

# APPROVED

## MINUTES OF THE MEETING

### Governing Board Southwest Florida Water Management District

Bartow, Florida

January 25, 2005

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met at 1:00 p.m. on January 25, 2005, at the Bartow Service Office. The following persons were present:

#### **Board Members Present**

Heidi B. McCree, Vice Chair  
Judith C. Whitehead, Secretary  
Talmadge G. Rice, Treasurer  
Edward W. Chance, Member  
Thomas G. Dabney, II, Member  
Maggie N. Dominguez, Member  
Ronald C. Johnson, Member  
Janet D. Kovach, Member

#### **Board Members Absent**

Watson L. Haynes II, Chair  
Patsy C. Symons, Member

#### **Staff Members Present**

David L. Moore, Executive Director  
Gene A. Heath, Assistant Executive Director  
William S. Bilenky, General Counsel  
Eugene A. Schiller, Deputy Executive Director  
John W. Heuer, Deputy Executive Director  
Bruce C. Wirth, Deputy Executive Director  
Lou Kavouras, Executive Assistant

#### **Recording Secretary**

Annette D. Oakes, Senior Admin. Assistant

A list of others present who signed the attendance roster is filed in the permanent files of the District. Approved minutes from previous meetings can be found on the District's Web site ([www.WaterMatters.org](http://www.WaterMatters.org)).

To ensure the most efficient use of the court reporter's time, the following two items, from the **General Counsel Agenda**, were heard first.

#### **Proceedings**

##### **69. Final Orders**

##### **a. ERP No. 43024788.000 – Blanco v. SWFWMD et al., DOAH Case No. 04-0003 – Pasco County**

Mr. Bilenky explained the Board's responsibility with regard to the final order proceeding and their consideration of the Administrative Law Judge's recommendation. Ms. Margaret Lytle, Senior Attorney, provided the Board with a brief overview of the case. The Administrative Law Judge recommended the District deny the permit application. Staff recommended entering the proposed final order and adopting the Administrative Law Judge's order in its entirety and denying the exceptions.

Dr. Octavio Blanco, a resident of Lutz, Florida, addressed the Board regarding his concerns about this case. He expressed his appreciation for the Board's review of the case and recognized that its duties were performed as a public service, one of which he is grateful for. Dr. Blanco said it was difficult and expensive to fight a big developer and that is why many people do not come forward. He remains committed to protecting his wetlands as well as regional wetlands.

Following consideration, **Ms. Kovach moved, seconded by Mr. Johnson, to approve the staff recommendation. Motion carried unanimously.** (CD 1/Track 1 – 00:00/23:10/Track 2 – 00:00 /02:23)

b. **WUP No. 20012614.000 – Lomonico v. SWFWMD, State of Florida Division of State Lands and Florida Fish and Wildlife Conservation Commission – Highlands County**

Ms. Marti Moore, Senior Attorney, stated the case information was provided in the Board packet and offered to review the case or answer questions. Staff recommended approval of the Final Order of Dismissal With Prejudice, which dismisses with prejudice the petition and amended petition filed by Anthony V. Lomonico, and approves the issuance of WUP No. 20012614.000 to the State of Florida Division of State Lands and Florida Fish and Wildlife Conservation Commission.

Mr. Dave McCadam, president of the Lake Josephine Association, was provided an opportunity to address the Board. On behalf of the members of the Lake Josephine Association, Mr. McCadam stated they are in favor of this project and approval of the permit.

Following consideration, **Ms. Dominguez moved, seconded by Mr. Johnson, to approve the staff recommendation. Motion carried unanimously.** (CD 1/Track 3 – 00:00/04:39)

Items 1 through 41 were presented during Committee meetings, and those matters will be considered during Committee Reports and Recommendations. Therefore, the Board meeting began with Agenda Item 42.

42. **Call to Order**

Vice Chair McCree called the meeting to order and opened the public hearing. Ms. Whitehead noted a quorum was present.

