

# Governing Board Meeting

## *Agenda and Meeting Information*

*January 25, 2011*

*9:00 a.m.*

*Tampa Service Office*

7601 U.S. Hwy. 301 North • Tampa, Florida  
(813) 985-7481 • 1-800-836-0797

*Hillsborough River*

Southwest Florida  
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



An Equal  
Opportunity  
Employer



2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

TDD only 1-800-231-6103 (FL only)

On the Internet at: [WaterMatters.org](http://WaterMatters.org)

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District's Human Resources Director at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us).

## AGENDA

### GOVERNING BOARD MEETING

**JANUARY 25, 2011**

**9:00 a.m.**

#### TAMPA SERVICE OFFICE

7601 US HIGHWAY 301 NORTH  
813-985-7481 OR 1-800-836-0797

*☞ All meetings are open to the public. ☞*

- Viewing of the Board meeting will be available at each of the District offices and through the District's web site ([www.watermatters.org](http://www.watermatters.org)) -- follow directions to use internet streaming.
- Public input will be taken only at the meeting location.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

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

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

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

The current Governing Board agenda and minutes of previous meetings are on the District's web site: [www.WaterMatters.org](http://www.WaterMatters.org)

#### **9:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)**

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Additions/Deletions to Agenda
4. Employee Recognition
5. Public Input for Issues Not Listed on the Published Agenda

#### **Bartow Service Office**

170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or 1-800-492-7862 (FL only)

#### **Sarasota Service Office**

6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or 1-800-320-3503 (FL only)

#### **Tampa Service Office**

7601 US Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

## **CONSENT AGENDA** (TAB B)

All matters listed under the Consent Agenda are considered routine and action will be taken by one motion, second of the motion and approval by the Board. If discussion is requested by a Board member, that item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

### **Regulation Committee**

6. Individual Water Use Permits Referred to the Governing Board
  - a. WUP No. 20000419.010 - City of Inverness – Citrus County
  - b. WUP No. 20011086.003 - Half Moon Lake – Hillsborough County
  - c. WUP No. 20011425.003 - Round Lake – Hillsborough County
  - d. WUP No. 20010096.006 - Twenty Twenty Groves – Polk County

### **Resource Management Committee**

7. Approve Proposed Rule Language 40D-9.290(2) and 40D-9.320, Florida Administrative Code, Other Uses; Use of Alcoholic Beverages on District Lands Prohibited, and Conflicting Rules
8. Five-Year Water Resource Development Work Program
9. Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel Nos. 15-228-1339
10. Resolutions Requesting the Encumbrance of Fiscal Year 2011 Budgeted Funds from the Water Management Lands Trust Fund and Florida Forever Trust Fund for Preacquisition; Management, Maintenance and Capital Improvements; and Payments in Lieu of Taxes
11. Clearwater Chautauqua/Coachman Reclaimed Water Project – First Amendment
12. Polk County Southwest Regional Utilities Service Area (SWRUSA) Carter Road Reclaimed Water Project – First Amendment

### **Finance & Administration Committee**

13. Budget Transfer Report

### **General Counsel's Report**

14. Initiation of Litigation – Unlawful Entry and Unlawful Detainer - Dean D. Grubb – Pasco County
15. Settlement Agreement – SWFWMD v. Lawrence Sutton & Victoria Sutton, et al., Case No. 2009-CA-008298-2050, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-220 – Polk County
16. Mediated Agreement on Costs – SWFWMD v. Titus L. Weflen & Angela R. Weflen, et al., Case No. 53-2009-CA-008352, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-207 – Polk County

### **Executive Director's Report**

17. Approve Governing Board Minutes – December 14, 2010 Meeting

## **REGULATION COMMITTEE** (TAB C)

### **Discussion Items**

18. Consent Item(s) Moved for Discussion
19. Hydrologic Conditions Status Report
20. Consider Modification of Water Shortage Order 2010-022
21. Freeze Protection Pumpage Status Report
22. Individual Water Use Permits Referred to the Governing Board – WUP No. 20011771.001 - Tampa Bay Water Consolidated Permit – Hillsborough County
23. Southern Water Use Caution Area Quantities
24. Denials Referred to the Governing Board

### **Submit & File Reports – None**

### **Routine Reports**

25. Public Supply Production Report
26. Southern Water Use Caution Area Quantities
27. Overpumpage Report
28. E-Permitting Metrics: Online vs. Paper Applications
29. Individual Permits Issued by District Staff
30. Resource Regulation Significant Initiatives

**RESOURCE MANAGEMENT COMMITTEE** (TAB D)**Discussion Items**

- 31. Consent Item(s) Moved for Discussion
- 32. Reuse Program Overview
- 33. Utility Outreach Program Overview
- 34. Water Quality Monitoring Program Overview

**Submit & File Reports** – None**Routine Reports**

- 35. Florida Forever Funding
- 36. Minimum Flows and Levels
- 37. Structure Operations
- 38. Watershed Management Program and Federal Emergency Management Agency Map Modernization
- 39. Significant Water Supply and Resource Development Projects

**FINANCE & ADMINISTRATION COMMITTEE** (TAB E)**Discussion Items**

- 40. Consent Item(s) Moved for Discussion
- 41. Request for Proposals for Workload and Staffing Analysis – Approve Short List
- 42. Inter-District Coordination on Request for Proposal for Salary and Benefit Study Update
- 43. Fiscal Year 2012 Budget Development Process – Acceptance of Assumptions
- 44. Fiscal Year 2011 Grants Budget Overview
- 45. Board Travel

**Submit & File Report**

- 46. Fiscal Year 2011 First Quarter Financial Report

**Routine Reports**

- 47. Treasurer's Report, Payment Register, and Contingency Reserves
- 48. Management Services Significant Activities

**OUTREACH & PLANNING COMMITTEE** (TAB F)**Discussion Item**

- 49. Regional Water Supply Plan Update
- 50. Development of Fiscal Year 2013-2018 Strategic Plan
- 51. Selecting 2011 Public Service Advertising Campaign
- 52. Legislative Update

**Submit & File Reports**

- 53. Consolidated Annual Report Status

**Routine Reports**

- 54. Comprehensive Plan Amendment and Related Reviews
- 55. Development of Regional Impact Activity Report
- 56. Speakers Bureau
- 57. Significant Activities

**GENERAL COUNSEL'S REPORT** (TAB G)**Discussion Items**

- 58. Consent Item(s) Moved for Discussion
- 59. Status of Tampa Bay Water's Seawater Desalination Project Operational Protocol Discussions

**Submit & File Reports** – None**Routine Reports**

- 60. Litigation Report
- 61. Rulemaking Update



## COMMITTEE/LIAISON REPORTS (TAB H)

- 62. Joint Industrial and Public Supply Committees Meeting
- 63. Well Drillers Advisory Committee Meeting

## EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 64. Executive Director's Report
  - a. September 28, 2010 Governing Board Workshop Summary Update
  - b. Other

## CHAIR'S REPORT (TAB J)

- 65. Chair's Report
  - a. Appoint Interim Basin Board Education Committee Liaison
  - b. Board Confirmation of Appointment of Mr. Adams as Presiding Officer in Bid Protest Proceeding – CKA, LLC v. SWFWMD
  - c. Performance Evaluations of the Executive Director and Inspector General
  - d. Other

## ★ ★ ★ RECESS PUBLIC HEARING ★ ★ ★

## ANNOUNCEMENTS

- Governing Board Meeting and Hearing Schedule:
  - Meeting – Brooksville ..... February 22, 2011
  - Meeting – Sarasota ..... March 29, 2011
  - Meeting – Brooksville ..... April 26, 2011
- Basin Board Meeting Schedule:
  - Pinellas-Anclote River – New Port Richey ..... February 2, 2011
  - Coastal Rivers – Brooksville ..... February 3, 2011
  - Withlacoochee River – Brooksville ..... February 3, 2011
  - Peace River – Bartow ..... February 4, 2011
  - Manasota – Sarasota ..... February 9, 2011
  - Alafia River – Tampa ..... February 10, 2011
  - Hillsborough River – Tampa ..... February 10, 2011
- Advisory Committee Meeting Schedule:
  - Green Industry – Tampa ..... February 24, 2011
  - Agricultural – Tampa ..... February 24, 2011
  - Environmental – Tampa ..... March 7, 2011
  - Well Drillers – Tampa ..... April 13, 2011
  - Industrial – Tampa ..... April 19, 2011
  - Public Supply – Tampa ..... April 19, 2011
- Basin Board Education Committee Meeting – Tampa ..... March 3, 2011
- Basin Board Land Resources Committee Meeting – Bartow ..... March 15, 2011

## 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 an issue 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. When addressing the Board, please step to the podium, adjust the microphone for your comfort, and state your name for the record. 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.

# GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Effective June 2010

OFFICERS	
Chair	Ronald E. Oakley
Vice Chair	Hugh M. Gramling
Secretary	H. Paul Senft
Treasurer	Douglas B. Tharp

*The full Board serves as the members for each committee.*

REGULATION COMMITTEE
Carlos Beruff, Chair
Todd Pressman, Vice Chair
Neil Combee, Second Vice Chair

RESOURCE MANAGEMENT COMMITTEE
Albert G. Joerger, Chair
Vacant, Vice Chair
Hugh M. Gramling, Second Vice Chair

FINANCE AND ADMINISTRATION COMMITTEE
Douglas B. Tharp, Chair*
H. Paul Senft, Vice Chair
Judith C. Whitehead, Second Vice Chair

OUTREACH AND PLANNING COMMITTEE
Bryan K. Beswick, Chair
Jennifer E. Closshey, Vice Chair
Jeffrey M. Adams, Second Vice Chair

\*Board policy requires the Governing Board treasurer to chair the Finance and Administration Committee.

STANDING COMMITTEE LIAISONS	
Agricultural Advisory Committee	Bryan K. Beswick
Environmental Advisory Committee	Jeffrey M. Adams
Green Industry Advisory Committee	Douglas B. Tharp
Industrial Supply Advisory Committee	Jennifer E. Closshey
Public Supply Advisory Committee	H. Paul Senft
Well Drillers Advisory Committee	Ronald E. Oakley
OTHER LIAISONS	
Basin Board Education Committee	Vacant
Basin Board Land Resources Committee	Albert G. Joerger
Governing Board Diversity Coordinator	Vacant
Environmental Stewardship	Judith C. Whitehead
Strategic Planning Initiative	Jennifer E. Closshey
Charlotte Harbor National Estuary Program Policy Board	Bryan K. Beswick
Sarasota Bay Estuary Program Policy Board	Albert G. Joerger
Tampa Bay Estuary Program Policy Board	Hugh M. Gramling
Tampa Bay Regional Planning Council	Todd Pressman, Primary Jeffrey M. Adams, Alternate





**Governing Board Meeting  
January 25, 2011**

**9:00 a.m.**

**★ ★ ★ CONVENE *MEETING OF THE GOVERNING BOARD* ★ ★ ★  
*AND PUBLIC HEARING***

<b>PUBLIC HEARING AND MEETING</b> <i>(TAB A)</i>
--

- |   |   |
|---|---|
| 1. Call to Order .....  | 2 |
| 2. Pledge of Allegiance and Invocation .....                        | 2 |
| 3. Additions/Deletions to Agenda .....                              | 2 |
| 4. Employee Recognition .....                                       | 3 |
| 5. Public Input for Issues Not Listed on the Published Agenda ..... | 5 |

## Governing Board Meeting January 25, 2011

### 1. Call to Order

The Board Chair calls the meeting to order. The Board Secretary confirms that a quorum is present. The Board Chair then opens the public hearing.

Anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. Comments will be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. Several individuals wishing to speak on the same issue/topic should designate a spokesperson.

