AGENDA

GOVERNING BOARD MEETING

March 29-30, 2005

9:00 a.m.

All meetings are open to the public.

Viewing of the Board meeting is available at each of the service offices. Public input will only be taken at the Brooksville headquarters.

Unless specifically stated, scheduled items will not be heard at a time certain.

At the discretion of the Board, items and committee meetings may be taken out of order to accommodate the needs of the Board and the public.

The meetings will recess for lunch at a time to be announced.

The current Governing Board agenda and the minutes of previous meetings are on the District’s web page: www.WaterMatters.org

Tuesday, March 29, 2005

9:00 a.m. Committee Meetings

The Regulation Committee and the Resource Management and Development Committee meet concurrently, followed by the concurrent meetings of the Finance and Administration Committee and the Outreach and Planning Committee.

Regulation Committee (Tab A)

Consent Item
1. February 22, 2005 Committee Meeting Minutes
2. Initiation of Rulemaking to Amend Rule 40D-4.091, Florida Administrative Code (F.A.C.), and the Environmental Resource Permit Basis of Review to Clarify Requirement for Ownership or Control by Environmental Resource Permit Applicants

Discussion Items
3. Well Permitting Delegation Agreement Renewal and Initiation of Rulemaking
   a. Manatee County
   b. Sarasota County
   c. Amend Chapter 40D-1.002(3)(a) and (b), F.A.C., Incorporating the Delegation Agreements by Reference
4. Hillsborough County Environmental Protection Commission Memorandum of Understanding and Initiation of Rulemaking to Incorporate by Reference
5. Highlands County’s Request to Transfer to the South Florida Water Management District Status Report
6. Pinellas County Water Conservation Program Overview
7. Sovereign Submerged Lands Program Overview

**Routine Reports**
8. Pending Permit Report
9. Overpumpage Activities
10. Southern Water Use Caution Area Quantities
11. Tampa Bay Water Well Mitigation Report
12. Demand Management Activities
13. April Committee Meeting Agenda

**Resource Management and Development Committee (Tab B)**

**Consent Items**
14. February 22, 2005 Committee Meeting Minutes
15. Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Green Swamp Project, SWF Parcel No. 10-200-1251
16. Resolution Requesting Encumbrance of Fiscal Year 2005 Budget within the Water Management Lands Trust Fund for:
   a. Management, Maintenance and Capital Improvements Costs
   b. Preacquisition Costs
17. Presented to the Coastal Rivers, Hillsborough River, Pinellas-Anclote River and Withlacoochee River Basin Boards - Pasco County Watershed Management Program Coordination – Memorandum of Understanding

**Discussion Items**
19. Peace Creek Watershed Coordinating Committee
20. Status of Cooperative Agreement between the District and Lake Region Lakes Management District for Operation and Maintenance of Water Control Structures

**Routine Reports**
21. Florida Forever Status Report
22. Land Resources Department Significant Activities
23. Minimum Flows and Levels Status Report
24. Hydrologic Conditions Report
26. April Committee Meeting Agenda

10:15 a.m.

**Finance and Administration Committee (Tab C)**

**Consent Items**
27. February 22, 2005 Committee Meeting Minutes
28. Consent Transfer Report

**Discussion Items**
30. Florida Automated Weather Network (FAWN)
31. Brooksville Building 4 Roof Replacement Project
32. Fleet Services: Hybrid Vehicles

**Routine Reports**
33. Fiscal Year 2006 Budget Development Process Update
34. Tampa Service Office Construction Project Update
35. Treasurer's Report, Payment Register for Accounts Payable, and Contingency Reserves Report
36. April Committee Meeting Agenda

Outreach and Planning Committee (Tab D)

Consent Item
37. February 22, 2005 Committee Meeting Minutes

Discussion Items
38. Washington, DC Trip Logistics
39. District Water Management Plan Update
40. Water Rate Study - Follow-up to the January Committee Meeting
41. Water Conservation Month
42. District Web Site Revision Update
43. Governing/Basin Boards Planning Workshop

Routine Reports
44. Basin Board Education Committee Report
45. Upcoming Events
46. April Committee Meeting Agenda

Tuesday, March 29, 2005

Board meeting will follow the Committee meetings.

