



ENVIRONMENTAL ADVISORY COMMITTEE MEETING
TUESDAY, July 11, 2023 – 10:00 AM
2379 BROAD STREET, BROOKSVILLE, FLORIDA 34604

MINUTES

Committee Members Present

Jennifer Hecker – Coastal and Heartland National Estuary Partnership
Allain Hale – Environmental Confederation of Southwest Florida (alternate)
Kathleen Castor – Manatee Chamber of Commerce (alternate)
Dwayne Carlton – The Ocala Metro Chamber & Economic Partnership
Dave Tomasko – Sarasota Bay Estuary Program
Gordon Colvin – Save the Homosassa River Alliance
Sid Flannery – Sierra Club - Tampa Bay Group
Ed Sherwood – Tampa Bay Estuary Program

Governing Board Liaison

John Mitten

Staff Members

Mandi Rice
Michael Molligan
Brian Starford
Jennette Seachrist
Ross Morton
Robyn Felix
Randy Smith
Jerry Mallams
Amber Smith
Vivianna Bendixson
Ellen Morrison
Doug Leeper
Jay Hoecker
Chris Zajac
Chris Anastasiou
Lizanne Garcia
Adrienne Vining
Taylor Greenan
Jordan Miller
Allison Mayer
Jeremy McKay

Board Administrative Support

Virginia Singer
Barbara Matrone

1. Call to Order and Introductions

The Environmental Advisory Committee (EAC) of the Southwest Florida Water Management District (District) met for its regular meeting at 10:00 a.m. on Tuesday, July 11, 2023, via Microsoft Teams.

Chair Jennifer Hecker called the meeting to order, and attendance was called.

Governing Board Liaison John Mitten welcomed the committee.

2. Additions and Deletions to the Agenda

None.

3. Approval of the April 11, 2023 Meeting Minutes

A motion was made to approve the minutes from the April 11, 2023 meeting. The motion passed unanimously.

4. Public Comments

None.

5. Elections of Chair and Vice Chair

Mr. Dave Tomasko was nominated for committee Chair and Mr. Ed Sherwood was nominated for Vice Chair. A motion was made and passed by the committee.

6. Post Session Legislative Review

Ms. Amber Smith, Senior Government Affairs Regional Manager, provided a post session legislative review. Florida has a 60-day session, and this year it began on March 7, 2023 and ended on May 5, 2023. The state budget for FY2023-2024 was \$117 billion before the Governor's vetoes. Some of the major budget items included Hurricane Relief and Recovery which received \$3.7 billion, Florida Wildlife Corridor which received \$850 million, and the Everglades Restoration which received \$574.6 million. There was also a five percent state employee pay increase and an extension to the Deferred Retirement Option Program from five to eight years for state employees and from eight to 10 years for teachers. The Governor signed the budget on June 15, 2023, and he vetoed \$510.9 million.

This year the Florida Department of Environmental Protection (FDEP) received \$4.9 billion and some of those budget items included: \$1 billion for the Florida Forever Program and Land Acquisition, \$850 million for the Florida Wildlife Corridor, \$300 million for Flood and Sea Level Rise Program, \$60 million for Alternative Water Supplies, \$50 million for springs, \$11.7 million for various water management districts, and the statewide list for local water project appropriations totaled \$193.7 million. FDEP received \$500,000 to update the 1998 Water Resource Atlas of Florida in coordination with the water management districts and \$100,000 was designated to a public access website on trails open to equestrians on public lands including water management district properties.