### 2. Pledge of Allegiance and Invocation

The Board Chair leads the Pledge of Allegiance to the Flag of the United States of America. Mr. Bilenky offers the invocation.

### 3. 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.

#### Staff Recommendation:

Approve the recommended additions and deletions to the published agenda.

Presenter: David L. Moore, Executive Director

## Governing Board Meeting January 25, 2011

### Employee Recognition

The District's employees are its most valuable resource. We are pleased and proud that the average tenure of all employees at the District is 12 years and that we are able to retain such remarkable talent. Each year, many District employees reach significant longevity milestones in their service to the District and many reach momentous milestones, which make them eligible for retirement. The District as a whole, as well as each employee's department, acknowledges and celebrates these milestones/retirements and the tremendous individual contributions they represent to the achievement of the District's mission.

At the Governing Board meeting, Executive Director David Moore will make presentations to the Board for all employees who have achieved milestones of 20 years or greater from the Tampa Service office. New members of management and District employees who have received a Meritorious Service Award will also be recognized.

This item provides the Board with the opportunity to personally recognize and thank our dedicated employees who have reached milestones of 20 years or greater from the Tampa Service Office. We have three employees from the Tampa Service office that have achieved 20 or more longevity milestones for the period of January 1 to January 31, 2011.

#### *Employee Recognition – Service/Retirement*

Milestone	Employee Name	Title	Department	Office Location
<b>25 Years</b>	Colleen Endres	Data Architect	Information Resources	Tampa
<b>20 Years</b>	Tom Albrecht	Business Analyst	Information Resources	Tampa
	Carol Walkinshaw	SrAdministrative Assistant	Tampa Regulation	Tampa

### New Members of Management

The District also welcomes and congratulates new members of its management team and provides the Board the opportunity to welcome these new members of management. We have one new manager to be recognized.

#### *Employee Recognition – Applications Systems Manager*

	Employee Name	Title	Department	Office Location
<b>New Hire</b>	Mark Hoover	Applications Systems Manager	Information Services	Tampa

### Employee Suggestion Program (ESP) – Meritorious Service Award Recognition

The Employee Suggestion Program (ESP) is a program developed to provide recognition of specific **exceptional** contributions to the District's effectiveness, efficiency, economy, or operations, by individuals or work teams. Written proposals that will result in specific **measurable** increases in productivity, reduction in District expenditures, improvement in District

## Item 4

operations, or generation of additional District revenue while maintaining or improving the quality and delivery of services are also recognized. All District employees are encouraged to participate in this program; however, eligibility for a cash award is limited to employees in positions at the level of manager or below.

The following staff member received a Meritorious Service Award recently:

**David Sua**, *Sarasota Surface Water Regulation Manager*

In August 2008, Mr. Sua submitted a Meritorious Service Award in which he had developed a computer program, Environmental Resource Permit (ERP) Calculator, using his personal time. The Suggestion was routed to the Strategic Program Office for review and for subject matter expertise. The suggestion was ultimately submitted to the Inspector General's office and reviewed by Information Resources consultants as to its suitability for the new Water Management Information System (WMIS).

Mr. Sua's ERP calculator program will allow users to enter their own data online; compute the type of ERP application that is specific to their project; give them direct internet access to the applicable Florida Administrative Codes for actual fees scheduled and relevant rule language; assist them in determining the appropriate form of property authorization for activities proposed sovereign submerged lands, as well as the fee schedule of propriety authorizations and all user direct access to the ERP application forms to fill out at the time of application; and eliminate overpayment of permits.

The Inspector General in conjunction with business analysts responsible for developing the ERP business requirements for WMIS estimates that Mr. Sua's work saved them approximately 20-30 hours of research or approximately \$1,400-\$2,100. In addition, Mr. Sua's suggestions can reduce the number of incorrect ERP application fees by 50 percent. Assuming 2,000 applications per year and a cost of \$12 staff time per rebate check or additional fees request and collection savings due to this suggestion can range from a low of \$2,400 to a high of \$6,000.

After review, Mr. Sua's suggestion was submitted to the WMIS business analyst for inclusion into the online ERP system. Mr. Sua's program was put into the ERP online system in October 2010. David received a \$595 Meritorious Service Award in appreciation for his cost-saving program.

### Staff Recommendation:

This item is presented for the Board's information, and no action is required.

Presenter: David L. Moore, Executive Director



**Governing Board Meeting  
January 25, 2011**

**Public Input for Issues Not Listed on the Published Agenda**

At this time, the Board will hear public input for issues not listed on the published agenda.



# Governing Board Meeting

## January 25, 2011

### CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and action will be taken by one motion, second of the motion and approval by the Board. If discussion is requested by a Board member, that item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

#### Regulation Committee

6. Individual Water Use Permits Referred to the Governing Board
  - a. WUP No. 20000419.010 - City of Inverness – Citrus County ..... 2
  - b. WUP No. 20011086.003 - Half Moon Lake – Hillsborough County ..... 19
  - c. WUP No. 20011425.003 - Round Lake – Hillsborough County ..... 30
  - d. WUP No. 20010096.006 - Twenty Twenty Groves – Polk County ..... 41

#### Resource Management Committee

7. Approve Proposed Rule Language 40D-9.290(2) and 40D-9.320, Florida Administrative Code, Other Uses; Use of Alcoholic Beverages on District Lands Prohibited, and Conflicting Rules ..... 54
8. Five-Year Water Resource Development Work Program ..... 56
9. Appraisal, Purchase/Sale Agreement and Resolution Requesting Funds – Annutteliga Hammock Project, SWF Parcel Nos. 15-228-1339 ..... 59
10. Resolutions Requesting the Encumbrance of Fiscal Year 2011 Budgeted Funds from the Water Management Lands Trust Fund and Florida Forever Trust Fund for Preacquisition; Management, Maintenance and Capital Improvements; and Payments in Lieu of Taxes ..... 62
11. Clearwater Chautauqua/Coachman Reclaimed Water Project – First Amendment ..... 64
12. Polk County Southwest Regional Utilities Service Area (SWRUSA) Carter Road Reclaimed Water Project – First Amendment ..... 66

#### Finance & Administration Committee

13. Budget Transfer Report ..... 68

#### General Counsel's Report

14. Initiation of Litigation – Unlawful Entry and Unlawful Detainer - Dean D. Grubb – Pasco County ..... 71
15. Settlement Agreement – SWFWMD v. Lawrence Sutton & Victoria Sutton, et al., Case No. 2009-CA-008298-2050, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-220 – Polk County ..... 72
16. Mediated Agreement on Costs – SWFWMD v. Titus L. Weflen & Angela R. Weflen, et al., Case No. 53-2009-CA-008352, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-207 – Polk County ..... 77

#### Executive Director's Report

17. Approve Governing Board Minutes – December 14, 2010 Meeting ..... 79

**Consent Agenda  
January 25, 2011**

**Regulation Committee**

**Individual Water Use Permits Referred to the Governing Board**

**a. WUP No. 20000419.010 - City of Inverness – Citrus County**

This is a new/expired permit for the City of Inverness and the Florida Department of Agriculture and Consumer Services in Citrus County for Public Supply and Recreation/Aesthetic uses. Groundwater withdrawal facilities are located on two separate parcels, one owned by the City of Inverness and the other owned by the Florida Department of Agriculture and Consumer Services. The City operates and maintains the water supply facilities on both parcels. The permit authorizes groundwater withdrawal from the Upper Floridan Aquifer system at Annual Average and Peak Month rates of 1,535,000 gallons per day (gpd) and 1,980,150 gpd, respectively. The proposed quantities reflect decreases in Annual Average and Peak Month quantities of 190,000 gpd [from 1,725,000 to 1,535,000 gpd] and 333,850 gpd [from 2,314,000 to 1,980,150 gpd], respectively. The decreases are based on a projected population of 10,084 people through 2020 at a per capita rate of 150 gpd. The applicant's water conservation activities are detailed in the attached Water Conservation Activities table. The proposed permit duration is for 10 years.

Approximately 413,000 gpd of reclaimed water is currently being used for residential irrigation and Recreation/Aesthetic use, and a total of 771,000 gpd is projected to be available by 2020. Special conditions in the permit include reporting metering and pumpage data from the large diameter production wells, water-quality sampling from one of the large diameter production wells, irrigation best management practices, per-capita water use rate, and water conservation measures and activities; submission of the location data for two of the proposed small diameter irrigation wells; submission of public supply water use information; capping of wells not in use; and allowing withdrawal flexibility from the large diameter production wells.

The permit application meets all 40D-2 Rule Criteria.

Staff Recommendation:

See Exhibit

Approve the proposed permit attached as the exhibit.

Presenter: Bobby Lue, Director, Brooksville Regulation Department



**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE  
INDIVIDUAL  
PERMIT NO. 20 000419.010**

**DRAFT**

**EXPIRATION DATE:** January 25, 2021

**PERMIT ISSUE DATE:** January 25, 2011

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** New (Expired)  
**GRANTED TO:** CITY OF INVERNESS  
212 W MAIN ST  
INVERNESS, FL 34450  
**PROJECT NAME:** City of Inverness  
**WATER USE CAUTION AREA:** Not In A WUCA  
**COUNTY:** Citrus

**TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gpd)**

ANNUAL AVERAGE	1,535,000 gpd
PEAK MONTH <sup>1</sup>	1,980,150 gpd

<sup>1</sup> Peak Month: Average daily use during the highest water use month.

This is a new/expired permit for the City of Inverness and the Florida Department of Agriculture and Consumer Services (FDACS) in Citrus County for Public Supply and Recreation/Aesthetics uses. Groundwater withdrawal facilities are located on a 47-acre parcel owned by the City of Inverness and a 293-acre parcel owned by FDACS. The City operates and maintains the water supply facilities on both parcels.

The authorized quantities are a decrease from those previously permitted. The Annual Average quantity decreased from 1,725,000 gallons per day (gpd) to 1,535,000 gpd (a decrease of 190,000 gpd) and the Peak Month quantity decreased from 2,314,000 gpd to 1,980,150 gpd (a decrease of 333,850 gpd). The decreases are based on a projected population of 10,084 people through 2020 at a per capita rate of 150 gpd. Public Supply quantities are provided by three large diameter production wells. Recreation/Aesthetics quantities are provided by five small diameter wells. Approximately 413,000 gpd per day of reclaimed water is presently used for residential, lawn and landscaping, and sports field irrigation. A total of 771,000 gpd of reclaimed water is projected to be available by 2020.

Special conditions on the permit include reporting metering and pumpage data from the large diameter production wells, water-quality sampling from one of the large diameter production wells, irrigation best management practices, per-capita water rate, and water conservation measures and activities; submission of final location data for two of the small diameter irrigation wells; submission of public supply water use information; capping of wells not in use, and allowing withdrawal flexibility from the large diameter production wells.