43. **Pledge of Allegiance and Invocation**

Vice Chair McCree led the Pledge of Allegiance to the Flag of the United States of America. Mr. Heath offered the invocation.

44. **Additions/Deletions to Agenda**

According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for “good cause” as determined by the “person designated to preside.” The items that have been added to the agenda were received by the District after publication of the regular agenda. The Board was provided with the information filed and the District staff’s analyses of these matters. Staff has determined that action must be taken on these items prior to the next Board meeting. Therefore, it is the District staff’s recommendation that good cause has been demonstrated and should be considered during the Governing Board’s meeting. Mr. Moore requested Vice Chair McCree’s approval and she confirmed that the additions met with her approval.

**Regulation Committee**

*The following item is deleted from consideration:*

- 2.b. Initiation of Rulemaking – Amend Rule 40D-4.041, F.A.C., to Create Mechanism to Provide Record Notice of Environmental Resource Permits

**Finance and Administration Committee**

*The following item is added to Discussion Items:*

Peace River/Manasota Regional Water Supply Authority Aquifer Storage and Recovery Monitoring Well Project

45. **Agenda Review**

Mr. Dabney declared a voting conflict on Item 66 and said he would recuse himself from voting. Mr. Johnson declared a voting conflict on Item 68 and would also recuse himself from voting.

## **Special Discussion Items**

46. **Northern Tampa Bay Progress Report**

Mr. Gregg Jones, P.G., Director, Resource Conservation and Development Department, reported on the Seawater Desalination Facility, he said on November 15, 2004, Tampa Bay Water's (TBW) Board approved an Agreement with American Water Pridesa (AWP) to remedy the seawater desalination facility. Remediation and testing is scheduled for completion by October 20, 2006.

Mr. Jones said that construction of the 15-billion gallon Tampa Bay Regional Reservoir facility has been completed with only administrative and punch list items remaining. The reservoir is scheduled to begin filling to a test elevation in late January 2005, however, due to recent dry weather conditions, water may not be diverted until the rainy season.

Mr. Jones noted that the consolidated wellfield permit pumped an average of 82 mgd and the 12-month rolling average was 86 mgd.

Mr. Jones said the West Pasco Infrastructure Improvement project will provide an additional source of water to the areas currently being served by the Starkey and North Pasco Wellfields by interconnecting them to the regional distribution system. Once the connection is completed, wellfield production can be reduced and recovery of natural systems can occur. The West Pasco Infrastructure Improvement project was approved for funding by the Governing Board, Coastal Rivers Basin Board, and the Pinellas-Anclote River Basin Board in their fiscal year 2005 budgets. On December 20, 2004, TBW's Board of Directors approved a final pipeline route and booster station location. A draft Agreement between the District and TBW is under review and will be completed by February 2005 with the project to be complete by January 2008.

Mr. Jones noted that, on December 20, 2004, TBW's Board of Directors approved a motion by their Chairman to change their meetings from a monthly to a bi-monthly schedule. TBW's Board will begin its bi-monthly meeting schedule in February and continue to meet every third Monday of even numbered months.

Mr. Jones said the Regional Project team met on December 2, 2004, regarding the Tampa Bay Regional Reclaimed Water and Downstream Augmentation Project. The major topic of discussion was the determination of specific operational yields over time for each partner associated with project, and how those yields may impact others. Since TBW requires the information first, it was agreed that TBW representatives would meet individually with each of the partners. It is anticipated that by the January team meeting each partner will have an idea the range of reclaimed water flows required for its respective project segment.

Mr. Jones said the Tampa Bay Regional Reclaimed Water and Downstream Augmentation Project appropriated \$1.45 million during the 2004 Legislative session. It is anticipated that the funds will come to the District from the U.S. Environmental Protection Agency (EPA) Region IV in Atlanta by July 2005. The project team continues to discuss the appropriate allocation of costs for the project, including the use of federal and state funds. The federal funds will be distributed proportionately to project partners, in accordance with the allocation scenario ultimately agreed-upon by the project team in a master project agreement.

