

Approved

Minutes of the Meeting

Peace River Basin Board Southwest Florida Water Management District

Bartow, Florida

December 14, 2007

The Peace River Basin Board of the Southwest Florida Water Management District convened for a regular meeting December 14, 2007, at 9:34 a.m., in the Bartow Service Office.

Board Members Present

C. A. "Neil" Combee, Jr. , Co-Chair Ex Officio
J. Kenneth Harrison, Vice Chair
Rufus C. Lazzell, Secretary
James L. Hageman, Member
Patricia Crisman, Member

Staff Present

Bruce Wirth
Eric Sutton
Chan Springstead
Randy Emberg

Lou Kavouras
Eric DeHaven
Danny Kushmer

Board Members Absent

Patsy C. Symons, Co-Chair Ex Officio
Paul G. Samuels, Member
Fred W. Trippensee, III, Member

Via Video Conference

Beth Putnam

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 9:34 a.m. Ms. Young called the roll and noted a quorum was present. (CD 1/Track 1)

2. Pledge of Allegiance

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 or deletions to the agenda; however, Deputy Executive Director Bruce Wirth would present Agenda Item 7b instead of Brian Armstrong, Water Supply and Resource Development Section Manager. (CD 1/Track 1)

4. Ceremony to Honor Former Basin Board Member Ann Dunlap

Co-Chair Combee recognized former Basin Board Member Ann Dunlap and expressed appreciation for her work with the Basin Board through the years. Vice Chair Ken Harrison presented a plaque to Mrs. Dunlap, thanked her for her dedication to the Basin Board, and shared some of the Board's accomplishments while Mrs. Dunlap was a member. He spoke briefly of Mrs. Dunlap's dedication to water conservation, particularly through education. In turn, Mrs. Dunlap thanked Board members and staff for the honor of working with them. She recognized staff for their unwaivering help and support through the years and ended by stating she appreciated the opportunity to serve on the Peace Rive Basin Board. (CD 1/Track 1)

5. **Oath of Office for Appointed/Re-Appointed Board Members**

Ms. Young administered the Oath of Office to new Basin Board Member Pat Crisman and Basin Board Vice Chair Ken Harrison, who was reappointed to the Board.

Co-Chair Combee welcomed Ms. Crisman, stating he looked forward to her participation on the Board. (CD 1/Track 1)

6. **Consent Items:**

a. **October 5, 2007, Meeting and Workshop Minutes**

Mr. Lazzell noted an error in the October 5 meeting minutes. In Agenda Item 7a., the Charlotte Harbor National Estuary Program (CHNEP) Policy Committee report, Ms. Garcia was mentioned as the District's representation on the Policy Committee; she represents the District on the CHNEP Management Committee. After consideration, **Mr. Lazzell moved, seconded by Mr. Harrison, to approve the October meeting and workshop minutes, as corrected. Motion carried unanimously.** (CD 1/Track 2)

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

b. **Utility Easement to the DeSoto County Utilities Department – RV Griffin Reserve, SWF Parcel No. 20-223-127X** – Recommend the Governing Board approve conveyance of a permanent utility easement and a temporary construction easement to DeSoto County, SWF Parcel No. 20-223-127X.

c. **Facilitating Agricultural Resource Management Systems (FARMS):**

i. **Citrus Creek Grove, LLC (H548), Charlotte County**

1. Approve the Citrus Creek Grove, LLC, FARMS Project for a not-to-exceed project reimbursement of \$8,936, with \$2,234 provided by the Peace River Basin, \$2,234 provided by the Governing Board, and \$4,468 provided from State Appropriations;
2. Authorize the transfer of \$2,234 from fund 010 H017 Peace River Basin FARMS funds, \$2,234 from fund 010 H017 Governing Board FARMS funds, and \$4,468 from the 2007 State Appropriations allocated to fund 20 H017 FARMS funds, to the H548 Citrus Creek Grove, LLC, FARMS project fund; and
3. Authorize the Executive Director to sign the agreement.

