

**APPROVED
JOINT MEETING SUMMARY
Industrial Advisory Committee
and
Public Supply Advisory Committee
Southwest Florida Water Management District
January 11, 2011**

The Industrial Advisory Committee (IAC) and the Public Supply Advisory Committee (PSAC) of the Southwest Florida Water Management District convened for a joint meeting at 9 a.m., January 11, 2011, at the Tampa Service Office, 7601 Highway 301 North, Tampa, Florida.

Committee Members Present

IAC

Stefan Kataras, Chair, CF Industries
Denise Corrales, CEMEX
Jeff Stewart, Mosaic Fertilizer LLC
Patricia West, Progress Energy Florida
Marc Hurst, Standard Sand & Silica
Terry Eastley, Tampa Electric Company
Denver Phares, US Agri-Chemicals Corp.

PSAC

Warren Hogg, Chair, Tampa Bay Water
Jeff Harris, Pasco County Utilities
Keith McGurn, City of Bradenton
Gary Ross, City of Lakeland Utilities
Cindi Mick, City of North Port Utilities
Steve Saffels, City of Plant City
Richard Voakes, City of St. Petersburg
Phoenix McKinney, City of Tampa Water Dept.
Bob Robertson, City of Tarpon Springs
Norm Davis, Hillsborough County Water Res.
Vicky Zimarino, Manatee County Utilities
Angel Roussel, Marion County
Richard Anderson, PR/MRWSA
Dave Slonena, Pinellas County Utilities
Krystal Azzarella, Polk Co. Utilities/Env.Res.
Christopher Cole, Sarasota County Utilities

Committee Members Absent

IAC

Fred Crabill, Chair, SE Env. Solutions, Inc.
Robert Yarbrough, Seminole Elec. Coop., Inc.

PSAC

Steve Adams, City of Punta Gorda
Robert Knight, Citrus County
Chuck Lewis, Hernando County Utilities
Randy Schommer, On Top of the World Util.
Trey Arnett, The Villages

Governing Board Members Present

Jennifer Closshey, IAC Governing Bd. Liaison

Staff Members Present

David Moore
Lou Kavouras
Michael Molligan
David Rathke
Veronica Craw
Don Ellison
Mike Hancock
Jill Hood
Lois Sorensen
Yassert Gonzalez

Recording Secretary

Joanne McClellan

Approved summary from previous meetings can be found on the District's Web site (www.WaterMatters.org).

The numbers preceding the items below correspond to the order of presentation.

1. Call to Order and Introductions

PSAC Chair Warren Hogg, Tampa Bay Water, called the joint meeting to order at 9:01 a.m. Members, staff, and interested persons were welcomed to the meeting followed by introductions of participants.

2. Additions and Deletions to the Agenda

Lou Kavouras stated there were no changes to the agenda.

3. Approval of the Industrial Advisory Committee Meeting Summary of October 19, 2010

It was moved and seconded to unanimously approve the meeting summary as presented.

Approval of the Public Supply Advisory Committee Meeting Summary of October 19, 2010

Alba Más provided the following alternate language to the last sentence in Item 5: "That 10 foot elevation will be established as the minimum aquifer level with the goal of achieving this elevation by reducing the use of groundwater for crop protection by 20% over the next ten years through incentive based programs such as FARMS." Also, it was noted that Todd Petrie as vice Vice and Warren Hogg as Chair at this meeting. It was moved, seconded and approved unanimously to accept the meeting summary as corrected.

Rulemaking Update

Lou Kavouras stated that all rulemaking activities and updates are being made via email. Governor Scott issued several Executive Orders. Order 11-01 affects the water management districts/State rulemaking activities. It freezes all new regulations; stops the rulemaking process and establishes an Office of Fiscal Accountability that will review new or proposed amendments or rules going forward. District rules affected by this Executive Order are the Dover/Plant City rule, FARMS, and Minimum Flows and Levels, This District continues to move forward with rule language and process.

5. Hydrologic Conditions

Lois Sorensen, Demand Management Program Manager, stated that the District declared a Phase I Water Shortage effective December 1, 2010. The monthly decision-making process and the factors used to determine if there should be a water shortage and if so, what phase was explained. The result is a recommendation to the Governing Board based on drought indicators and other additional factors. The 12-month sum of rainfall distribution District wide is in normal range, however, the 24-month rainfall is below normal. Groundwater in the northern, central and southern counties is below the normal range. Surface water is also below the normal range. Public supply storage is relatively low, but storage conditions are better than compared to this time last year. There is staff concern with the continuing extended forecast for below normal conditions in the rest of the dry season. The Water Shortage Plan 40D-21 amendments hit a snag with the Executive Order 11-01 and also with the overturn of HB1565 veto, the District is required to do additional economic and financial analysis. Rules 40D-22 and 40-D-1 went into effect December 7, 2010.

6. Northern Tampa Bay Recovery

Mike Hancock, Senior Professional Engineer, presented the background of water management activities in Northern Tampa Bay, the MFLs and Phase I Recovery. Phase I was successful, but more time will be needed to evaluate the amount of environmental recovery achieved at sustained 90 MGD. This takes staff into Phase 2 of the Recovery Strategy which will require significant data and staff resources for the continued implementation of mitigation efforts for lakes and wetlands, the Environmental Management Plan and Phase 1 Mitigation Plan, and the Consolidated Permit Recovery Assessment Plan. Warren Hogg expressed a thank you to the District efforts to figure out the cause and effects of a difficult and complex issue and the District has been a good partner with the local governments in the Tampa area and Tampa Bay Water in trying to assess the impacts of all types of influences and how to best deal with them.