**WATER USE TABLE (in gallons per day)**

<b><u>USE</u></b>	<b><u>ANNUAL AVERAGE</u></b>	<b><u>PEAK MONTH</u></b>
PUBLIC SUPPLY	1,510,000	1,947,899
RECREATION/AESTHETIC	25,000	32,251

**IRRIGATION ALLOCATION RATE TABLE**

<b><u>CROP/USE TYPE</u></b>	<b><u>IRRIGATED ACRES</u></b>	<b><u>IRRIGATION METHOD</u></b>	<b><u>STANDARD IRRIGATION RATE</u></b>
Lawn & Landscape Irrigation	8.10	Sprinkler Over Plant	30.60"/yr.
Sports Playing Fields	2.60	Sprinkler Over Plant	31.80"/yr.
Commercial/Industrial			
Fire Fighting/Testing			
Residential Multi-Family			
Residential Single Family			
Unaccounted Use			

**PUBLIC SUPPLY:**

Population Served:	10,084
Per Capita Rate:	150 gpd/person

**WITHDRAWAL POINT QUANTITY TABLE**

Water use from these withdrawal points are restricted to the quantities given below:

<b><u>I.D. NO. PERMITTEE/ DISTRICT</u></b>	<b><u>DIAM (IN.)</u></b>	<b><u>DEPTH TTL./CSD.FT. (feet bls)</u></b>	<b><u>USE DESCRIPTION</u></b>	<b><u>AVERAGE (gpd)</u></b>	<b><u>PEAK MONTH (gpd)</u></b>
PS-3 / 3	16	250 / 131	Public Supply	503,333	649,299
4 / 4	3	35 / 35	Irrigation	6,250	8,063
5 / 5	3	35 / 35	Irrigation	6,250	8,063
6 / 6	4	253 / 50	Irrigation	6,250	8,063
PS-4 / 8	16	250 / 150	Public Supply	503,333	649,299
PS-5 / 9	12	250 / 150	Public Supply	503,334	649,301
10 / 10	6	200 / 50	Irrigation	3,125	4,031
11 / 11	6	200 / 50	Irrigation	3,125	4,031

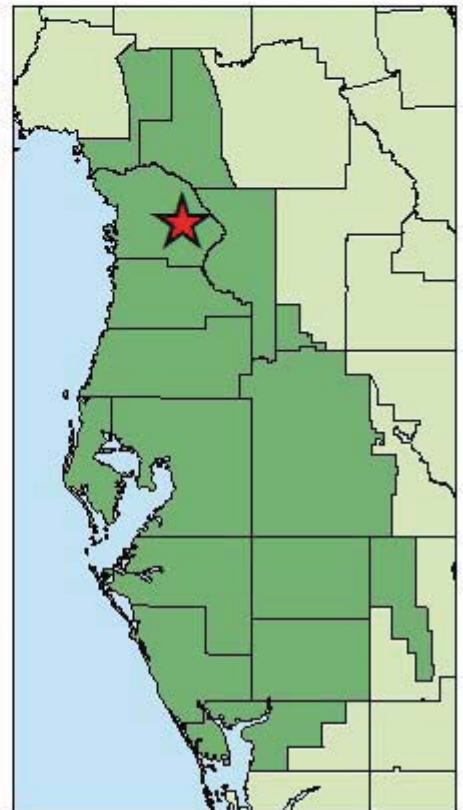
**WITHDRAWAL POINT LOCATION TABLE**

<b><u>DISTRICT I.D. NO</u></b>	<b><u>LATITUDE/LONGITUDE</u></b>
3	28° 49' 21.70"/82° 20' 59.70"
4	28° 50' 27.90"/82° 20' 57.80"
5	28° 50' 28.00"/82° 20' 57.60"
6	28° 50' 17.20"/82° 20' 55.40"
8	28° 49' 20.90"/82° 20' 56.30"
9	28° 49' 21.10"/82° 21' 02.10"
10	28° 50' 30.69"/82° 20' 50.04"
11	28° 50' 31.00"/82° 20' 50.40"

# Location Map

## City of Inverness

### WUP 20000419.010



### Legend

Project Area

DIDs

Citrus County



Southwest Florida  
Water Management District

REG GIS 12/29/2010

2010 Aerial

© 2009 NAVTEQ



**STANDARD CONDITIONS:**

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

**SPECIAL CONDITIONS:**

1. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
2. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
3. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
4. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
5. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center ([www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/)) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:  
Southwest Florida Water Management District  
Brooksville Regulation Department, Water Use Regulation  
2379 Broad Street  
Brooksville, Florida 34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.  
(499)

6. The Permittee shall adopt and maintain a water-conserving rate structure for potable water by January 1, 2012 and shall submit the rate ordinances or tariff sheets for both potable and irrigation water, but not including reclaimed water, and a report describing the potable water rate structure and its estimated effectiveness within one year following adoption.(205)
7. Public supply Permittees shall have a per capita rate of no greater than 150 gallons per day whether it is calculated as an unadjusted gross per capita, an adjusted gross per capita, or a compliance per capita as provided in Chapter 3, Part B of the "Water Use Permit Information Manual". A phased reduction in per capita shall be implemented by Permittees that do not achieve the compliance per capita rate of no greater than 150 gallons per day. Compliance with the per capita rate shall be

monitored via the Annual Report and the Reclaimed Water Supplier Report that are required to be submitted by April 1 of each year for Individual and General Water Use Permits.(516)

8. By 60 days after well construction, the Permittee shall submit to the Permit Data Section, Performance Management Office, the specific location of District ID Nos. 10 and 11, Permittee ID Nos. 10 and 11, on an original blue line aerial (the Permittee may use the District GIS maps from the website) with a minimum scale of 1" = 800' or by latitude/longitude. If latitude and longitude are provided, the Permittee shall include instrumentation used to determine the data. (537)
  9. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.(568)
  10. Beginning January 1, 2012, the Permittee shall comply with the following requirements:
    - A. Customer billing period usage shall be placed on each utility-metered, customer's bill.
    - B. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
    - C. The following information, as applicable to the customer, shall be provided at least once each calendar year and a summary of the provisions shall be provided to the District annually as described in Section D, below. The information shall be provided by postal mailings, bill inserts, online notices, on the bill or by other means. If billing units are not in gallons, a means to convert the units to gallons must be provided.
      1. To each utility-metered customer in each customer class - Information describing the rate structure and shall include any applicable:
        - a. Fixed and variable charges,
        - b. Minimum charges and the quantity of water covered by such charges,
        - c. Price block quantity thresholds and prices,
        - d. Seasonal rate information and the months to which they apply, and
        - e. Usage surcharges
      2. To each utility-metered single-family residential customer - Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use and that shall include one or more of the following:
        - a. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
        - b. A means to calculate an efficient billing period use based on the customer's characteristics, or
        - c. A means to calculate an efficient billing period use based on the service area's characteristics.
    - D. Annual Report: The following information shall be submitted to the District annually by October 1 of each year of the permit term to demonstrate compliance with the requirements above. The information shall be current as of the October 1 submittal date.
      1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
      2. Description of the current customer billing and meter reading practices and any proposed changes to these practices (including a copy of a bill per A above).
      3. Description of the means the permittee uses to make their metered customers aware of rate structures, and how the permittee provides information their metered single-family residential customers can use to compare their water use relative to other single-family customers or estimate an efficient use (see C 1 & 2 above).
- (592)
11. The Permittee shall submit a "Water Use Annual Report" to the District by April 1 of each year on their water use during the preceding calendar year using the form, "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), referred to in this condition as "the Form," and all required attachments and documentation. The Permittee shall adhere to the "Instructions for Completion of the Water Use Annual Report" attached to and made part of this condition in Exhibit B. The Form addresses the following components in separate sections.  
 Per Capita Use Rate  
 A per capita rate for the previous calendar year will be calculated as provided in Part A of the Form using Part C of the Form to determine Significant Use deduction that may apply. Permittees that

cannot achieve a per capita rate of 150 gpd according to the time frames included in the "Instructions for Completion of the Water Use Annual Report," shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance.

#### Residential Use

Residential use shall be reported in the categories specified in Part B of the Form, and the methodology used to determine the number of dwelling units by type and their quantities used shall be documented in an attachment.

#### Non-Residential Use

Non-residential use quantities provided for use in a community but that are not directly associated with places of residence, as well as the total water losses that occur between the point of output of the treatment plant and accountable end users, shall be reported in Part B of the Form.

#### Water Conservation

In an attachment to the Form, the Permittee shall describe the following:

1. Description of any ongoing audit program of the water treatment plant and distribution systems to address reductions in water losses.
2. An update of the water conservation plan (accepted on November 1, 2010) that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the Permittees implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs, identification of which measures and programs, if any, were derived from the Conserve Florida Water Conservation Guide, and provide the projected costs of the measures and programs and the projected water savings.

#### Water Audit

If the current water loss rate is greater than 10% of the total distribution quantities, a water audit as described in the "Instructions for Completion of the Water Use Annual Report" shall be conducted and completed by the following July 1, with the results submitted by the following October 1. Indicate on Part A of the Form whether the water audit was done, will be done, or is not applicable.

#### Alternative Water Supplied Other Than Reclaimed Water

If the Permittee provides Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) to customers, the information required on Part D of the Form shall be submitted along with an attached map depicting the areas of current Alternative Water Use service and areas that are projected to be added within the next year.

#### Suppliers of Reclaimed Water

1. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd:

The Permittee shall submit the "SWFWMD Annual Reclaimed Water Supplier Report" on quantities of reclaimed water that was provided to customers during the previous fiscal year (October 1 to September 30). The report shall be submitted in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09), that will be provided annually to them by the District. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report.

2. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd:

- a. The Permittee has the option to submit the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above, or
- b. Provide information on reclaimed water supplied to customers on Part E of the Form as described in the "Instructions for Completion of the Water Use Annual Report"

#### Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system. (660)

12. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Regulation

Department Director: District ID Nos. 3, 8, and 9, Permittee ID Nos. PS-3, PS-4, and PS-5. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

13. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples shall be collected whether or not the well is being used unless infeasible. If sampling is infeasible, the Permittee shall indicate the reason for not sampling on the water quality data form or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

Existing District ID No. 3/Permittee ID No. PS-3 for Chlorides, Sulfates, and T.D.S. after a minimum pumping time of 20 minutes, on a quarterly basis, with first sample due date of February 10, 2011.  
(752)

40D-2  
Exhibit A

**WATER USE PERMIT STANDARD CONDITIONS**

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - B. Sinkholes or subsidence caused by reduction in water levels;
  - C. Damage to crops and other vegetation causing financial harm to the owner; and
  - D. Damage to the habitat of endangered or threatened species.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. A reduction in water levels which impairs the ability of a well to produce water;
  - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
11. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.
13. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
14. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing.
17. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B  
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. The Permittee shall submit meter readings online using the Permit Information Center at [www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/) or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Performance Management Office in Brooksville (352-796-7211) if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
  - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
  - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
  - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
  - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
  - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
  - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
  - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
  - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.



8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

#### FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
  - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
  - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
  - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
  - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
  - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

\* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
  - A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
  - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
  - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
  - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent

accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website ([www.watermatters.org](http://www.watermatters.org)) under "Permits and Rules" for Water Use Permits.
  - B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
  - C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
  - D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
  - E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
  - F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site

#### WATER QUALITY INSTRUCTIONS

The Permittee shall perform water quality sampling, analysis and reporting as follows:

- 1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
- 2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
- 3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
- 4. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director, Resource Regulation.
- 5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
- 6. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, "Certification of Environmental Testing Laboratories."
- 7. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).
- 8. Unless other reporting arrangements have been approved by the Regulation Department Director, Resource Regulation, reports of the analyses shall be submitted to the Permit Data Section, Strategic Programs Office Department, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
- 9. Water quality samples shall be collected based on the following timetable for the frequency listed in the

special condition:

10. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.

Frequency

Timetable

Weekly

Same day of each week

Quarterly

Same week of **February, May, August, November**

Semi-annually

Same week of **May, November**

Monthly

Same week of each month

#### ANNUAL REPORT SUBMITTAL INSTRUCTIONS

The "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), is designed to assist the Permittee with the annual report requirements, but the final authority for what must be included in the Water Use Annual Report is in this condition and in these instructions. Two identical copies of the "Public Supply Water Use Annual Report Form" and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means that if the original is in color, then all copies shall also be printed in color. If submitted electronically, only one submittal is required; however, any part of the document that is in color shall be scanned in color.