ii. **Keystone Groves, LLC (H546) DeSoto County**

1. Approve the Keystone Groves, LLC, FARMS Project for a not-to-exceed project reimbursement of \$7,500 with \$1,875 provided by the Peace River Basin, \$1,875 provided by the Governing Board, and \$3,750 provided from State Appropriations;
2. Authorize the transfer of \$1,875 from fund 020 H017 Peace River Basin FARMS funds, \$1,875 from fund 010 H017 Governing Board FARMS funds, and \$3,750 from the 2007 State Appropriations allocated to fund 020 H017 Peace River Basin State Appropriations, to H546 Keystone Groves, LLC, FARMS project fund; and
3. Authorize the Executive Director to sign the agreement.

iii. **LallyMix Farms, LLP (H509), Hardee County**

1. Approve additional funding for the LallyMix Farms, LLP FARMS Project for a not-to-exceed amount of \$225,000, an increase of \$75,000 over the originally approved amount of \$150,000, with \$18,750 provided by the Governing Board,

- \$18,750 provided by the Peace River Basin Board, and \$37,500 provided from State Appropriations;
 2. Authorize the transfer of \$18,750 from fund 020 H017 Peace River Basin FARMS Funds, \$18,750 from fund 010 H017, Governing Board FARMS funds, and \$37,500 from the 2007 State Appropriations allocated to fund 020 H017 Peace River Basin State Appropriations, to H509 LallyMix Farms LLP, FARMS project fund; and
 3. Authorize the Executive Director to sign the agreement.
- iv. **Lykes Brothers, Inc. – Camp Mack Grove (H525), Polk County**
1. Approve the Lykes Brothers, Inc – Camp Mack Grove FARMS Project for a not-to-exceed project reimbursement of \$50,000, with \$12,500 provided by the Peace River Basin, \$12,500 provided by the Governing Board, and \$25,000 provided from State Appropriations;
 2. Authorize the transfer of \$12,500 from fund 020 H017 Peace River Basin FARMS Funds, \$12,500 from fund 010 H017 Governing Board FARMS funds, and \$25,000 from the 2007 State Appropriations allocated to fund 020 H017 Peace River Basin State Appropriations to H525 Lykes Brothers, Inc. – Camp Mack Grove FARMS project fund; and
 3. Authorize the Executive Director to sign the agreement.
- v. **Lykes Brothers, Inc. – Lake Placid Grove Phase 1A (H521), Highlands County - Contract Amendment**
1. Approve the Lykes Brothers, Inc – Lake Placid Grove Phase 1A FARMS Contract Amendment for a not-to-exceed project reimbursement of \$3,100, with \$1,550 provided by the Peace River Basin, \$775 provided by the Governing Board, and \$775 provided from State Appropriations;
 2. Authorize the transfer of \$775 from fund 020 H017 Peace River Basin FARMS Funds, \$775 from fund 010 H017 Governing Board FARMS funds, and \$1,550 from the 2007 State Appropriations allocated to fund 020 H017 Peace River Basin State Appropriations to H521, Lykes Brothers, Inc. – Lake Placid Grove Phase 1a FARMS project fund; and
 3. Authorize the Executive Director to sign the agreement.
- vi. **Sun Grown Citrus, LP, Block 23 Grove (H531), Polk County**
1. Approve the Sun Grown Citrus, LP, Block 23 Grove FARMS Project for a not-to-exceed project reimbursement of \$1,750, with \$438 provided by the Peace River Basin, \$438 provided by the Governing Board, and \$875 provided from State Appropriations;
 2. Authorize the transfer of \$438 from fund 020 H017 Peace River Basin FARMS Funds, \$438 from fund 010 H017 Governing Board FARMS funds, and \$875 from the 2007 State Appropriations allocated to fund 020 H017 Peace River Basin State Appropriations to H531 Sun Grown Citrus, LP, Block 23 Grove FARMS project fund; and
 3. Authorize the Executive Director to sign the agreement.
- vii. **Twenty-Twenty Groves, Inc., (H543), Hardee County**
1. Approve the Twenty-Twenty Groves, Inc., FARMS Project for a not-to-exceed project reimbursement of \$5,000 with \$1,250 provided by the Peace River Basin, \$1,250 provided by the Governing Board, and \$2,500 provided from State Appropriations;
 2. Authorize the transfer of \$1,250 from fund 020 H017 Peace River Basin FARMS funds, \$1,250 from fund 010 H017 Governing Board FARMS funds, and \$2,500 from the 2007 State Appropriations allocated to fund 020 H017 Peace River