Mr. Moore reported on technical issues that are being worked out with TBW and DEP with regard to the establishment of TMDLs for the Tampa Bypass Canal and the dam on the Hillsborough River.

Mr. Jones reported on other individual projects that partners are developing, such as the Pasco County Wet-Weather Reservoir, he said this project design is 32 percent complete. The City of Tampa's North Tampa Pipeline, which will eventually connect with Pasco County, will be coming to the Governing Board in February. District staff has been meeting with the City of Tampa to help them identify more customers in an effort to keep down the costs of this pipeline. (CD 1/Track 5 – 00:00/10:20)

47. **Southern Water Use Caution Area Revised Recovery Strategy and Associated Rules**  
Mr. Richard Owen, Director, Planning Department, reviewed the revised draft revisions, they included three main components: Recovery Strategy, Section Eight, Regulatory Component; 40D-2, Consumptive Use Permitting and the Basis of Review; and 40D-80, Recovery and Prevention Strategy.

Mr. Owen said the District has received additional input from these entities: Department of Environmental Protection (DEP), Industrial Advisory Committee, Public Supply Advisory Committee, Southern Water Use Caution Area (SWUCA) Work Group, and Charlotte Harbor National Estuary Program (CHNEP). Mr. Owen said the input has been very constructive and District staff will be recommending additional changes based on this input.

Mr. Owen reported that the Department of Environmental Protection recommended definitions for terms such as, alternative sources, annual average, etc. Other comments addressed conditions of issuance, using the lowest quality water and alternative sources. It was recommended the District include language recognizing the Public Supply Goal-Based Water Conservation Program that came out of the 2004 Legislative Session. Additionally, DEP asked for clarification on the following two topics: Saltwater Intrusion Minimum Aquifer Level – Cumulative Impact Analysis and no worsening of groundwater impacts on the Upper Peace River and lake levels. Staff will be making these provisions clearer in future materials.

Mr. Owen said the Public Supply Advisory Committee asked if a saltwater instruction model could be made available and an executive summary outlining the Cumulative Impact Analysis. The Public Supply Advisory Committee asked how the District intends to handle multiple applications for new quantities under the Cumulative Impact Analysis. The District would consider applications in the order in which they are determined to be complete. A lengthy discussion among Board members and staff ensued on the subject matters of competing applications and the cumulative impact analysis.

Comments made by individual SWUCA Work Group members were presented to the Governing Board. Mr. Owen explained and stated staff's position on those comments received.

Board members also discussed the use of an economic impact analysis. Mr. Chance said the District might want to pursue a comprehensive study of the impacts to all user groups.

Mr. Owen announced key dates for the future SWUCA schedule. Staff will return to the Board at their February meeting with a report on further input received. It is also hoped that staff will be able to present the actual cumulative impact analysis for the period January 1, 2000 through December 31, 2004. Several advisory committees meet again, as well as the SWUCA Work Group, before staff will seek Governing Board approval of changes at their regularly scheduled April meeting.

Ms. Lisa Beever, CHNEP, addressed the Board regarding three topics of concern to their policy board. The Draft SWUCA Recovery Strategy does implement their plan especially with the inclusion water reservations and land acquisition conservation. Ms. Beever said her policy board is also pleased to see the Draft SWUCA Recovery Strategy decreases withdrawals from the Floridan aquifer. They would like the District to commit to determining the natural ranges of flows, both the maximum and minimum water flows, and include that information in our reports. Finally, they would like to see the District set a long-term goal of stabilizing the saltwater wedge.

Dr. Jim Griffiths, Polk County Citrus Growers, addressed the Board and said it is his hope that the District will look at the "big picture" with regard to the Floridan aquifer and base their decisions on hydrology. He believes the citrus growers on the Highlands Ridge are a special group and should be treated differently. (CD 1/Track 6 – 00:00/56:07)

## **Regulatory Agenda**

### **Regulation Consent Items**

Mr. Dabney declared a voting conflict on Item 66 and will recuse himself from voting.  
Mr. Johnson declared a voting conflict on Item 68 and will recuse himself from voting.