1. **Per Capita Use Rate** - A per capita rate for the previous calendar year will be progressively calculated until a rate of 150 gpd per person or less is determined whether it is the unadjusted per capita, adjusted per capita, or compliance per capita. The calculations shall be performed as shown in Part A of the Form. The Permittee shall refer to and use the definitions and instructions for all components as provided on the Form and in Part B, Chapter 3, Section 3.6 of the "Water Use Permit Information Manual." Permittees that have interconnected service areas and receive an annual average quantity of 100,000 gpd or more from another permittee are to include these quantities as imported quantities. Permittees in the Southern Water Use Caution Area (SWUCA) or the Northern Tampa Bay Water Use Caution Area (NTBWUCA), as it existed prior to October 1, 2007, shall achieve a per capita of 150 gpd or less, and those in these areas that cannot achieve a compliance per capita rate of 150 gpd or less shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance. Permittees not in a Water Use Caution Area that cannot achieve a compliance per capita rate of 150 gpd or less by December 31, 2019 shall submit this same report in the Annual Report due April 1, 2020.
2. **Residential Use** - Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes), including irrigation uses, whether separately metered or not. The Permittee shall document the methodology used to determine the number of dwelling units by type and the quantities used. Estimates of water use based upon meter size will not be accepted. If mobile homes are included in the Permittees multi-family unit category, the information for them does not have to be separated. The information for each category shall include:
  - A. Number of dwelling units per category,
  - B. Number of domestic metered connections per category,
  - C. Number of metered irrigation connections,
  - D. Annual average quantities in gallons per day provided to each category, and
  - E. Percentage of the total residential water use provided apportioned to each category.
3. **Non-Residential Use** - Non-residential use consists of all quantities provided for use in a community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1 through 6 below, the number of metered connections shall be provided. These non-residential use categories are:
  - A. Industrial/commercial uses, including associated lawn and landscape irrigation use,
  - B. Agricultural uses (e.g., irrigation of a nursery),
  - C. Recreation/Aesthetic, for example irrigation (excluding golf courses) of Common Areas, stadiums

- and school yards,
  - D. Golf course irrigation,
  - E. Fire fighting, system testing and other accounted uses,-
  - F. K-through-12 schools that do not serve any of the service area population, and
  - G. Water Loss as defined as the difference between the output from the treatment plant and accounted residential water use (B above) and the listed non-residential uses in this section.
4. **Water Audit** - The water audit report that is done because water losses are greater than 10% of the total distribution quantities shall include the following items:
- A. Evaluation of:
    - 1) leakage associated with transmission and distribution mains,
    - 2) overflow and leakage from storage tanks,
    - 3) leakage near service connections,
    - 4) illegal connections,
    - 5) description and explanations for excessive distribution line flushing (greater than 1% of the treated water volume delivered to the distribution system) for potability,
    - 6) fire suppression,
    - 7) un-metered system testing,
    - 8) under-registration of meters, and
    - 9) other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts used for residential and non-residential uses specified in Parts B and C above, and
  - B. A schedule for a remedial action-plan to reduce the water losses to below 10%.
5. **Alternative Water Supplied other than Reclaimed Water** - Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following on Part D of the Form:
- A. Description of the type of Alternative Water Supply provided,
  - B. County where service is provided,
  - C. Customer name and contact information,
  - D. Customer's Water Use Permit number (if any),
  - E. Customer's meter location latitude and longitude,
  - F. Meter ownership information,
  - G. General customer use category,
  - H. Proposed and actual flows in annual average gallons per day (gpd) per customer,
  - I. Customer cost per 1,000 gallons or flat rate information,
  - J. Delivery mode (e.g., pressurized or non-pressurized),
  - K. Interruptible Service Agreement (Y/N),
  - L. Month/year service began, and
  - M. Totals of monthly quantities supplied.
6. **Suppliers of Reclaimed Water** - Depending upon the treatment capacity of the Permittees wastewater treatment plant, the Permittee shall submit information on reclaimed water supplied as follows:
- A. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd shall utilize the "SWFWMD Annual Reclaimed Water Supplier Report" in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09). The "SWFWMD Annual Reclaimed Water Supplier Report" is described in Section 3.1 of Chapter 3, under the subheading "Reclaimed Water Supplier Report" and is described in detail in Appendix A to Part B, Basis of Review of the "Water Use Permit Information Manual."
  - B. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd can either utilize the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above or provide the following information on Part E of the Form:

- 1) Bulk customer information:
  - a) Name, address, telephone number,
  - b) WUP number (if any),
  - c) General use category (residential, commercial, recreational, agricultural irrigation, mining),
  - d) Month/year first served,
  - e) Line size,
  - f) Meter information, including the ownership and latitude and longitude location,
  - g) Delivery mode (pressurized, non-pressurized).
- 2) Monthly flow in gallons per bulk customer.
- 3) Total gallons per day (gpd) provided for metered residential irrigation.
- 4) Disposal information:
  - a) Site name and location (latitude and longitude or as a reference to the service area map),
  - b) Contact name and telephone,
  - c) Disposal method, and
  - d) Annual average gpd disposed.

---

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

**Consent Agenda  
January 25, 2011**

**Regulation Committee**

**Individual Water Use Permits Referred to the Governing Board**

**b. WUP No. 20011086.003 - Half Moon Lake – Hillsborough County**

This is renewal of an existing water use permit for Half Moon Lake for an environmental augmentation. The project site is located in Northern Tampa Bay. The total proposed permitted quantities are 60,000 gallons per day Annual Average, 350,000 gallons per day Peak Month. This is unchanged from the existing permit. The proposed permitted quantities are necessary to maintain the lake at the level set for continued environmental function, which is due to its proximity to Tampa Bay Water's Section 21 Cosme-Odesa and Section 21 Wellfields. The proposed permit duration is 10 years.

Special Conditions include those that require the Permittee to maintain the existing meter on the well, submit meter readings monthly, adhere to the augmentation levels, maintain the existing staff gage, record and report weekly lake levels and submit an Environmental Monitoring Report annually.

The permit application meets all Rule 40D-2 Rule Criteria.

Staff Recommendation:

See Exhibit

Approve the proposed permit attached as the exhibit.

Presenter: Alba E. Más, Director, Tampa Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE  
GENERAL  
PERMIT NO. 20 011086.003**

**DRAFT**

**EXPIRATION DATE:** January 25, 2021

**PERMIT ISSUE DATE:** January 25, 2011

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** Renewal

**GRANTED TO:** ALAIN & LUZ JUVERT  
15912 WILLOWDALE RD  
TAMPA, FL 33625

**PROJECT NAME:** HALF MOON LAKE

**WATER USE CAUTION AREA:** Northern Tampa Bay

**COUNTY:** Hillsborough

**TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gpd)**

ANNUAL AVERAGE	60,000 gpd
PEAK MONTH <sup>1</sup>	350,000 gpd

<sup>1</sup> Peak Month: Average daily use during the highest water use month.

This is a renewal of an existing permit for environmental augmentation. The annual average of 60,000 gallons per day (gpd) is unchanged and the peak month quantity of 350,000 gpd is also unchanged. These quantities are necessary to maintain the lake at the level set for continued environmental function, which is due to its proximity to Tampa Bay Water's Cosme-Odessa and Section 21 Wellfields.

Special conditions include those that require the Permittee to maintain the existing meter on the well, submit meter readings monthly, adhere to the augmentation levels, maintain the existing staff gage, record and report weekly lake levels, and submit an Environmental Monitoring Report annually.

**WATER USE TABLE (in gallons per day)**

<b><u>USE</u></b>	<b><u>ANNUAL AVERAGE</u></b>	<b><u>PEAK MONTH</u></b>
RECREATION/AESTHETIC	60,000	350,000

**USE TYPE**

Augmentation For  
Environmental

**WITHDRAWAL POINT QUANTITY TABLE**

Water use from these withdrawal points are restricted to the quantities given below:

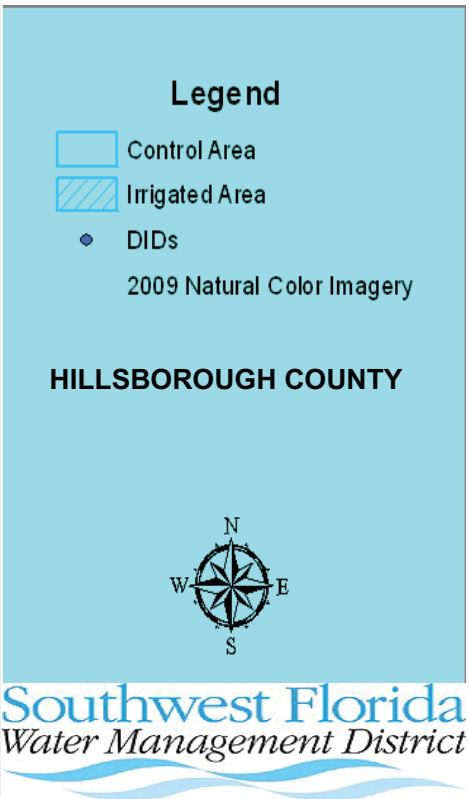
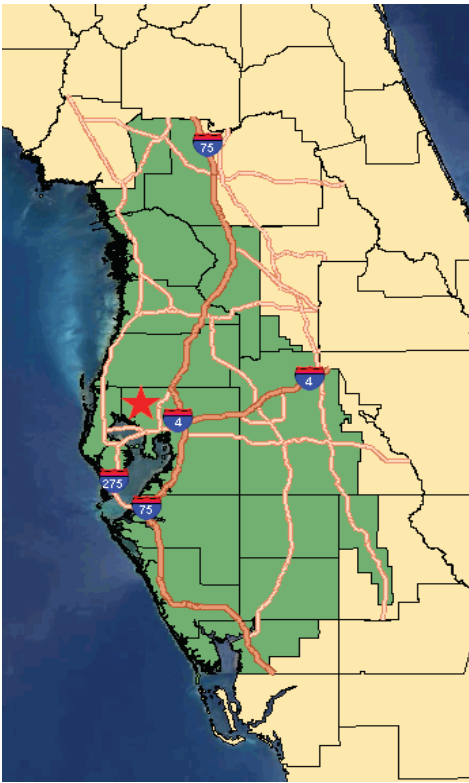
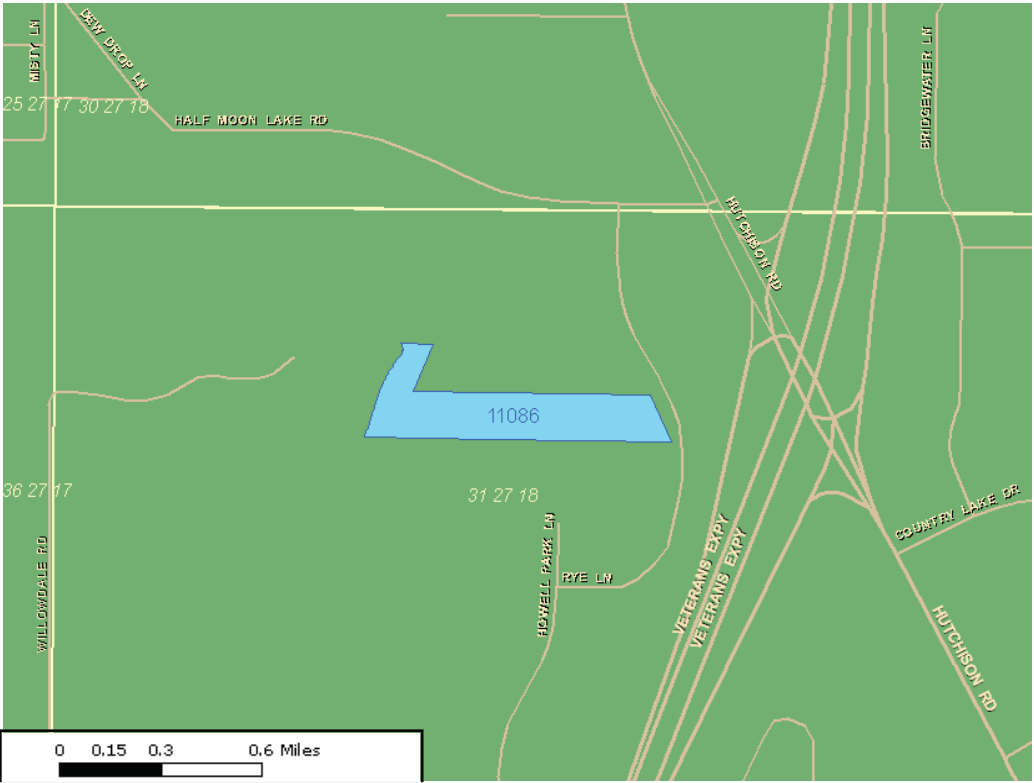
<b><u>I.D. NO.</u></b> <b><u>PERMITTEE/</u></b> <b><u>DISTRICT</u></b>	<b><u>DIAM</u></b> <b><u>(IN.)</u></b>	<b><u>DEPTH</u></b> <b><u>TTL./CSD.FT.</u></b> <b><u>(feet bls)</u></b>	<b><u>USE DESCRIPTION</u></b>	<b><u>AVERAGE</u></b> <b><u>(gpd)</u></b>	<b><u>PEAK</u></b> <b><u>MONTH</u></b> <b><u>(gpd)</u></b>
1 / 1	8	350 / 210	Augmentation	60,000	350,000