Basin State Appropriations, to H543 Twenty-Twenty Groves, Inc., FARMS project fund; and

3. Authorize the Executive Director to sign the agreement.

viii. **Walters Grove (H547) Charlotte County**

1. Approve the Walters Grove FARMS Project for a not-to-exceed project reimbursement of \$2,000 with \$500 provided by the Peace River Basin, \$500 provided by the Governing Board, and \$1,000 provided from State Appropriations;
2. Authorize the transfer of \$500 from fund 020 H017 Peace River Basin FARMS funds, \$500 from fund 010 H017 Governing Board FARMS funds, and \$1,000 from the 2007 State Appropriations allocated to fund 020 H017 Peace River Basin State Appropriations, to H547 Walters Grove FARMS project fund; and
3. Authorize the Executive Director to sign the agreement.

Motion carried unanimously. (CD 1/Track 2)

7. **Discussion Items:**

a. **Changes to the Governing Board's Cooperative Funding Initiative Policy 130-4**

Deputy Executive Director Bruce Wirth provided an overview and status of changes to the Cooperative Funding Initiative Policy 130-4. In April 2007, the Pinellas-Anclote River Basin Board requested the Governing Board revisit its "long-standing" position on funding brackish groundwater desalination projects. During discussion of this issue at the May 2007 Governing Board session, it was noted that the District did not have a formal written policy regarding the Board's position. Mr. Wirth highlighted actions taken and input gathered during the past several months that resulted in the Governing Board directing staff to incorporate five recommendations into the proposed policy changes. An exhibit to this item, which showed the recommended changes in a strikethrough/underline format, was provided in the information notebook for this meeting; however, an updated version was e-mailed to Board members, and copies were provided at the meeting.

Co-Chair Combee suggested a preamble, an introductory statement, would be a good addition to the first page of the policy. It should be a brief explanation that could be easily understood by anyone.

Brief discussions ensued on topics including 1) inclusion of "perpetual" in Paragraph 13, under the "Highest priority" category (tier), 2) funding various project tiers on a "tight" budget, and 3) including project "pros and cons" in staff recommendations.

This topic will be part of the December 18, 2007, Governing Board agenda; staff recommendation is adoption of the changes to Policy 130-4.

This item was presented for the Board's information; no action was required. (CD 1/Track 2)

b. **Peace River Regional Reservoir Expansion and Peace River Facility Expansion - Second Amendment**

Mr. Wirth presented this item for Brian Armstrong, Water Supply and Resource Development Section Manager, to request additional funding for the two projects.

Members were provided a revised recap for this agenda item; copies were available at the sign-in table. The two revisions to the recap in the meeting notebook were as follow:

1. The title was changed to **Peace River Regional Reservoir Expansion and Peace River Facility Expansion – Amendment** and
2. In the third paragraph under *Background/History*, \$17.2 million was changed to \$3.6 million.

Mr. Wirth noted that the involved Boards have already met their obligations for the projects. He then gave a brief report on the background and history of the projects, including the following:

- a. Contract changes made in 2005 as a result of concerns of arsenic mobilization in aquifer storage and recovery (ASR) wells; District funding increased \$3.6 million.
- b. Bids for the facility and reservoir expansion projects were higher than anticipated, resulting in the Authority's request that the District increase its contribution.

Mr. Wirth reported that staff has reviewed the Authority's request and feel it is warranted, but do not feel it is appropriate to commit funding for the entire increase at this time. He explained the Manasota and Peace River Basin Boards face challenges in meeting future financial demands of new alternative water supply projects. He reviewed recommended funding and extended completion dates.

There was a brief discussion of the arsenic issues in aquifer storage and recovery wells.

After consideration, **Mr. Lazzell moved, seconded by Mr. Harrison, to approve the staff recommendation, as follows:**

1. **Approve the transfer of \$500,000 in FY2008 out-of-cycle funding from the Peace River Basin Board's Water Supply and Resource Development Reserves for the Peace River Regional Reservoir Expansion (F032) project;**
2. **Recommend the Governing Board approve changes to both project budgets to reflect approval of the out-of-cycle funding, additional FY2008 Water Protection and Sustainability Trust Fund dollars and the increased project costs to be paid by the Authority;**
3. **Recommend the Governing Board extend the substantial completion date for both expansion projects from October 31, 2008, to October 31, 2009, and the final completion date for both projects from March 31, 2009, to March 31, 2010; and authorize the Executive Director to sign the amendments.**

Motion carried unanimously. (CD 1/Track 4)

Polk County resident Kristy Patel briefly addressed the Board regarding issues concerning water going through Six-Mile Creek into the aquifer.