Overall, there were 1,873 bills filed, 2,674 amendments to those bills were filed, and 356 bills passed both the House and the Senate. Some of the bills of interest included:

- Senate Bill 106 - Florida Shared-Use Nonmotorized Trail Network. This bill prioritizes the development of regionally significant trails that cross multiple counties and serve as main corridors for trail connectedness across the state. The bill stipulates that trails developed within the Wildlife Corridor maximize the use of previously disturbed lands, such as abandoned roads and railroads, canal corridors, and drainage berms. It also increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the trail. This was a main priority in Tallahassee this session and Governor DeSantis signed the bill on April 11, 2023.
- House Bill 7003 - Water Management Districts Surplus Lands. Current law provides a public record exemption for written valuations and other documents related to water management districts' surplus lands. This exemption assists the District in marketing and negotiating surplus land sales by keeping written valuations confidential. This helps the District obtain the highest and best offer for surplus property from prospective buyers. As part of the open government sunset review process, this exemption was set to expire on October 2, 2023. This bill deleted the exemption expiration language to maintain the exemption moving forward. This bill was signed by Governor DeSantis on May 11, 2023.
- House Bill 1379 - Environmental Protection. This bill prohibits the installation of new septic systems within a Basin Management Action Plan (BMAP), a reasonable assurance plan, or a pollution reduction plan where connection to a sewer system is available. In addition, on lots of one acre or less the bill requires the installation of an advanced septic system that achieves at least 65% nitrogen reduction and authorizes FDEP to provide grants for projects that reduce the amount of nutrients entering waters that are not attaining nutrient or nutrient-related standards, have an

established total maximum daily load, or are located within a BMAP area. The bill also requires FDEP in a BMAP area that includes an Outstanding Florida Spring to develop a septic remediation plan for a spring if DEP determines the septic systems within the BMAP contribute at least 20% of nonpoint source nitrogen pollution or if DEP determines remediation is necessary to achieve the Total Maximum Daily Load (TMDL). The bill was approved by the Governor on May 30, 2023.

- House Bill 111 – Flooding and Sea Level Rise Vulnerability Studies. This bill expands the requirement for public entities to conduct a Sea Level Impact Projection study before commencing construction of certain state-financed coastal structures. The bill states a water management district is eligible for resilient grant funding to support local government adaptation planning, which may be conducted by the water management district or by a third party on behalf of the water management district. Such grants must be used for the express purpose of supporting the Florida Flood Hub for Applied Research and Innovation. Priority must be given to filling critical data gaps identified by the Florida Flood Hub. The bill was approved by the Governor on June 13, 2023.

Ms. Smith concluded by providing the upcoming dates for committee weeks and next year's Legislative session. Committee weeks will begin in September and run through December 2023. The Legislative Session will begin on January 9, 2024, and will end on March 8, 2024.

7. Tampa Bay Surface Water Improvement and Management (SWIM) Plan

Ms. Vivianna Bendixson, SWIM Program Manager, gave an overview of the development and approval process for the 2023 Tampa Bay SWIM Plan. She provided background information on the SWIM program created through the SWIM Act and specific information on the District's SWIM Program. A list of priority water bodies is developed and maintained with regional or statewide significance which require restoration or protection. The priority waterbody list is updated every five years and is approved by the FDEP, with the most recent update in 2020. There are 12 priority waterbodies listed in our District. A plan is developed to restore damaged ecosystems and to improve degradation from stormwater runoff and other sources. SWIM plans are used by other state programs to help make land-buying decisions, and by local governments to help make land-use management decisions. In addition, staff also use these plans for budgeting purposes and to work with local governments and partners to implement these projects, collect data, and conduct research to improve these waterbodies and natural systems.

The original SWIM Plan for Tampa Bay was a diagnostic tool created in 1988. There have been a couple updates since then identifying projects for implementation purposes. This update is a mix of diagnostic tools and identifying projects to improve the Bay. SWIM Plans identify projects and initiatives specific to the District's core mission and areas of responsibility and include information from existing analyses. Some of these include several of the Tampa Bay Estuary Program's (TBEP) documents, including the Comprehensive Conservation Management Plan, the TBEP Reasonable Assurance Plan, Habitat Master Plan update, and the TBEP water quality report card and dashboard. Also included are the District's Seagrass Mapping results.