**WITHDRAWAL POINT LOCATION TABLE**

<b><u>DISTRICT I.D. NO</u></b>	<b><u>LATITUDE/LONGITUDE</u></b>
1	28° 05' 50.84"/82° 32' 39.93"



Location Map  
ALAIN & LUZ JUVERT  
WUP No. 20 011086.003



**STANDARD CONDITIONS:**

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

**SPECIAL CONDITIONS:**

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center ([www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/)) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District  
Tampa Regulation Department, Water Use Regulation  
7601 U.S. Hwy. 301 North  
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.  
(499)

2. Augmentation of Halfmoon Lake shall be allowed during the following timeframes and at the specified water level elevations:

During a non-water shortage and a Phase I 40D-21, F.A.C declared water shortage, augmentation may begin of Halfmoon Lake when the lake level reaches the Low Guidance Level of 41.20 feet NGVD and shall cease at the Minimum Lake Level of 42.30 NGVD. Additionally, during the beginning of the annual dry season and prior to the lake levels reaching below 41.20 NGVD, Half Moon Lake may be augmented, one time annually, to the High Minimum Guidance level established at 43.30 NGVD in order to maintain the Low Guidance Level lake elevation throughout the dry season. During a Phase II, III and IV 40D-21, F.A.C. declared water shortage, augmentation may begin of Halfmoon Lake when the lake level reaches 41.20 feet NGVD and shall cease at lake level 42.30 NGVD.  
(219)

3. The Permittee shall submit an Environmental Monitoring Report annually over the term of the permit beginning January 1, 2012, and one report six months prior to the expiration date of this permit. Interpretive reports of the lake's environmental conditions shall incorporate all raw data, essential graphs, photographs, tables, and an interpretive summary of the lake conditions. The reports shall investigate relationships between water level fluctuations, well pumpage, and rainfall related to the environmental condition of the lake and related wetlands. The information along with any other environmental parameters collected shall be used for the interpretive report summary. (287)
4. The following existing Environmental Augmentation withdrawal facilities shall continue to be metered: District ID No(s). 1, Permittee ID No(s). 1. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(731)

5. The Permittee shall continue to maintain the District-approved staff gauge in the water body at the location specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated.

District ID No. 20, Permittee ID No. 20 on Halfmoon Lake record on a Weekly basis at Lat. 280551.29  
Log. 823247.90

To the maximum extent possible, water levels shall be recorded on the same day of each week, and reported to the Permit Data Section, Performance Management Office, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

(762)

40D-2  
Exhibit A

**WATER USE PERMIT STANDARD CONDITIONS**

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - B. Sinkholes or subsidence caused by reduction in water levels;
  - C. Damage to crops and other vegetation causing financial harm to the owner; and
  - D. Damage to the habitat of endangered or threatened species.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. A reduction in water levels which impairs the ability of a well to produce water;
  - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
11. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.
13. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
14. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing.
17. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B  
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. The Permittee shall submit meter readings online using the Permit Information Center at [www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/) or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Performance Management Office in Brooksville (352-796-7211) if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
  - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
  - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
  - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
  - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
  - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
  - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
  - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
  - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.



8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

#### FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
  - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
  - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
  - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
  - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
  - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

\* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
  - A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
  - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
  - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
  - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent

accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website ([www.watermatters.org](http://www.watermatters.org)) under "Permits and Rules" for Water Use Permits.
  - B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
  - C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
  - D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
  - E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
  - F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site

---

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.



**Consent Agenda  
January 25, 2011**

**Regulation Committee**

**Individual Water Use Permits Referred to the Governing Board**

**c. WUP No. 20011425.003 - Round Lake Association, Inc. – Hillsborough County**

This is renewal of an existing water use permit for Round Lake Association, Inc. for an environmental lake-augmentation. The project site is located in Northern Tampa Bay. The total proposed permitted quantities are 215,000 gallons per day Annual Average, 256,000 gallons per day Peak Month. This is unchanged from the existing permit. The proposed permitted quantities are necessary to maintain the lake at the level set for continued environmental function, which is due to its proximity to Tampa Bay Water's Section 21 Wellfield. The proposed permit duration is 10 years.

Special Conditions include those that require the Permittee to maintain the existing meter on the well, submit meter readings monthly, adhere to the augmentation levels, maintain the existing staff gage, record and report weekly lake levels and submit an Environmental Monitoring Report annually.

The permit application meets all Rule 40D-2 Rule Criteria.

Staff Recommendation:

See Exhibit

Approve the proposed permit attached as the exhibit.

Presenter: Alba Más, Director, Tampa Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE  
GENERAL  
PERMIT NO. 20 011425.003**

**DRAFT**

**EXPIRATION DATE:** January 25, 2021

**PERMIT ISSUE DATE:** January 25, 2011

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** Renewal

**GRANTED TO:** ROUND LAKE ASSOCIATION INC AND JOHN ROMER  
17320 LINDA VISTA CIR  
LUTZ, FL 33548

**PROJECT NAME:** ROUND LAKE ASSOCIATION INC

**WATER USE CAUTION AREA:** Northern Tampa Bay

**COUNTY:** Hillsborough

**TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gpd)**

ANNUAL AVERAGE	215,000 gpd
PEAK MONTH <sup>1</sup>	256,000 gpd

<sup>1</sup> Peak Month: Average daily use during the highest water use month.

This is a renewal of an existing environmental lake-augmentation permit. The annual average quantity of 215,000 gallons per day (gpd) is unchanged and the peak month quantity of 256,000 gpd is also unchanged. These quantities are necessary to maintain the lake at the level set for continued environmental function, which is due to its proximity to Tampa Bay Water's Section 21 Wellfield.

Special conditions include those that require the Permittee to maintain the existing meter on the well, submit meter readings monthly, adhere to the augmentation levels, maintain the existing staff gage, record and report weekly lake levels, and submit an Environmental Monitoring Report annually.

**WATER USE TABLE (in gallons per day)**

<b><u>USE</u></b>	<b><u>ANNUAL AVERAGE</u></b>	<b><u>PEAK MONTH</u></b>
RECREATION/AESTHETIC	215,000	256,000

**USE TYPE**

Augmentation For  
Environmental

**WITHDRAWAL POINT QUANTITY TABLE**

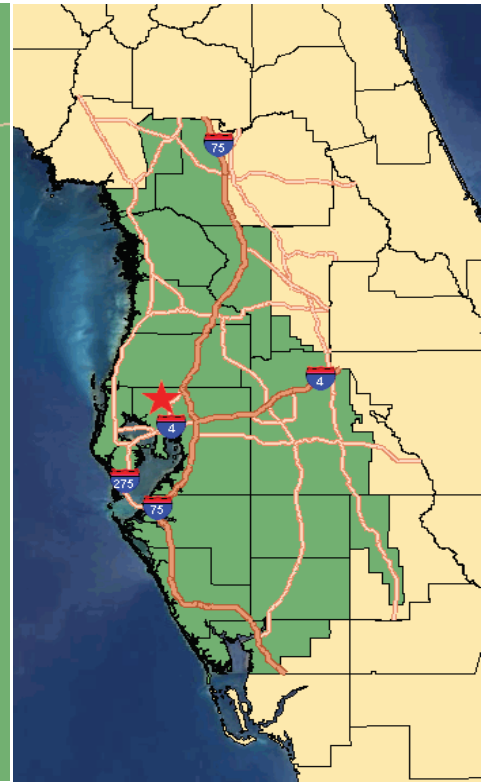
Water use from these withdrawal points are restricted to the quantities given below:

<b><u>I.D. NO.</u></b> <b><u>PERMITTEE/</u></b> <b><u>DISTRICT</u></b>	<b><u>DIAM</u></b> <b><u>(IN.)</u></b>	<b><u>DEPTH</u></b> <b><u>TTL./CSD.FT.</u></b> <b><u>(feet bls)</u></b>	<b><u>USE DESCRIPTION</u></b>	<b><u>AVERAGE</u></b> <b><u>(gpd)</u></b>	<b><u>PEAK</u></b> <b><u>MONTH</u></b> <b><u>(gpd)</u></b>
2 / 2	6	480 / 148	Augmentation	215,000	256,000

**WITHDRAWAL POINT LOCATION TABLE**

<b><u>DISTRICT I.D. NO</u></b>	<b><u>LATITUDE/LONGITUDE</u></b>
2	28° 07' 18.64"/82° 29' 56.92"

**Location Map**  
**ROUND LAKE ASSOCIATION INC AND JOHN ROMER**  
**WUP No. 20 011425.003**



**Legend**

- Control Area
- Irrigated Area
- ◆ DIDs

2009 Natural Color Imagery

**HILLSBOROUGH COUNTY**

**Southwest Florida**  
*Water Management District*

**STANDARD CONDITIONS:**

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

**SPECIAL CONDITIONS:**

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center ([www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/)) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District  
Tampa Regulation Department, Water Use Regulation  
7601 U.S. Hwy. 301 North  
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.  
(499)

2. Augmentation of Round Lake shall be allowed at the specified water level elevations:

Augmentation may begin when the lake level reaches 52.5 feet NGVD and shall cease at the Minimum Lake Level of 53.5 feet NGVD.

The District reserves the right to further restrict augmentation levels if any of the applicable Minimum or Low Guidance Levels (Chapter 40D-8.605(2) F.A.C.) are revised to elevations below the Upper Augmentation Limit indicated below.  
(219)

3. The Permittee shall submit three copies of the Environmental Monitoring Report annually over the term of the permit beginning January 1, 2012, and one six months prior to the expiration date of this permit. Interpretive reports of the lake's environmental conditions shall incorporate all raw data, essential graphs, photographs, tables, and an interpretive summary of the lake conditions. The reports shall investigate relationships between water level fluctuations, well pumpage, and rainfall related to the environmental condition of the lake and related wetlands.  
(287)

4. The Permittee shall continue to maintain the District-approved staff gauge in the water body at the location specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated.