### **Surface Water Permits**

48. ERP No. 43026903.000 - Parkside Preserve – Charlotte County
49. ERP No. 43025281.001 - Osprey Park – Highlands County
50. ERP No. 43024843.001 - Hillsborough County-Race Track Road Widening from Countryway to South Mobley – Hillsborough County
51. ERP No. 43027301.000 - Easton Park – Hillsborough County
52. ERP No. 43022140.003 - Twin Rivers, Phase III – Manatee County
53. ERP No. 43023846.002 - The Concession Golf Course – Manatee County
54. ERP No. 43027367.000 - Heritage Harbour – Stoneybrook East – Manatee County
55. ERP No. 43027399.000 - The Lake Club at Lakewood Ranch, Phase 1A – Manatee County
56. ERP No. 49027399.001 - The Lake Club at Lakewood Ranch – Manatee County
57. ERP No. 43027525.000 - Palma Sola Trace – Manatee County
58. ERP No. 43018328.005 - Spanish Oaks – Pasco County
59. ERP No. 43007407.012 - Marina Bay Docks – Pinellas County
60. ERP No. 43025342.001 - Bella Grande Townhomes Docks – Pinellas County
61. ERP No. 43026950.000 - Blackwater Oaks – Polk County
62. ERP No. 49026971.000 - Oakmont – Polk County
63. ERP No. 49026971.001 - Oakmont Phase One – Polk County
64. ERP No. 43027329.000 - Traditions Subdivision – Polk County
65. ERP No. 43000883.001 - Sarasota County – Webber Street Phase 1 Improvements – Sarasota County
66. ERP No. 43027708.000 - The Forest at Hi Hat Ranch – Sarasota County
67. Interagency Agreement Between SWFWMD and SJRWMD for Designation of Regulatory Responsibility for a Portion of The Villages District 9 and 10 Master Surface Water Management System – Lake County

### **Water Use Permits**

68. Petition for Rule Variance – WUP No. 2006054.005 – E. R. Jahna Industries, Inc. (Haines City Sand Mine) – Polk County

WATER USE PERMIT LEGEND	
W = Water Use Caution Area	N = 100% new quantities
F = Floridan Aquifer	N+ = More than 50% but less than 100% new quantities
I = Intermediate Aquifer	N- = 50% or less new quantities
S = Surface Withdrawal	D+ = More than 50% decrease
U = Surficial Aquifer	D- = 50% or less decrease
	~ = no change
R = 100% relocated quantities	
R+ = More than 50% but less than 100% relocated quantities	
R- = 50% or less relocated quantities	

Following consideration, **Ms. Dominguez moved, seconded by Ms. Kovach, to approve Regulation Consent Items 48 through 65. The motion carried unanimously.**

Following consideration, **Mr. Johnson moved, seconded by Ms. Dominguez, to approve the Regulation Consent Item 66. Mr. Dabney recused himself from voting. The motion carried.**

Following consideration, **Ms. Dominguez moved, seconded by Mr. Johnson, to approve the Regulation Consent Item 67. The motion carried unanimously.**

Following consideration, **Mr. Dabney moved, seconded by Ms. Dominguez, to approve the Regulation Consent Item 68. Mr. Johnson recused himself from voting. The motion carried. (CD 1/Track 7– 00:00/02:36)**

### Regulation Discussion Items

**Surface Water Permits – None**

**Water Use Permits – None**

**Well Construction Permits – None**

## General Counsel Agenda

### Enforcement Items

#### ***Consent Items***

#### **70. Surface Water**

##### **a. Consent Orders**

- (1) **MSW No. 4007126.001 – DAB Foundation, Inc. (Food Lion Grocery Store) – Highlands County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation in the event that DAB Foundation, Inc. fails to comply with the terms of the Consent Order.