★★★ Convene Meeting of the Governing Board ★★★ and Public Hearing (Tab E)

47. Call to Order
48. Pledge of Allegiance and Invocation
49. Oath of Office for Newly Appointed Board Members
50. Additions/Deletions to Agenda
51. Agenda Review


Location: Board Conference Rooms A and B (Building 4)

SWFWMD Governing Board Members, Executive Director David L. Moore, General Counsel William S. Bilenky, and Senior Attorney Margaret M. Lytle will attend the meeting.

Closed attorney-client session pursuant to Section 286.011(8), F.S., to discuss strategy related to litigation in Southwest Florida Water Management District v. Aloha Utilities, Inc., Circuit Court, Sixth Judicial Circuit, Case No. 2003-CA-1662-ES.
The subject matter of the meeting shall be confined to pending litigation.

The meeting is not open to the public.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.
Special Discussion Items *(Tab F)*

52. Northern Tampa Bay Progress Report
53. Peace River/Manasota Regional Water Supply Authority Water Supply Development Activities
54. Environmental Protection Agency Approval of the Shell, Prairie and Joshua Creeks Reasonable Assurance Plan
55. Legislative Status Report

Regulatory Agenda

Regulation Consent Items *(Tab G)*

Surface Water Permits
56. ERP No. 43027802.000 - Trillium - Villages A and B – Hernando County
57. ERP No. 43010394.008 - Highland Park – Parcel N – Hillsborough County
58. ERP No. 43020082.009 - Panther Trace – Phase 2A2 – Hillsborough County
59. ERP No. 43024991.002 - CSXT Big Bend Siding and Lead Track Project – Hillsborough County
60. ERP No. 43027063.000 - FDOT - State Road 676 (Causeway Boulevard) - West of US 41 to East of US 301 - Hillsborough County
61. ERP No. 43027111.000 - Hillsborough County – Grange Hall Loop over Little Manatee River Bridge Replacement – Hillsborough County
62. ERP No. 43027847.000 - Maury Carter Site – Hillsborough County
63. ERP No. 43012912.003 - Sweetwater Apartments – Pasco County
64. ERP No. 43018328.006 - Lone Star Ranch – Pasco County
65. ERP No. 43026538.001 - Soda Farm - Phase I Modification – Pinellas County
66. ERP No. 43002426.014 - Polk County North Central Landfill Class I Phase III Expansion – Polk County
67. ERP No. 43027536.000 - Windmeadows Estates – Polk County
68. ERP No. 43027861.000 - Ashton Shoppes – Polk County
69. ERP No. 43021034.007 - SMR Aggregates, Phase VIII-3 – Sarasota County
70. ERP No. 43025006.006 - Ashley Oaks – Sarasota County
71. ERP No. 49025469.002 - Sarasota Interstate Park of Commerce Conservation/Mitigation – Sarasota County
72. ERP No. 43027077.000 - Sarasota County – Fox Creek Regional Off-Site Mitigation Area – Sarasota County

Water Use Permits
73. WUP No. 20008895 .007 - W F I N- - V.C. Hollingsworth, Jr. and Estate of V.C. Hollingsworth, Sr. – Hardee County

Water Use Permit Legend

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Regulation Discussion Items *(Tab H)*

Surface Water Permits - None
Water Use Permits - None
Well Construction Permits - None
General Counsel Agenda

Proceedings (Tab I)

Consent Item
74. Request for Rule Development Workshop on Amendment to Rule 40D-4.021, F.A.C., Pursuant to Section 120.54(2)(c), Florida Statutes (F.S.)