District ID No. 25, Permittee ID No. 25 on Round Lake record on a Weekly basis at Lat. 280717.22 Log. 822957.73

To the maximum extent possible, water levels shall be recorded on the same day of each week, and reported to the Tampa Regulation Department, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

(762)

5. The following existing Environmental Augmentation withdrawal facilities shall continue to be metered: District ID No(s). 2, Permittee ID No(s). 2. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(731)

40D-2  
Exhibit A

**WATER USE PERMIT STANDARD CONDITIONS**

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - B. Sinkholes or subsidence caused by reduction in water levels;
  - C. Damage to crops and other vegetation causing financial harm to the owner; and
  - D. Damage to the habitat of endangered or threatened species.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. A reduction in water levels which impairs the ability of a well to produce water;
  - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
11. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.



12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.
13. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
14. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing.
17. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B  
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. The Permittee shall submit meter readings online using the Permit Information Center at [www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/) or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Performance Management Office in Brooksville (352-796-7211) if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
  - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
  - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
  - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
  - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
  - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
  - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
  - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
  - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

#### FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
  - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
  - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
  - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
  - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
  - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

\* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
  - A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
  - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
  - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
  - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent

accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website ([www.watermatters.org](http://www.watermatters.org)) under "Permits and Rules" for Water Use Permits.
  - B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
  - C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
  - D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
  - E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
  - F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site

---

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

**Consent Agenda  
January 25, 2011**

**Regulation Committee**

**Individual Water Use Permits Referred to the Governing Board**

**d. WUP No. 20010096.006 - Twenty Twenty Groves, Inc. – Polk County**

This is an application for modification of an existing water use permit for Twenty Twenty Groves, Inc. for agricultural use. The project site is located in Southeastern Polk County, within the Southern Water Use Caution Area. The total proposed permitted quantities are from the Upper Floridan aquifer; 625,800 gallons per day Annual Average, 715,500 gallons per day Drought Annual Average, 3,075,400 gallons per day Peak Month, and 10,800,000 gallons per day Maximum Daily quantity. The increase in Annual Average, Drought Annual Average, Peak Month, and Maximum Daily (crop protection) is due to an increase in citrus irrigated acreage from 235.3 acres to 494.5 acres. There is no change in use type. The proposed permitted quantities are based on the use of the District's irrigation allocation calculation program (AGMOD). The Permittee is using an Alternative Water Supply source with an onsite 70-acre reservoir that collects rainwater, stormwater and reuse water, which will be used to supplement the Drought Annual Average quantity and Maximum Daily quantity. The applicant has a water conservation plan in conformance with District rules. This permit is a modification of a 10 year permit that expires June 8, 2017.

Special Conditions include those that require the Permittee to continue to meter and report monthly meter readings from all withdrawal points, implement water conservation and best management practices, comply with irrigation allotments and efficiency goals, submit annual crop reports, report crop protection usage, modify the permit to reflect incorporation of any new alternative sources of water, add two new wells, comply with the Southern Water Use Caution Area recovery strategy, comply with rolling 12-month average withdrawal quantity, construct the proposed wells to specified parameters, restrict the total permitted drought annual average quantity not to be exceeded in any drought event, and cap all wells not in use.

The permit application meets all Rule 40D-2 Conditions For Issuance.

Staff Recommendation:

See Exhibit

Approve the proposed permit attached as the exhibit.

Presenter: Brian Starford, Director, Bartow Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE  
INDIVIDUAL  
PERMIT NO. 20 010096.006**

**DRAFT**

**EXPIRATION DATE: June 08, 2017**

**PERMIT ISSUE DATE: January 25, 2011**

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

**TYPE OF APPLICATION:** Modification

**GRANTED TO:** TWENTY TWENTY GROVES INC  
PO BOX 14049  
FT PIERCE, FL 34979

**PROJECT NAME:** LAKE L GROVE

**WATER USE CAUTION AREA:** Southern Water Use Caution Area

**COUNTY:** Polk

**TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gpd)**

ANNUAL AVERAGE	625,800 gpd
PEAK MONTH <sup>1</sup>	3,075,400 gpd
DROUGHT ANNUAL AVERAGE <sup>2</sup>	715,500 gpd
CROP PROTECTION/MAXIMUM <sup>3</sup>	10,800,000 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.
3. Crop Protection/Maximum: Maximum use allowed any 24-hour period/Frost and Freeze protection of crops.

This is a modification of an existing permit for agricultural use. The authorized quantities shown above are an increase from those previously permitted on originating WUP No. 20010096.005. The Standard Annual Average quantity increases from 297,800 gallons per day (gpd) to 625,800 gpd, the Drought Annual Average quantity increases from 378,300 gpd to 715,500 gpd, the Peak Month quantity increase from 1,463,300 gpd to 3,075,400 gpd, and the Crop Protection quantity increases from 7,200,000 gpd to 10,800,000 gpd. The permitted use on this permit changed from irrigation of 235.3 acres of citrus to 494.5 acres of citrus. Quantities are based on calculations using the District's irrigation allocation calculation program, AGMOD. The Drought Annual Average quantity was reduced by 10% due to potential impacts to Trout Lake, a stressed lake. The Permittee will use reuse water from a citrus concentrate cold storage facility and beverage service facility (when available), and capture stormwater runoff as an Alternative Water Source to supplement the Drought Annual Average and Crop Protection quantities.

Special Conditions include those that require the Permittee to continue to record and report monthly meter readings from all withdrawal points, implement water conservation and best management practices, comply with irrigation allotments and efficiency goals, submit annual crop reports, report crop protection usage, modify the permit to reflect incorporation of any new alternative sources of water, comply with the SWUCA recovery strategy, comply with rolling 12-month average withdrawal quantity, adhere to specific well construction stipulations for the proposed wells, restrict the total permitted drought annual average quantity not to be exceeded in any drought event, and cap wells not in use.

**WATER USE TABLE (in gallons per day)**

<b><u>USE</u></b>	<b><u>ANNUAL AVERAGE</u></b>	<b><u>PEAK MONTH</u></b>	<b><u>DROUGHT ANNUAL AVERAGE</u></b>	<b><u>CROP PROTECTION /MAXIMUM</u></b>
AGRICULTURAL	625,800	3,075,400	715,500	10,800,000

**IRRIGATION ALLOCATION RATE TABLE**

<b><u>CROP/USE TYPE</u></b>	<b><u>IRRIGATED ACRES</u></b>	<b><u>IRRIGATION METHOD</u></b>	<b><u>STANDARD IRRIGATION RATE</u></b>	<b><u>DROUGHT IRRIGATION RATE</u></b>
Citrus	494.50	Low Volume Spray	19.00"/yr.	24.17"/yr.

**WITHDRAWAL POINT QUANTITY TABLE**

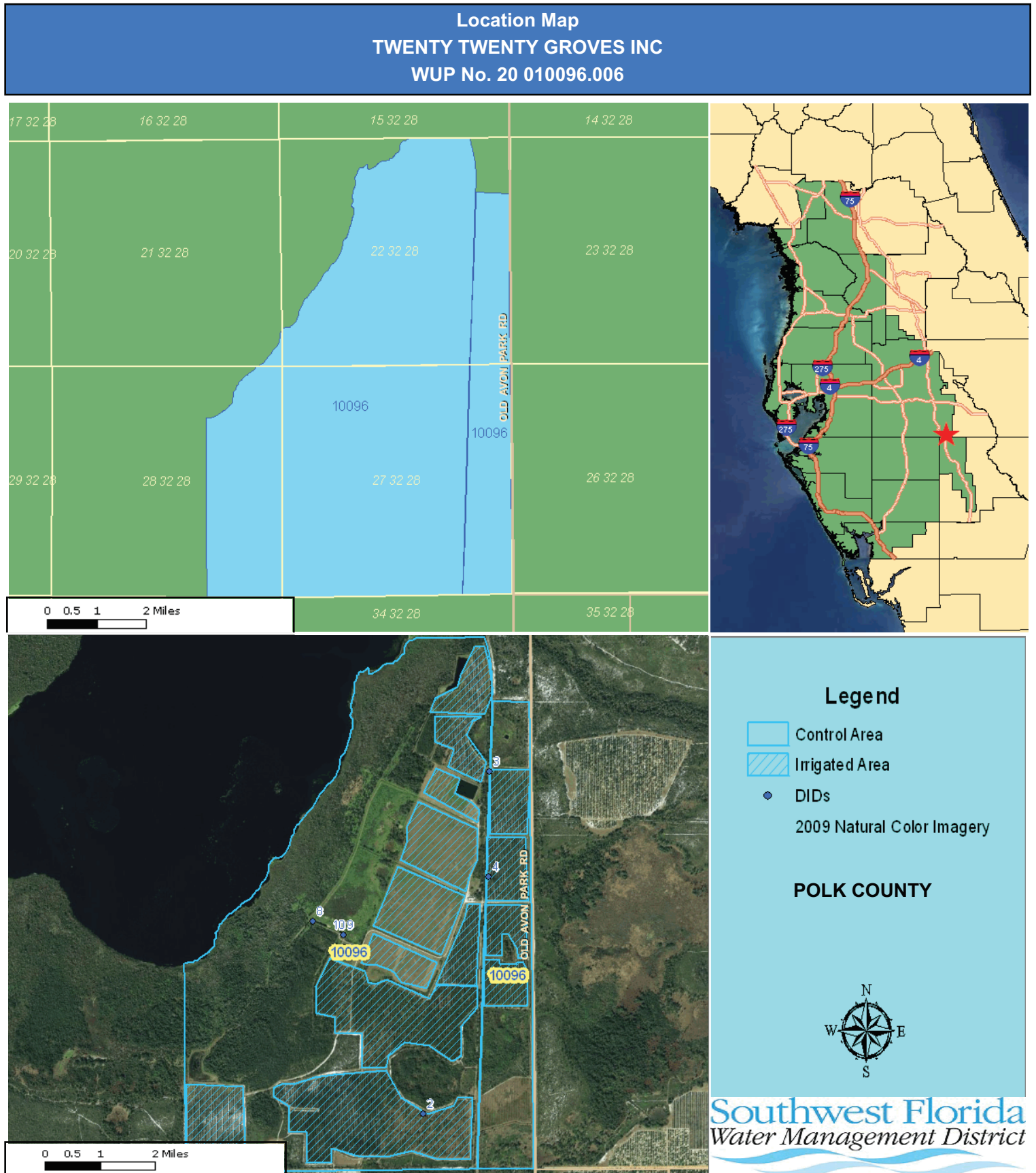
Water use from these withdrawal points are restricted to the quantities given below:

<b><u>I.D. NO. PERMITTEE/ DISTRICT</u></b>	<b><u>DIAM (IN.)</u></b>	<b><u>DEPTH TTL./CSD.FT. (feet bls)</u></b>	<b><u>USE DESCRIPTION</u></b>	<b><u>AVERAGE (gpd)</u></b>	<b><u>PEAK MONTH (gpd)</u></b>	<b><u>CROP PROTECTION (gpd)</u></b>
2 / 2	16	1,440 / 467	Irrigation	156,400	768,700	N/A
3 / 3	16	1,440 / 400	Irrigation	156,600	769,300	3,600,000
4 / 4	16	1,480 / 490	Irrigation	156,400	768,700	3,600,000
WEST / 8	12	N/A / N/A	Re-Pump	N/A	N/A	20,000
EAST / 9	0	N/A / N/A	To Be Dismantled	N/A	N/A	N/A
10 / 10	16	1,440 / 400	Irrigation	156,400	768,700	3,600,000

**WITHDRAWAL POINT LOCATION TABLE**

<b><u>DISTRICT I.D. NO</u></b>	<b><u>LATITUDE/LONGITUDE</u></b>
2	27° 39' 50.48"/81° 30' 18.17"
3	27° 40' 57.53"/81° 30' 03.24"
4	27° 40' 36.92"/81° 30' 03.43"
8	27° 40' 28.27"/81° 30' 42.49"
9	27° 40' 25.54"/81° 30' 35.70"
10	27° 40' 25.59"/81° 30' 35.83"





**STANDARD CONDITIONS:**

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

**SPECIAL CONDITIONS:**

1. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
2. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
3. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
4. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
5. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.  
(427)

6. All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center ([www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/)) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District  
Bartow Regulation Department, Water Use Regulation  
170 Century Blvd.  
Bartow, Florida 33830-7700

Submission of plans and reports: Unless submitted online or otherwise indicated in the special

condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

(499)

7. The Permittee shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal point used for the protection of crops from frost, freeze or heat damage. The report shall include the gallons per day pumped from each withdrawal point based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.  
(1)
8. The average day, drought average day, peak monthly, and maximum daily quantities for District ID Nos. 3, 4, and 10, Permittee ID Nos. 3, 4, and 10, shown in the production withdrawal table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 625,800 gallons per day (gpd) on an average basis, 715,500 gpd on a drought average basis, up to 3,075,400 gpd on a peak monthly basis, and up to 3,600,000 gpd for crop protection for the individual wells, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total average annual daily withdrawal, the total peak monthly daily withdrawal, and the total crop protection daily withdrawal are limited to the quantities set forth above.(221)
9. The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.  
  
