Parks and Polk County Utilities Director Bill Beasley, who were in the audience.

c. **Fiscal Year 2009 Budget Preparation**

Deputy Executive Director Bruce 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 4)

Before Mr. Wirth's budget review, information was provided on six projects that were included in the Basin budget, for the Board's consideration. The presentations provided a more in-depth look at the projects.

Mark Hammond, Resource Projects Director, provided details of the New Development Reclaimed Water Distribution Initiative (B276), which would 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 also be an incentive to developers to install distribution lines, during residential construction, to facilitate the use of reclaimed water in residential developments. Funds would be budgeted yearly, if the Board feels it is appropriate; \$200,000 is included in the FY2009 budget, for the Board's consideration. (CD 1/Track 4:14:44)

Mr. Hammond also shared background of the Watershed Management Program, which is an ongoing program within the District to address flood protection. Program goals include updating topographic information, watershed evaluation, implementation of best management practices, maintenance of watershed parameters and models, and the Federal Emergency Management Agency (FEMA) Map Modernization process, which is integral to the Watershed Management Program. (CD 1/Track 4:14:58)

Alison Ramoy, Senior Water Conservation Analyst, Resource Projects Department, provided background of Hillsborough/TECO Reclaimed Water Project, which would use reclaimed water not currently used by Hillsborough County and the City of Tampa. During discussion with the cooperators, Water Partners, Inc., staff saw a definite distinction between this project (NO93) and the Hillsborough/Mosaic Hopewell project (N127). Ms. Ramoy stated that neither of the projects has been ranked, due to outstanding issues, on which she elaborated. From the original large project, unrelated elements were removed, and the remainder separated into two projects. In reviewing funding aspects, Ms. Ramoy explained that these cooperative funding requests are likely beyond the means of the Alafia River and Peace River Basin Boards. (CD 1/Track 4:15)

Mr. Bart Weiss, Hillsborough County Division Director for Strategic Water Management, provided an in-depth report on the Hillsborough/Mosaic Hopewell Reclaimed Water Recharge Project, which, he said, would provide the most cost effective, alternative water supply by efficiently utilizing excess quantities of reclaimed water, while providing one of the most significant water quality improvement projects in the District's history. His report included project organization, benefits, relationship to Southern Water Use Caution Area rules and restoration, use of funds, progress of the project, and funding.

Mr. Trippensee expressed concern about recharge to the aquifer and spoke about demand for irrigation water for agriculture. He stated his belief that the water would be better used to augment the irrigation requirements of agriculture rather than for water supply. (CD 1/Track 4:15:22)

Surface Water Improvement and Management Program (SWIM) Manager Jennette Seachrist gave a brief update on the Lake Hancock Outfall Treatment System Project, which is one of the main projects for improving water quality in the Peace River area and is designed to reduce nitrogen loading in Charlotte Harbor. Ms. Seachrist showed a photo of the conceptual plan and reviewed the project schedule and budget. Construction is anticipated to begin in late 2009, and the project is anticipated to be complete 18 months later. She reviewed project funding, which includes monies contributed by Florida Forever, an Environmental Protection Agency grant, State Appropriations, and the Water Protection Sustainability Trust Fund, in addition to the Governing Board, the SWIM program, and this Basin Board. She also reported that additional funding will be necessary for construction. (CD 1/Track 4:16:08)

The Peace Creek Canal Watershed Management Plan is adjacent to the Lake Hancock Outfall Treatment System and includes approximately 36 miles of canal that begin at the headwaters of the discharge of Lake Hamilton. In 2005, the Governing Board and the Peace River Basin Board agreed to take responsibility in maintaining and, where possible, improving water conveyance and storage capabilities within this system.

Ms. Seachrist reviewed the project funding, schedule, aspects of the Peace Creek Canal Watershed Management Program, and maintenance activities that include aquatic plant maintenance, sediment removal, and identification of a maintenance easement corridor. The greater portion of the District's funding goes to maintenance. She closed by reporting that the project is currently in the final design stage and completion is anticipated in Fall 2011. (CD 1/Track 4:16:12)

Mr. Wirth continued the budget discussion by briefly reviewing the tentative budget and new Cooperative Funding projects, adding this would be another potentially difficult budget year for this Basin. He reminded members that State funding is unknown at this time, staff continues to assess the real needs of the cooperators, and the budget process is in the beginning stages. Questions should be directed to the Project Manager, Basin Planner Chan Springstead, Ms. Kavouras, or him.