- (2) **ERP No. 43024375.000 – Rosbon, L.L.C. (Creek Hollow) – Hernando County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation in the event that Rosbon, L.L.C. fails to comply with the Consent Order.

- (3) **Carrollwood Creek Associates, Inc. (Deer Park II) – Hillsborough County**

Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation in the event that Carrollwood Creek Associates, Inc., fails to comply with the Consent Order.

##### **b. Settlement Agreements – None**

c. **Initiation of Litigation**

(1) **ERP No. 44021080.000 – Design Enterprises, Inc. (Madalyn Cove) – Polk County**

Staff recommended authorization of the initiation of litigation against Design Enterprises, Inc. and any other appropriate parties to obtain compliance, and to obtain a monetary penalty and recovery of District enforcement and court costs and attorney's fees.

(2) **ERP No. 44019967.001 – Tomko Development, Inc. (Cypress Reserve) Hillsborough County**

Staff recommended authorization of the initiation of litigation against Tomko Development, Inc. and any other appropriate parties to obtain compliance, and to obtain a monetary penalty and recovery of District enforcement costs, attorney's fees and court costs.

71. **Water Use**

- a. **Consent Orders** – None
- b. **Settlement Agreements** – None
- c. **Initiation of Litigation** – None

72. **Well Construction**

- a. **Consent Orders** – None
- b. **Settlement Agreements** – one
- c. **Initiation of Litigation** – None

Following consideration, **Mr. Dabney moved, seconded by Ms. Koavach, to approved the Enforcement Consent Items 70.a.(1), 70.a.(2), 70.a.(3), 70.c.(1) and 70.c.(2).** The motion carried unanimously. (CD 1/Track 7– 02:35/03:16)

**Discussion Items** – None

**Briefings and Reports**

73. **Rulemaking Update**

74. **Litigation Report**

75. **Other Briefing Items**

Mr. Bilenky reported that the next scheduled mediation on the Weeki Wachee Lease case would be February 8, 2005. There is an outstanding appeal on the Suggs case and the District filed a response today. (CD 1/Track 7– 03:16/04:13)

**Administration and Regular Business Agenda**

**Committee Reports**

76. **Regulation Committee**

**Consent Items**

1. **December 14, 2004 Committee Meeting Minutes**

The Governing Board unanimously approved the Committee's recommendation to approve the minutes as presented.

2. **Initiation of Rulemaking**

- a. **Amend Rule 40D-400.500, F.A.C., to Incorporate by Reference the Updated Silviculture Best Management Practices Manual**

The Committee recommended authorization of rulemaking to amend Rule 40D-400.500, F.A.C., to incorporate by reference the updated Silviculture Best Management Practices Manual.

**The Governing Board unanimously approved the Committee's recommendation to approve Consent Item 2.a.**

- b. ~~**Amend Rule 40D-4.041, F.A.C., to Create Mechanism to Provide Record Notice of Environmental Resource Permits**~~ (Deleted)
- c. **Amend Rule 40D-4.021, F.A.C., to Clarify the Definitions of "Alteration" and "New Surface Water Management System"**  
The Committee recommended authorization of rulemaking to amend Rule 40D-4.021, F.A.C., to amend the definitions of "alteration" and "new surface water management system" to clarify the terms.

**The Governing Board unanimously approved the Committee's recommendation to approve Consent Item 2.c.**

#### **Discussion Items**

- 3. **Initiation of Rulemaking to Amend Rule 40D-3.505, F.A.C., to Specifically Restrict the Construction of Water Wells in Areas of Known Groundwater Contamination (Taylor Road Landfill)**  
The Committee recommended authorization of rulemaking to amend Rule 40D-3.505, F.A.C., to restrict the construction of water wells in areas of known groundwater contamination.