District ID No. **3**, Permittee ID No. **3** having a surface diameter of **16** inches, with a minimum casing depth of **400** feet, drilled to an estimated total depth of **1,440** feet.  
  
District ID No. **10**, Permittee ID No. **10** having a surface diameter of **16** inches, with a minimum casing depth of **400** feet, drilled to an estimated total depth of **1,440** feet.  
(240)
10. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
11. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. Nos. 2, 3, 4, 8 and 10, Permittee ID Nos. 2, 3, 4, 8 and 10:
  1. Crop type,
  2. Irrigated acres,

3. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and

4. If used, quantities used for crop protection.

This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.

(474)

12. The total drought annual average quantity permitted for this permit is the maximum annual average quantity that is authorized for irrigation during any drought event. The drought annual average quantity permitted to the withdrawal points on this permit shall not be exceeded in any drought event. Use of a higher drought annual average quantity is predicted to cause adverse environmental impacts. (550)
13. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.(568)
14. The Permittee shall submit a copy of the well completion reports to the District's Permit Data Section, Performance Management Office, within 30 days of each well completion.(583)
15. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
16. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
17. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meters or other measuring devices as approved by the Regulation Department Director: District ID Nos. 2 and 4, Permittee ID Nos. 2 and 4. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
18. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 3 and 10, Permittee ID Nos. 3 and 10. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
19. The following existing Alternative Water Supply re-pump facilities shall continue to be maintained and operated with non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director: District ID No. 8, Permittee ID No. West. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(716)



40D-2  
Exhibit A

**WATER USE PERMIT STANDARD CONDITIONS**

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - B. Sinkholes or subsidence caused by reduction in water levels;
  - C. Damage to crops and other vegetation causing financial harm to the owner; and
  - D. Damage to the habitat of endangered or threatened species.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
  - A. A reduction in water levels which impairs the ability of a well to produce water;
  - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
  - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.
11. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.
13. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
14. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing.
17. Within the SWUCA, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the permittee shall be provided with a statement of facts upon which the District based its determination and an opportunity to address the change or impact prior to a reconsideration by the Board of the quantities permitted or other conditions of the permit.
18. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B  
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. The Permittee shall submit meter readings online using the Permit Information Center at [www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/) or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Performance Management Office in Brooksville (352-796-7211) if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Regulation Department Director.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
  - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
  - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
  - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
  - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
  - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
  - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
  - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
  - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.



8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

#### FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
  - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
  - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
  - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
  - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.
  - E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

\* The permittee may request their multiple permits be tested in the same month.

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
  - A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
  - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
  - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
  - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent

accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website ([www.watermatters.org](http://www.watermatters.org)) under "Permits and Rules" for Water Use Permits.
  - B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;
  - C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;
  - D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.
  - E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.
  - F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site

#### WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

- 1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
- 2. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
- 3. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells and all wells six (6) inches or more in diameter.
- 4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Regulation Department Director, Resource Regulation, or the Supervisor of the Well Construction Permitting Section in Brooksville.
- 5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
- 6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Regulation Department Director, Resource Regulation, or the Well Construction Regulation Manager in Brooksville.

---

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

## Consent Agenda January 25, 2011

### Resource Management Committee

#### **Approval of Proposed Rule Language 40D-9.290(2) and 40D-9.320, Florida Administrative Code (F.A.C.), Other Uses; Use of Alcoholic Beverages on District Lands Prohibited, and Conflicting Rules**

##### *Purpose*

The purpose of this item is to obtain approval of amended rule language to allow for the sale and consumption of alcoholic beverages on cooperatively managed lands when the requesting entity meets specific conditions and to remove ambiguity related to conflicting rules language.

##### *Background/History*

At the December Governing Board meeting, staff requested and received approval to initiate rulemaking related to the above referenced rules. At that time, staff indicated it would bring the proposed rule language back to the Board in January for approval.

The proposed revisions will allow the sale and consumption of alcoholic beverages on cooperatively managed lands when the cooperative entity meets specific conditions (see exhibit). These conditions require that appropriate indemnification and insurance coverage is in place. These changes will allow the managing entity to generate additional revenue to offset management costs while providing economic stimulus by attracting a broader range of events. The amendments also clarify that the District's Land Use Rules apply on cooperatively managed District land unless specifically addressed in the cooperative land management agreement between the District and the managing agency or local government.

Pursuant to the Governor's Executive Order Number 11-01, dated January 4, 2011, which the District has adopted, all proposed rules and amendments must be submitted to the newly created Office of Fiscal Accountability and Regulatory Reform (OFARR), within the Executive Office of the Governor for review and approval prior to publication in the Florida Administrative Weekly. Additionally, Section 373.1391(6), Florida Statutes, requires that rules specifying allowable activities on District-owned land will become effective only after they have been submitted to the President of the Senate and the Speaker of the House of Representatives for review by the Legislature not later than 30 days prior to the next regular session. If the Governing Board approves the proposed revisions, staff will submit the revisions to the OFARR and the Legislature for review as required and proceed with rulemaking without further Governing Board action. If modifications are required by either the OFARR or the Legislature, or substantive public comment is received or changes proposed, staff will bring this matter back to the Governing Board for further consideration.

##### *Costs*

The proposed revisions are cost neutral.

##### Staff Recommendation:

See Exhibit

Approve amended language to 40D-9.290(2), F.A.C., Use of Alcoholic Beverages on District Lands Prohibited and 40D-9.320, F.A.C., Conflicting Rules, and authorize staff to complete rulemaking.

Presenter: Will Miller, Land Use and Protection Manager, Land Resources Department

**40D-9.290 Other Uses; Use of Alcoholic Beverages on District Lands Prohibited.**

(1) Any recreational use of District Lands not authorized by this chapter is prohibited.

(2) The use of alcoholic beverages on District Land is prohibited.

(a) The sale and use of alcoholic beverages may be allowed on District Land that is cooperatively managed by another agency or local government when that agency or local government has adopted a rule or ordinance that allows the sale and use of alcoholic beverages in parks or facilities owned or managed by the agency or local government and makes such a request in writing.

(b) The rule or ordinance must, at a minimum, require \$1,000,000 liquor liability insurance, and the agency or local government must agree in writing to indemnify and hold the District harmless from any claims of liability resulting from events authorized by the agency or local government pursuant to its rule or ordinance at which alcoholic beverages are sold or used on District Land.

(c) If the conditions of (a) and (b) are not met, the District shall deny a request by an agency or local government to allow the use of alcoholic beverages on District Land.

*Specific Authority 373.044, 373.113 FS. Law Implemented 373.1391, 373.59 FS. History--New 7-20-04, Amended \_\_\_\_\_.*

**40D-9.320 Conflicting Rules.**

If an agency or local government has entered into a cooperative land management agreement with the District regarding specific District Lands, the District's Land Use Rules of that agency shall apply if in conflict with the rules of the agency or local government unless the cooperative land management agreement addresses a specific land use, then the terms of the cooperative land management agreement shall apply these rules. ~~If the cooperative management agreement or management plan does not address a specific recreational use, or if the agency does not have rules addressing a specific recreational use, then the District's rules shall apply.~~

*Specific Authority 373.044, 373.113 FS. Law Implemented 373.1391, 373.59 FS. History--New 7-20-04, Amended \_\_\_\_\_.*

## Consent Agenda January 25, 2011

### Resource Management Committee

#### Five-Year Water Resource Development Work Program

##### *Purpose*

To approve revisions to the District's 2011 Five-Year Water Resource Development Work Program (Work Program) as requested by the Florida Department of Environmental Protection (FDEP).

##### *Background/History*

The District is required by Florida Statutes (Subsection 373.536(6)) to prepare a Work Program each year. This Work Program describes the District's implementation strategy for the water resource development component of the approved Regional Water Supply Plan (RWSP). The currently proposed Work Program covers the period from fiscal year (FY) 2011 through FY2015, and is a comprehensive discussion of the District's water resource development activities intended to assist in meeting water supply demands over a 20-year planning horizon. The Work Program must be submitted to FDEP and specified state and local government officials within 30 days after adoption of the District's final budget. The proposed Work Program was approved by the Governing Board at the October 26, 2010 meeting and was forwarded to FDEP for review.

FDEP reviewed the Work Program and submitted minor comments to the District in an email dated November 30, 2010. All the comments have been addressed in the revised report, which is ready to be resubmitted. Approval of the revisions addressed in the responses to FDEP is requested at the Governing Board meeting today.

The next step is for FDEP to prepare a final evaluation report, including the District's responses, and submit this report to the Governor, President of the Senate and Speaker of the House of Representatives. The District's final Work Program will be resubmitted as part of the 2011 Consolidated Annual Report required by Florida Statutes (Subsection 373.037(7)).

##### Staff Recommendation:

See Exhibit

Approve the proposed revisions to the Five-Year Water Resource Development Work Program to be included in the Consolidated Annual Report.

Presenter: Mark A. Hammond, Director, Resource Projects Department

## Exhibit

### **SWFWMD Responses to Florida Department of Environmental Protection (FDEP) Comments on the FY2011 Five-Year Water Resource Development Work Program:**

- 1. FDEP Comment:** *We recommend including page numbers in the final version of this document. (Note: We used hand-written page numbers as references in our comments below.)*

**SWFWMD Response:** Page numbers were not included in the draft Work Program in anticipation of the final Work Program's migration into the District's Consolidated Annual Report. In the future, temporary page numbers will be used in the draft Work Program for convenience.

- 2. FDEP Comment:** ***Agricultural... Projects, FARMS, Background (p. 12)** – We noted that for FY 2011 there are fewer permittees (6368 versus 6395 in FY 2010), and they are using more water (785.7 mgd versus 699.5 mgd in FY 2010). Why has the quantity of water increased? Are any of these FARMS projects outside of the SWUCA?*

**SWFWMD Response:** The reduction in number of permittees from FY2010 is mostly due to the consolidation of agricultural water use permits as agricultural businesses acquire smaller farms. Land conversions to non-agricultural use are an additional factor. After conducting a review, District staff decided to revise the permitted agricultural groundwater withdrawal quantities to 699.5 mgd. The query that produced the higher sum likely included surface water and other sources. Please note that the given water quantity represents the sum of annual average quantities permitted, not the actual water used, which may vary with climatic conditions. According to the District's 2008 Estimated Water Use Report the actual agricultural groundwater use in the District in 2008 was 362.8 mgd (303.7 mgd within the SWUCA.)