At this time, Co-Chair Combee wished everyone Happy Holidays, passed the gavel to Vice Chair Ken Harrison, and left the meeting.

8. **Reports:**

a. **Basin Board Education Committee Meeting**

Beth Putnam, Communications Manager, directed Board members to a report on the November 13 Basin Board Education Committee meeting (Exhibit 3 in the meeting notebook). She shared highlights of the November 13 BBEC meeting held in the Tampa Service Office, including an update on the Water Conservation Hotel and Motel Program (Water C.H.A.M.P.) and how that program satisfies one of criteria for receiving certification as a Department of Environmental Protection "Green Lodge;" Florida Yards

and Neighborhoods homeowner and community association outreach; media messaging; Community Education Grants applications that would be presented to the Basin Board in February 2008, and a new Watershed Education Resource Box developed for kindergarten through third-grade students.

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

b. **Basin Board Land Resources Committee Meeting**

The Board's primary representative to the Basin Board Land Resources Committee (BBLRC) Ken Harrison gave a short report on the BBLRC meeting, which was held December 7 following the Public Land Acquisition and Management Partnership Conference in Sarasota. He briefly commented on meeting topics including management of public lands, what program will replace the current land management program, and the effects of drought on the use of prescribed burns.

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

c. **Charlotte Harbor National Estuary Program Policy Committee**

Rufus Lazzell, the Basin Board's representative on the Charlotte Harbor National Estuary Program (CHNEP) Policy Committee, provided an update on progress of the CHNEP comprehensive plan, which was presented to the Policy Committee at the November 19 meeting. He thanked staff, especially Lizanne Garcia, the District's representative on the CHNEP Management Committee, for their time and efforts in reviewing the document and suggesting changes.

This item was presented for the Board's information; no action was required. (CD 1/Track 5)

d. **Report on Governing Board Activities**

Staff played pre-recorded highlights of the November 26 Governing Board meeting, which was narrated by Communications Manager Robyn Hanke. The brief recap included the Sarasota/Manatee area water emergency, conservation lands in the Carlton Preserve, the Lake Hancock Lake Level Modification project, Peace River/Manasota Regional Water Supply Authority Expansion projects, Facilitating Agricultural Resource Management Systems (FARMS) projects, the Land Acquisition Volunteer of the Year, and presentation of an Audubon Society award to Land Resources Director Fritz Musselmann.

This item was presented for the Board's information; no action was required. (CD 1/Track 5)

9. **Announcements**

Ms. Kavouras brought members' attention to announcements listed on the agenda.

Mr. Lazzell thanked District and Polk County staff for the recent tour of Lake Hancock.

Mrs. Berma Thomas, long-time Polk County resident, spoke briefly to the Board about protecting wildlife in the Polk/Hardee county line area. (CD 1/Track 5)

10. **Adjournment**

Since there was no further business to come before the Board, Vice Chair Harrison thanked everyone for attending and adjourned the meeting at 11:20 a.m. (CD 1/Track 5)

******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 item(s) did not require Board action.

1. Construction of New Reservoir – RV Griffin Reserve, SWF Parcel Nos. 20-223-124X, 20-223-125X , 20-223-129X, 20-223-130X and 20-223-104X
2. Deep Creek Gully Watershed Management Plan (M103) - Execution Notice
3. HDR Engineering, Inc. for Predevelopment Land Cover and Hydrologic Mapping of the Peace River Basin, Phase III (B163) – Execution Notice
4. Lakes Crooked, Clinch, and Reedy Watershed Management Plan (L353) - Execution Notice
5. Lake Gibson Southwest Sub-Basin Stormwater Management System Retrofit (L770) - Execution Notice
6. Peace River/Manasota Regional Water Supply Authority Regional Resource Development Feasibility Study (H063) - Execution Notice
7. Watershed Management Program Consulting Services in the Polk County Watershed (L672) - Execution Notice
8. Watershed Management Consulting Services in the Polk County Watershed - First Amendment (L672) - Execution Notice