Pamela Reynolds, Water Conservation Coordinator for Polk County, addressed the Board to ask the Board's favorable consideration for Projects N008 (Polk Natural Resources Fixture Retrofit project) and N009 (Conservation: Everyone's Business), which were not currently ranked. She added that Polk County is working with District staff to resolve issues so the projects could be ranked.

Douglas Gleckley, City of Lakeland Lakes & Stormwater Manager, brought Projects L324 (Lake Parker Stormwater), L479 (Lake Hollingsworth Westside Stormwater), and L770 (Lake Gibson Stormwater) to the Board's attention and expressed thanks and appreciation for the Basin's funding these projects and others through the years.

Vice Chair Harrison commented that, considering early indications of another difficult budget year, the Board will need to assess what is available and make a serious effort to prioritize what is most important to the Basin. Percentage of the cost share may need to be lowered, and other parameters may also need to be changed to accommodate projects in the best possible way.

In response to an earlier comment by Co-Chair Combee, Assistant Finance Director Linda Pilcher, via video-conference from the Brooksville office, clarified growth numbers for the various counties in the Basin and for the District.

This item was presented for the Board's information; no action was required. (CD 1/Track 4:16:18)

6. **Reports:**

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

Alternate Representative Fred Trippensee commended BBEC support staff for providing information to the public and to the Basin Board. He stated that it appears these efforts are getting results and that people are conserving water. However, he also stated that caution should be exercised about the results, since water consumption would also follow the current downward economic trend. In closing, he expressed his belief that money spent on education efforts is well-spent and should continue. (CD 1/Track 4:16:45:08)

b. **Charlotte Harbor National Estuary Program (CHNEP) Policy Committee**

Representative Rufus Lazzell reported that the CHNEP Policy Committee had approved the Comprehensive Conservation Management Plan, which would be sent to the various participating agencies for approval. Mr. Lazzell complimented staff who continue to support him, the Policy Committee, and the Management Committee. He particularly thanked Lizanne Garcia, Senior Environmental Scientist in the SWIM section, for her continuing, excellent support.

He further reported that a local advocacy group in the Charlotte Harbor area had "taken to task" various regulatory agencies for not taking care of the environment and health of the region. Mr. Lazzell clarified that the CHNEP did not co-sponsor nor endorse that advocacy group. (CD 1/Track 4:16:46:15)

c. **Governing Board Activities**

At Co-Chair Combee'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 4:16:50:03)

7. **Announcements:**

Mr. Harrison commented on recent unexpected rains, due to passing cold fronts, that resulted in a 224 cubic feet per second (CFS) stream flow reading in Arcadia today; three days earlier, the reading was 91 cfs. While this is not a lot of rain, he said, it was very fortunate, during this drought, to have this rainfall.

Mr. Trippensee added that the recent tour of the Peace River/Manasota Regional Water Supply Authority facility emphasized the severity of the drought—runoff from the construction site was augmenting water supply. (CD 1/Track 4:16:55:16)

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

8. **Adjournment**

Co-Chair Combee thanked everyone for attending and adjourned the meeting at 12:20 p.m. (CD 1/Track 4:16:58:46)

****Information Items****

The item(s) 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. The items did not require Board action.

1. City of Avon Park Stormwater Utility Study (L310) – Project Completion
2. City of Sebring Stormwater Utility Study (L309) – Project Completion
3. Charlotte County Toilet Rebate Program (L856) – Execution Notice
4. Lake Hancock Outfall Treatment Project (H014) – Execution Notice
5. Greater Port Charlotte Flood Protection and Stormwater Management Plan – Implementation - Sixth Amendment (K280) – Execution Notice
6. City of Sebring Watershed Management Program - Fifth Amendment (L151) – Execution Notice
7. Watershed Management Program - Maintenance of Watershed Parameters and Models - First Amendment (B206) – Execution Notice