The District and the SWIM program have been mapping seagrass in Tampa Bay since 1988. The increase in seagrass coverage since 1988 has been attributed to decreases in nutrient discharges to Tampa Bay, specifically nitrogen. However, beginning in 2016, seagrass mapping has shown a bay wide declining trend. This is inconsistent with the water quality data for the same period. In the period between 2016 to 2022, water quality is meeting criteria and should be supportive of seagrass growth or maintaining levels. Water quality conditions alone do not explain these seagrass losses. TBEP and its partners are working on diagnostic tools to determine the causes of the seagrass loss.

Ms. Bendixson discussed the Tampa Bay SWIM Plan outline. The plan defines issues and drivers, develops goals for water quality and natural systems, identifies management actions associated

with quality and natural systems, and identifies priority projects and initiatives. She reviewed the goals for water quality and natural systems.

Ms. Bendixson noted that the 2023 Tampa Bay SWIM Plan is available on the District's website and provided an email for any questions. Staff plan to present this to the District's Governing Board at the July meeting to request approval to send out for local government and state agency review and comment.

Mr. Sherwood extended thanks to Ms. Bendixson and her team for their work on finalizing the Tampa Bay SWIM Plan and asked how the District plans to support the priority goals for the other 11 SWIM waterbodies over the next several years with the concerns of limited funding. Ms. Bendixson replied that the District is looking for partners to implement these projects. There are grant programs available and they are seeking out the best funding opportunities to implement and plan for those priority projects.

Mr. Tomasko commented on the District's great estuary team and showed appreciation for its efforts. He agreed with Mr. Sherwood and stated that they have a similar water quality issue in Sarasota Bay that needs to be looked at.

8. Surplus Lands

Ms. Ellen Morrison, Land Resources Bureau Chief, presented the preliminary results of the surplus lands assessment that the Land Resources Bureau is currently conducting. The District has been reviewing its land holdings for potential surplus properties since 2005 when a review was directed by the Florida Senate for lands purchased with Save Our Rivers, Preservation 2000, and Florida Forever funding programs. In 2011 the Governing Board directed a thorough review, and 1,501 acres were declared surplus as a result. In 2015, the Governing Board adopted a Surplus Lands policy that states that on a biennial basis our Governing Board will review the District's land holdings to identify property that may be appropriate to surplus. Since 2011 the District has declared approximately 5,066 acres as surplus pursuant to those assessments. Parcels may also be declared surplus at the time of acquisition. Consideration may also be given to retaining a less-than-fee interest in conservation lands that are inherently inefficient for the District to manage due to circumstances such as size, location, lack of access, and upon a determination that continued fee ownership is no longer necessary to satisfy the conservation purposes for which the land was originally acquired.

When evaluating lands for surplus opportunities the following criteria is considered and is consistent with the District's Governing Board policy: whether the property contributes to any of the District's four areas of responsibility (water supply, water quality, flood protection, and natural systems), impact to public access, cultural resources associated with the parcel, if the parcel would contribute to no net loss of hunting lands, whether the parcel will protect the conservation corridors, what if any land use or acquisition agreements are associated with the parcel, whether there is potential to create a conservation easements, and what management difficulties are associated with the parcel being considered.

To conduct a thorough review of potential surplus lands in compliance with the District's Governing Board policy, a process has been established to evaluate surplus lands. The first step is the initial review of all District-owned lands by an internal surplus team. The next step is for the team to solicit input from District's subject matter experts. Then the information is compiled, and a public workshop is held to solicit public input. Next the proposed parcels are presented to the Environmental Advisory Committee to solicit feedback. Lastly the recommendations are presented to the District's Governing Board for consideration and approval.

Ms. Morrison concluded by listing several of the parcels that were identified for potential surplus and discussed each one.

Mr. Sherwood commented that he understands the difficulties in suburban environments to manage those lands that might be disconnected from the larger lands owned by the District but added that they are on prime waterfront areas that have the potential for living shoreline restorations, which are a high priority under both the estuary program master plan and the District's SWIM plan.

Mr. Dwayne Carlton asked if any municipal county wastewater systems have been established on Hernando County properties since there is a deed restriction that they cannot have septic tanks. Ms. Morrison responded that Hernando County is working toward getting a sewer system, but it will be a little while before it occurs. She added that they have still been very successful with selling lots even with those types of deeds restrictions.