**The Governing Board unanimously approved the Committee's recommendation to approve the aforementioned item.**

- 4. **Meeting Updates**
  - a. **Well Drillers Advisory Committee Meeting of January 19, 2005**  
This item was presented for the Committee's information; no action was required.
  - b. **DEP/WMD/FGWA Work Group Meeting of January 21, 2005, regarding Marion County Delegation**  
This item was presented for the Committee's information; no action was required.
- 5. **Approving Activities on Sovereign Submerged Lands - A New Procedure to Identify Projects of "Heightened Public Concern"**  
The Committee recommended elevation of General Environmental Resource Permits determined to be of heightened public concern to the Governing Board for agency action.

**The Governing Board unanimously approved the Committee's recommendation to approve the aforementioned item.**

- 6. **Overview of Pending Permit Report**  
This item was presented for the Committee's information; no action was required.

#### **Routine Reports**

- 7. **Overpumpage Activities**
- 8. **Southern Water Use Caution Area Quantities**
- 9. **Tampa Bay Water Well Mitigation Report**



10. **Demand Management Activities**

The above referenced reports were provided in the Governing Board packet.

11. **February Committee Meeting Agenda**

- Approval of the Minutes of the Committee Meeting of January 25, 2005
- Amend Rule 40D-4.041, F.A.C., to Create Mechanism to Provide Record Notice of Environmental Resource Permits
- Conservation Easement Guidelines Update
- Marion County Well Permitting Delegation Update
- Hillsborough County Environmental Protection Commission Memorandum of Agreement
- Development of the March Committee Meeting Agenda (CD 1/Track 7-04:13/06:41)

77. **Resource Management and Development Committee**

***Consent Items***

12. **December 14, 2004 Committee Meeting Minutes**

The Governing Board unanimously approved the Committee's recommendation to approve the minutes as presented.

13. **Board Policy 170-8, Basin Board Land Resources Committee** (Presented to Basin Board Land Resources Committee in November)

The Governing Board unanimously approved the Committee's recommendation to approve the Basin Board Policy 170-8 as submitted.

***Discussion Items***

14. **Florida River Flows Patterns and the Atlantic Multidecadal Oscillation – Peer Review Results**

This item was presented for the Committee's information; no action was required.

15. **Status of Aquifer Storage and Recovery in the Southwest Florida Water Management District**

Plans to construct and test up to 13 monitor wells at the PR/MRWSA wellfield, transfer up to \$525,000 from the Board's Water Supply and Resource Development Reserves to the Hydrologic Evaluation Section to cover the District's costs associated with the project; and authorize the Executive Director to approve the transfer of funds and sign the necessary agreements with the PR/MRWSA or a drilling contractor/consultant to perform the work presented. The Committee recommended approval of the plans as presented.

The Governing Board unanimously approved the Committee's recommendation to approve the plans as presented.

16. **Peace Creek Watershed Coordinating Committee**

The Committee recommended the District confirm the participation in the Coordination Committee to address flooding issues in the Peace Creek Watershed; and officially recognize Ms. Patsy Symons to represent the Governing Board on the Coordinating Committee.

**The Governing Board unanimously approved the Committee's recommendation as presented.**

***Routine Reports***

Information for Items 18 through 23 was provided in the Board's packet, and no action was required.

- 17. **Hidden Lake Property – Status Report and Management Plan Review**
- 18. **2004 Public Land Acquisition and Management Partnership Conference**
- 19. **Florida Forever Status Report**
- 20. **Land Resources Department Significant Activities**
- 21. **Minimum Flows and Levels**
- 22. **Hydrologic Conditions Report**

Mr. Moore noted that, due to the unusually cold weather and frost the region has experienced the last couple of days, there will be an increase in the upcoming hydrologic report associated with pumping protection of crops. In the Plant City area, the Floridan aquifer was down 15 feet, as compared to a 20-foot drop in previous years.