7. SWUCA Recovery

Jill Hood, Senior Professional Geologist/Engineer, discussed the history of the recovery strategy and the resource trends and concerns in the SWUCA area and the recovery efforts that have been in effect for three years. Water resource concerns in the SWUCA include salt water intrusion on the coast, reduce flows in the upper Peace River, and reduced lake levels on the Lake Wales Ridge. These concerns were originally addressed through Minimum Flows and Levels (MFLs). The goals of the recovery strategy are to achieve MFLs in the SWUCA by 2025 through the use of an adaptive management approach. There are no recommended changes to the ongoing strategy; however, staff continues to monitor resource trends and improve data as part of the Cumulative Impact Analysis used to track and predict effects of changes in water use activities on groundwater levels in the SWUCA. In 2012 staff will initiate the first five-year reevaluation.

8. Aquifer Storage and Recovery – Arsenic Issue Update

Don Ellison, Senior Professional Geologist/Engineer, gave a brief overview of what ASR is, the projects located in the District, and the arsenic mobilization issue. He explained that ASR is the injection of surface or reclaimed water into the aquifer for storage. The aquifer is used as a reservoir and the water is recovered at a later time. All waters injected into potable zones must meeting drinking water standards. Due to the arsenic mobilization issue, many projects have been put on hold and there has not been a new permit application state wide in more than two years. For the 12 projects capable of operation, there is 52 mgd during the dry season. Projects that have been canceled or put on indefinite hold could yield greater than 100 mgd. Mr. Ellison explained that arsenic is a natural occurring mineral in the aquifer and it is

common to find arsenic in association with pyrite. Typically, free arsenic is not in drinking water rather the arsenic is bound up on pyrite in the aquifer. The problem arises when surface water containing oxygen is injected into the aquifer that does not have oxygen. When surface water is injected, it oxidizes the pyrite and mobilizes the arsenic off the pyrite. This sets up a process of bringing up arsenic when water is recovered, although it is spatially limited and does get better with time. The EPA is aware of the problem, but are not taking any movement on this issue. They are allowing DEP to allow sites to test and mobilize arsenic while a solution is sought. There is no solution in rule revisions for several years. The District has been demonstrating that the operational strategy such as continuous use results in attenuating arsenic concentrations and shrinking spatial extent could solve the problem, but these are long term processes to accomplish a significant reduction to get down to 10 parts per billion, which is a stringent standard. Mr. Ellison then discussed a pre-treatment strategy where the water injected is compatible with the aquifer so arsenic is not mobilized and there have been favorable results.

9. EPA's Numeric Nutrient Criteria

Veronica Craw, Environmental Manager, provided an update on EPA's final numeric criteria for freshwaters in the State of Florida. The rule was published in the Federal Register on December 6, 2010. It limits nutrient pollution entering lakes and springs statewide, as well as rivers located outside of south Florida. This rule includes flexible options for implementation including designated use changes, the currently EPA approved variance procedure, and the Site Specific Alternative Criteria (SSAC). The rule is to be implemented by March 2012 and will be implemented through the existing DEPs Water Quality Program. Ms. Craw provided an overview of the rule for lakes, streams, and springs. Key stakeholder concerns were discussed as well as the potential impact of this rule on the District operations. Challenges have been filed against this rule.

10. Public Service Advertising: Appropriate Fertilizer Use

Michael Molligan, Communications Director, explained that *Skip A Week* radio campaign is currently running. Two campaigns were developed: one on water conservation and the other on appropriate fertilizer use. Either advertising campaign will be ready at the direction of the Governing Board. Advertising campaigns were developed for print, radio and TV.

11. Legislative Preview

David Rathke, Community and Legislative Affairs Director, stated the regular Session of the Legislature will start on March 8, 2011 and conclude on May 6, 2011.

The District has four primary priorities:

- 1) Basin Board bill that clarifies that Governing Board members can be voting members of the Basin Board
- 2) Move forward with an amendment to allow the water management districts to have regulatory authority over how deep in a well a pump can be set in certain situations
- 3) Amendatory language to deal with conservation practices/restrictions in counties that are split between water management districts
- 4) A veto of HB1565 was overridden by the Legislature that now requires the overwhelming majority of water management district and other State agencies rules ratified by the Legislature before going into effect.

Other substantive issues are the State storm water rule, streamlining agencies, budgetary issues.

Primary District budget priorities are the West Central Florida Water Restoration Action Plan (WRAP); the Water Management Lands Trust Fund, and Florida Forever funds.

12. Board Policy, Committee Roles, Responsibilities, and Sunshine Law

Lou Kavouras stated that the Advisory Committees were established by Governing Board Policy. The Policy outlines the purpose and committee roles and defines the membership/terms.

The members are subject to Sunshine Law and a review of the Sunshine requirements were discussed.

13. **Development of Agenda Topics for the Next IAC Meeting at 9 a.m. on April 19, 2011 in the District's Tampa Service Office**

14. **Development of Agenda Topics for the Next PSAC Meeting at 1 p.m. on April 19, 2011 in the District's Tampa Service Office**

Items 13 and 14 were addressed as follows:

- Lou Kavouras stated that the standard items will be heard in April (Rulemaking, Hydrologic Conditions)
IAC & PSAC
- Aquifer Recharge - Sandie Will
- Legislative Update – David Rathke
- Update on Governor's Executive Orders
- Status on Cooperative Funding Initiative (CFI) for FY2012 (general information, funding)
- PSAC – Fiscal Analysis / Cost-benefit Ratio (process, how is this calculated and factored into CFI) (This should be information discussed at kick-off meetings for CFI)
- Census Information

15. **Announcements and Other Business**

16. **Adjournment**

There being no further discussions, the meeting was adjourned at 12:15 p.m.