9. Proposed 2023 MFLs Priority List and Schedule

Mr. Doug Leeper, MFLs Program Lead, gave a minimum flows and levels (MFLs) priority list and schedule annual update. The District is required to annually update its minimum flows and levels priority list and schedule per Florida Statutes (F.S.). The priority list and schedule include waterbodies for which the District will establish MFLs. A minimum flow or level represents the limit or water level at which further withdrawals would be significantly harmful to the water resources or ecology of the area. MFLs are used for water use permitting and water supply planning programs to ensure resource protection and sustainable supplies. The priority list and schedule may also include water reservations, which are rules that exclude water from consumptive use. A reservation reserves a quantity of water at a certain time and place for the protection of fish and wildlife or public health and safety.

The District has established 203 MFLs and two water reservations which includes 12 freshwater river segments, 10 springs/spring groups, 12 estuarine river segments, nine aquifer sites, 34 wetlands and 126 lakes. The reservations include one lake/freshwater river segment and one sink/estuarine river segment.

The District's priority list and schedule meets all F.S. and FDEP rule requirements. These requirements include: the need to prioritize water bodies for at least three years, based on the importance of the waterbodies to the state or region and the potential for significant harm; inclusion of all first-magnitude and second-magnitude springs on state or federal lands acquired for conservation purposes; noting which systems and MFLs will be subjected to peer review; identifying waterbodies that may be impacted by withdrawals in other water management districts to ensure interagency coordination and the potential need for MFLs adoption by FDEP; and inclusion of planned reservations.

The District is required to submit its updated priority list and schedule to FDEP for review and approval by mid-November every year and must include the approved list in the Consolidated Annual Report the following March. Mr. Leeper noted that in addition to this presentation for the Environmental Advisory Committee, there would be numerous, additional opportunities for public input prior to its submission to FDEP. He indicated a similar presentation will be provided to the Public Supply Advisory Committee in August, and the draft list will be presented to the District's Governing Board at the August meeting. Two public workshops will subsequently be held to solicit stakeholder feedback. The first will be facilitated in late August. The second will occur in early September and is a joint effort with the South Florida and the St. Johns River water management districts to discuss the prioritized water bodies in the Central Florida Water Initiative area. The final priority list will be presented to the Governing Board for approval in October and then submitted to FDEP.

Mr. Leeper discussed the changes included in the proposed 2023 priority list relative to the current 2022 list and the waterbodies that were rescheduled, removed, or added. He then discussed the proposed 2023 priority list and schedule and listed all of the waterbodies for 2023, 2024, 2025,

and 2026 that were new to be developed or reevaluated. Mr. Leeper concluded by reviewing the planned schedule for finalization.

Mr. Carlton asked about the boundaries of the lower segment of the Withlacoochee River and whether it includes Rainbow River. Mr. Leeper responded that the lower river segment is downstream of the Lake Rousseau area and added that it is primarily the estuarine portion of the river, with a relatively small freshwater habitat component.

Mr. Sherwood commented that he would be interested in hearing the peer review panel suggestions for the Little Manatee River at the next meeting in October. Chair Hecker responded that the topic is tentatively on the schedule to be presented at that meeting.

Mr. Sid Flannery commented about challenges associated with the ongoing reevaluation of minimum flows established for the Upper Peace River.

10. Development of agenda topics for the next Environmental Advisory Committee meeting tentatively at 10:00 a.m. on Tuesday, October 10, 2023

Mr. Sherwood suggested a presentation on minimum flows for the Little Manatee River. Mr. Flannery suggested a presentation on the technical approach the District is taking on the Upper Peace River. Mr. Tomasko suggested the topic of replacing concrete seawalls with vinyl or plastic seawalls.

11. Announcements and Other Business

Mr. Carlton thanked Ms. Hecker for her service as committee Chair for the past two years. Mr. Flannery spoke briefly about the ongoing peer review process of the Little Manatee River minimum flows. Discussion ensued.

12. Adjournment

Meeting adjourned at 11:41 am.