- 23. **Structure Operations Status Report**
- 24. **February Committee Meeting Agenda**
  - Approval of January 25, 2005 Committee Minutes
  - Peace Creek Watershed
  - Florida Forever Status Report (CD 1/Track 7-06:41/10:06)

78. **Finance and Administration Committee**

***Consent Items***

- 25. **December 14, 2004 Committee Meeting Minutes**  
The Committee recommended approval of the minutes as presented.
- 26. **Consent Transfer Report**  
The Committee recommended approval of the Consent Transfer Report.

**The Governing Board unanimously approved the Consent Items.**

***Discussion Items***

- 27. **District Emergency Operations - Hurricane Recovery and Mitigation, and Fiscal Year 2005 Budget Amendment**

The Committee recommended to:

- (1) Approve a transfer of \$1,600,000 from General Fund Contingency Reserves for hurricane debris cleanup projects in the Peace Creek Drainage Canal, Alafia River, Peace River tributaries, Shell and Prairie Creeks, and Alligator Creek, with the understanding that the District will seek reimbursement equal to at least one-half of this amount; and
- (2) Approve Resolution No. 05-02, Amendment of the Fiscal Year 2005 Annual Service Budget (see Exhibit 27), to increase the District's FY2005 combined budget by \$7,450,000 from \$279,252,797 to an amended total budget of \$286,702,797; and
- (3) Authorize the Executive Director to execute agreements with the NRCS, FEMA and FDEP for the referenced projects, not to collectively exceed \$9,050,000.

**The Governing Board unanimously approved the Committee recommendations.**

28. **Comprehensive Watershed Management Overview**

This item was presented for the Committee's information, and no action was required.

At this time, the Committee considered an item that was added for consideration.

**Peace River/Manasota Regional Water Supply Authority Aquifer Storage and Recovery Monitoring Well Project** *(Presented to the Resource Development and Management Committee)*

The Committee Recommended to:

- (1) Concur with staff's plan to construct and test up to 13 monitor wells at the Authority's well field;
- (2) Approve the transfer of \$525,000 from the Board's Water Supply and Resource Development Reserve to the Resource Conservation and Development Department for the Authority's ASR Monitor Well Project; and
- (3) Authorize the Executive Director to execute the necessary agreements with the Authority to obtain a drilling contractor and consultant to perform the work described above.

**The Governing Board unanimously approved the Committee recommendations.**

29. **District Procurement Card Program**

This item was presented for the Committee's information, and no action was required.

***Routine Reports***

Information for Items 30 through 32 was provided in the Board's packet, and no action was required.

30. **Tampa Service Office Construction Project Update**

31. **Treasurer's Report, Payment Register for Accounts Payable, and Contingency Reserves Report**

32. **Fiscal Year 2005 First Quarter Financial Report**

33. **February Committee Meeting Agenda**

- Approval of the Minutes of the Committee Meeting of January 25, 2005
- Consent Transfer Report
- Regulatory Information System
- Inspector General's Report – Environmental Resource Permit Audit
- Records Management Alchemy Retrieval Software
- Fiscal Year 2006 Budget Process
- Routine Reports
  - Tampa Service Office Construction Project Update
  - Treasurer's Report, Payment Register for Accounts Payable, and Contingency Reserves Report
- Development of the March Committee Meeting Agenda (CD 1/Track 7-10:06/15:06)

79. **Outreach and Planning Committee**

***Consent Items***

34. **December 14, 2004 Committee Meeting Minutes**

The Committee recommended approval of the minutes as presented.

35. **Selection of Federal Legislative Consultant**

The Committee recommended the firm of Holland and Knight, with Mr. Richard Gold as lead.

**The Governing Board unanimously approved the above referenced Consent Items.**

***Discussion Items***

36. **Inter-District Water Rate Structure Project Preliminary Results**

37. **District's Regional Water Supply Plan Update**

38. **Water 101 Video Production**

These items were presented for the Committee's information, and no action was required.

***Routine Reports***

39. **2005 Update to the District Water Management Plan**

Staff noted the update process was on schedule.