Enforcement Items (Tab J)

Consent Items
75. Surface Water
   a. Consent Order - ERP No. 44018391.003 - Ruskin Golf, LLC (Golf Club at Cypress Creek) – Hillsborough County
   b. Settlement Agreements - None
   c. Initiation of Litigation
      (1) J.B. Development of Davenport, LLC (Vista Park Phase II) – Polk County
      (2) ERP No. 44010394.001 – Leslie Land Corporation – Hillsborough County
      (3) Building a Brighter Tomorrow Foundation, Inc. – Sarasota County

76. Water Use
   a. Consent Order - None
   b. Settlement Agreements - None
   c. Initiation of Litigation
      (1) WUP No. 20001754.003 – Edgewood Citrus, Inc. – DeSoto County
      (2) WUP No. 20011982.001 – Ro-Len Properties Enterprises, Inc. (Wolf Ranch) – Charlotte County

77. Well Construction
   a. Consent Orders - None
   b. Settlement Agreements - None
   c. Initiation of Litigation - None

Discussion Items - None

Briefings and Reports (Tab K)
78. Rulemaking Update
79. Litigation Report
80. Other Briefing Items

Administration and Regular Business Agenda (Tab L)

Committee Reports
81. Regulation Committee
82. Resource Management and Development Committee
83. Finance and Administration Committee
84. Outreach and Planning Committee

Consent Items
85. Board Travel
86. February 22, 2005 Governing Board Minutes
87. Approval of Resolution 05-07, Commending Maggie N. Dominguez for Her Service as a Member of the Southwest Florida Water Management District Governing Board
88. Approval of Resolution 05-08, Commending Ronald C. Johnson for His Service as a Member and Chair of the Southwest Florida Water Management District Governing Board
Chairman's Agenda (Tab M)

89. Chairman's Agenda
   a. Advisory Committee Liaison Report(s)
   b. Basin Board Education Committee Report
   c. Basin Board Land Resources Committee Report
   d. Other Items

★★★ Recess Public Hearing★★

Public Input

*Items not completed at Tuesday’s meeting will be carried over to Wednesday.*

Wednesday, March 30, 2005

9:00 a.m. ★★★Reconvene Meeting of the Governing Board ★★★

and Public Hearing

90. Call to Order
91. Pledge of Allegiance and Invocation
92. Additions/Deletions to Agenda

*Items not completed at Tuesday’s meeting will be heard at this time.*

★★★ Recess Public Hearing★★

Public Input

Announcements

- Peace Creek Canal Coordinating Committee – Bartow .................. March 18, 2005
- Basin Board Land Resources Committee – Tampa ........................... March 23, 2005
- Basin Board Meeting Schedule
  - Coastal Rivers – Brooksville ...................................................... April 1, 2005
  - Alafia River – Temple Terrace .............................................. April 7, 2005
  - Northwest Hillsborough – Temple Terrace .............................. April 7, 2005
  - Withlacoochee River – Brooksville ......................................... April 11, 2005
  - Hillsborough River – Temple Terrace .............................. April 12, 2005
  - Pinellas-Anclote River – St. Petersburg ............................. April 13, 2005
  - Peace River – Bartow ......................................................... April 15, 2005
  - Manasota - Sarasota ............................................................. April 20, 2005
- Advisory Committee Meeting Schedule:
  - Industrial – Tampa ............................................................... April 12, 2005
  - Public Supply – Tampa ....................................................... April 15, 2005
  - Well Drillers – Tampa ........................................................ April 20, 2005
  - Agriculture – Tampa .......................................................... May 3, 2005
  - Green Industry – Tampa ................................................... May 5, 2005
• Citrus County Tsala Apopka Chain of Lakes Task Force – Lecanto ................ April 11, 2005
• Governing Board Meeting – Tampa ............................................................  April 26-27, 2005

Adjournment

The Governing Board may take action on any matter on the printed agenda including such items listed as reports, discussions, or program presentations. The Governing Board may make changes to the printed agenda only for good cause as determined by the Chair, and stated in the record.

If a party decides to appeal any decision made by the Board with respect to any matter considered at a hearing or these meetings, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you wish to address the Board concerning any item listed on the agenda or any item that does not appear on the agenda, please fill out a speaker's card at the reception desk in the lobby and give it to the recording secretary. Your card will be provided to the Chair who will call on you at the appropriate time during the meeting. Comments will be limited to three minutes per speaker. In appropriate circumstances, the Chair may grant exceptions to the three-minute limit.

The Board will accept and consider written comments from any person if those comments are submitted to the District at

Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

The comments should identify the number of the item on the agenda and the date of the meeting. Any written comments received after the Board meeting will be retained in the file as a public record.