40. **Legislative Status Report**

Staff noted this item will be presented before the full Board.

41. **February Committee Meeting Agenda**

- 2005 Update to the District Water Management Plan
- Follow-up to the Washington, D.C. trip
- Dry Season Messaging (CD 1/Track 7-15:06/18:24)

***Consent Items***

80. **Board Travel**

No action required.

81. **December 14, 2004 Governing Board Meeting Minutes**

Staff recommended approval of the minutes as presented.

82. **Approval of Resolution 05-01, Commending Ronnie E. Duncan for His Service as a Member and Chair of the Southwest Florida Water Management District Governing Board**

Following consideration, Mr. Dabney moved, seconded by Mr. Johnson, to approve the Consent Items 80 through 82. The motion carried unanimously. (CD 1/Track 7 – 18:24/18:41)

**Chairman's Agenda**

83. **Chairman's Agenda**

a. **Governing Board Members' Federal Legislative Trip to Washington, DC**

Mr. Moore reviewed the plans and focus for the upcoming trip to Washington, DC.

b. **Advisory Committee Liaison Report(s)**

- At the Industrial Advisory Committee, Ms. Dominguez said the Committee heard presentations on the SWUCA, Florida River Flows Patterns and the Atlantic Multidecadal Oscillation and the 2005 District Water Management Plan Update. Nominations for Chair and Vice Chair of the Committee were submitted and their next meeting is in April.

- Regarding the Public Supply Advisory Committee, Ms. Kovach said this information was covered earlier in the meeting.
- Mr. Dabney said he attended the Well Drillers Advisory Committee and commended the group on their continued professionalism.

c. **Basin Board Education Committee Report**

Ms. Whitehead said this was an excellent meeting held at the Crystal Springs Preserve Learning Center. Topics discussed included grants and funding, Ms. Kavouras discussed her new role as Executive Assistant, and Ms. McBride made a presentation on the 2004 Water Resources Education Conference. (CD 1/Track 7 – 18:41/27:10)

d. **Other Items**

- Vice Chair McCree reminded the Board a tour of Lake Hancock was scheduled for February 4, 2005.
- Mr. Dabney thanked Mr. Brian Starford and his staff at the Bartow Service Office for hosting today's meeting and for the tour of the facility that Board members received. Mr. Dabney noted that office space, throughout the District, should be redesigned to accommodate the special needs of each type of profession. Mr. Moore said he would assign the Finance and Administration Committee with this task.
- Mr. Chance requested review of the policy that governs speakers who come before the Board on behalf of other organizations. Mr. Moore said he would assign the Finance and Administration Committee with this task.
- Ms. Kovach thanked Mr. Starford and staff for their hospitality. Vice Chair McCree echoed Ms. Kovach's comments on behalf of the entire Board.

**Vice Chair McCree moved to recess the public hearing. Ms. Dominguez seconded the motion and it carried unanimously.** The public hearing was recessed at 3:18 p.m.

**Public Input**

Ms. Becky Ayech, president of the Environmental Confederation of Southwest Florida, addressed the Board and requested that the District send representatives to DEP's Technical Advisory Domestic Residual Rulemaking Update meeting on March 3, 2005, in Tallahassee.

Mr. David Gore, a resident of Davenport, Florida, addressed his concerns about writing a specific plan to protect the Florida aquifer.

There being no further business to come before the Board, **Mr. Rice moved, seconded by Ms. Kovach, to adjourn the meeting. Motion carried unanimously.** (CD 1/Track 7 – 27:10/40:47)

The meeting was adjourned at 3:24 p.m.

Attest:

\_\_\_\_\_  
Chairman

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*The Southwest Florida Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation, as provided for in the Americans with Disabilities Act, should contact the Executive Department, telephone 1-800-423-1476 (Florida only), extension 4604; TDD ONLY 1-800-231-6108 (Florida only); FAX 352-754-6874.*