The District has observed a recent trend in crop type modification; many older citrus groves are being converted to strawberry and/or blueberry fields. These crop types are typically permitted a greater allowance of water, which may create an increase in agricultural water use permitting in the upcoming years.

Of the 87 FARMS Projects, 11 of the projects are located outside of the SWUCA. The calculated water use offsets within the SWUCA are 14,486,863 gpd. The offsets outside the SWUCA are 37,335 gpd, for a combined rounded total of 14.9 mgd.

- 3. FDEP Comment:** ***Agricultural... Projects, FARMS, Linkage (p. 13)** – We recommend presenting a total for the projected offsets given in the Status subsection, so that the reader can understand the District's progress toward the 40 mgd SWUCA water conservation goal.*

**SWFWMD Response:** The FARMS status subsection will be revised to clarify that 14.5 mgd of the 14.9 mgd total FARMS offset has been made towards the 40 mgd SWUCA water conservation goal.

- 4. FDEP Comment:** ***Restoration... Lower Hillsborough River, Lower Hillsborough River Pump Stations, Future Actions (p. 19)** – Are operations and maintenance activities paid for with water resource development funds?*



**SWFWMD Response:** The City of Tampa is financially responsible for the operation and maintenance of the Lower Hillsborough River Pump Stations.

5. **FDEP Comment: *Appendix A, Summary..., paragraph 2 (p. A-1) – The sentence beginning “Approximately 38.4 of this...” is missing units after the number.***

**SWFWMD Response:** The sentence will be revised to include “Approximately 38.4 mgd...”

6. **FDEP Comment: *Appendix A, Tables 1 and 2 (p. A-2) –***

- *We found the format changes to these tables made this information much easier to understand when compared to last year’s tables. It appears that these tables are for the 5-in-10 condition—if so, it would be helpful to identify the tables as such.*
- *Last year’s report included tables for the 1-in-10 drought condition, and this year’s report apparently does not. The statute requires the work program to assess the regional water supply plan’s contribution in providing sufficient water to meet the 1-in-10 drought condition. We recommend including tables in the new format for the 1-in-10 condition, in addition to the two existing tables.*
- *It would be helpful to include a map of the 2010 planning regions as a reference for these tables.*

**SWFWMD Response:** It is correct that the given tables are for a 5-in-10 condition. The table headings will be revised as suggested in final Work Program. Additional tables for drought conditions will be included in the final Work Program, along with a figure displaying the District’s four planning regions.

## Consent Agenda January 25, 2011

### Resource Management Committee

#### **Appraisal and Purchase/Sale Agreement – Annutteliga Hammock Project, SWF Parcel Nos. 15-228-1339**

##### *Purpose*

The purpose of this item is to request the Governing Board approve the purchase of approximately 1.02 acres that has been negotiated for a total cost of \$6,500 as part of the District's Annutteliga Hammock project. To date, approximately 2,420 acres have been acquired within the project. Other publicly owned lands in the area of the project total approximately 76,500 acres. A general location map of the parcel is included in the board packet as an exhibit to this item.

##### *Background/History*

The purchase of this parcel has been negotiated as part of the District's Annutteliga Hammock project. Acquisition of the parcel is consistent with the District's Florida Forever Work Plan, which specifically identifies the Annutteliga Hammock project for acquisition. The Governing Board approved the Annutteliga Hammock Resource Evaluation Report in 1996, authorizing acquisition within the project. The project consists of high quality sand hills and upland hardwood forests (hammocks) located in the northwestern region of Hernando County. Of the 6,877 lots in the Annutteliga Hammock Project, the District has acquired 1,367 lots. The Annutteliga Hammock project provides a corridor connection to large areas of public lands. To the west of the project across U.S. Highway 19 are the Chassahowitzka National Wildlife Refuge, the Chassahowitzka Swamp Conservation and Recreational Lands (CARL) project, the Longleaf Pine Ecosystem CARL project, and the District's Chassahowitzka River and Coastal Swamps, and Weekiwachee Preserve projects.

In 2007 the Governing Board authorized the Land Resources Director to proceed directly to the Governing Board with appraisals and purchase/sale agreements which do not exceed the appraised value for parcels within the northern area of Annutteliga Hammock (Block 1).

Acquisition of this land will meet the following Florida Forever program goals:

- Enhance the coordination and completion of land acquisition projects
- Increase the protection of Florida's biodiversity at the species, natural community and landscape levels
- Increase natural resource-based public recreational and educational opportunities

These Florida Forever goals are consistent with the District's goals for water resource management.

##### **Property Description**

*Location and Access* – The parcel is located north of Thrasher Avenue and within the Block 1 area. This lot adjoins other lots acquired by the District.

*Utilities and/or Improvements* – Public electric and telephone services are available to the parcel. There are no public water and sewer services in this area.

## Item 9

*Zoning* – The parcel has a Coastal Residential Single Family (CRES) zoning with the Future Land Use Classification of Rural.

### Purchase Agreement

- The seller has agreed to deliver marketable title free of all encumbrances objectionable to the District.
- Environmental site assessment will be completed prior to closing.
- Boundary survey will be completed prior to closing.

### Summary of Appraisals and Value Comparisons

Consistent with District policy, a state certified appraiser within the Land Resources Department prepared an appraisal of the parcel to be acquired. The appraisal has an effective date of September 30, 2010.

The appraiser applied the Sales Comparison Approach (Market Approach) to determine the value of the parcels and relied on recent sales of comparable property in Hernando County. The sales were adjusted for differences that included, date of sale, location/access and physical characteristics including size and topography.

The following is a comparison of the total negotiated purchase price to the appraised value:

Negotiated Amount	Appraised Value
\$6,500	\$7,000

The transaction reflects a negotiated amount seven percent below the appraised value.

### *Benefits/Costs*

Management Costs – In Fiscal Year 2010 the District paid \$86,930 for recurring land management costs in the Annutteliga Hammock project, or an average of \$37.53 per acre. These costs included but were not limited to land use and management planning, prescribed burning, fencing, road, trail, fireline, recreation infrastructure and boundary maintenance, upland restoration, monitoring and security. Based on the size and character of this parcel, annual management costs will be nominal. No fixed capital outlay has been identified at this time.

### *Impact If Not Funded/Funding*

Florida Forever funds are available for this acquisition.

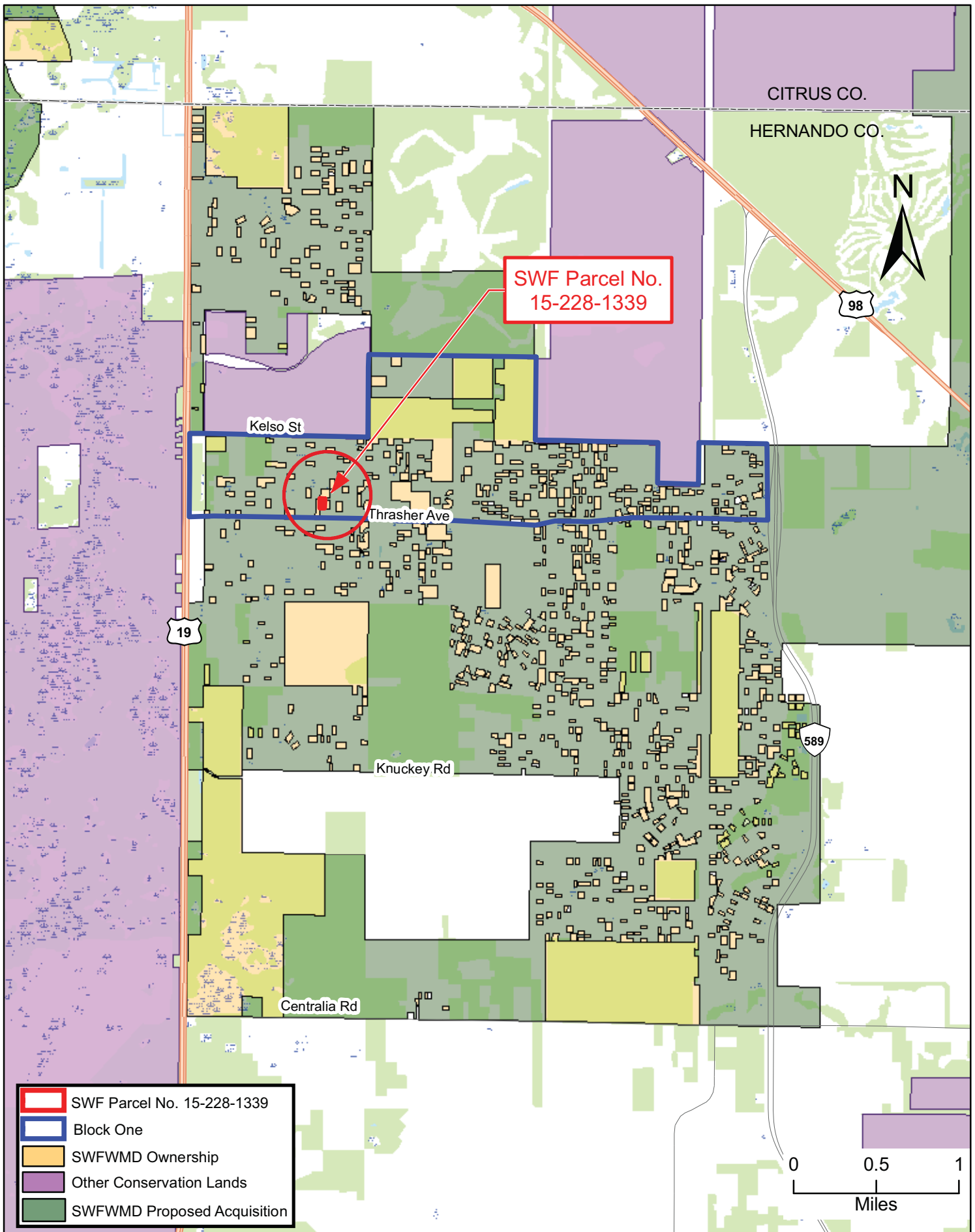
### Staff Recommendation:

See Exhibit

- (1) Accept the appraisal;
- (2) Approve the purchase and sale agreement; and
- (3) Designate SWF Parcel No. 15-228-1339 as having been acquired for conservation purposes.

Presenter: Eric Sutton, Director, Land Resources Department

# Annutteliga Hammock



## Consent Agenda January 25, 2011

### Resource Management Committee

#### **Resolutions Requesting the Encumbrance of Fiscal Year 2011 Budgeted Funds from the Water Management Lands Trust Fund and Florida Forever Trust Fund for Preacquisition; Management, Maintenance and Capital Improvements; and Payments in Lieu of Taxes**

##### *Purpose*

The purpose of this item is to request Governing Board approval of two resolutions. One resolution requests the Florida Department of Environmental Protection (DEP) encumber the District's FY2011 budget for non-capitalized current year preacquisition costs; land management, maintenance and capital improvements costs; and payments in lieu of taxes to eligible counties, within the Water Management Lands Trust Fund (WMLTF), and authorizes staff to request quarterly reimbursements for FY2011 costs not to exceed the budgeted amount of \$19,169,337. The second resolution requests the DEP encumber the District's FY2011 budget for capitalized preacquisition costs within the Florida Forever Trust Fund and authorize staff to request quarterly reimbursements for FY2011 costs not to exceed the budgeted amount of \$403,243.

##### *Background/History*

The District is eligible to receive reimbursement from the WMLTF of costs for preacquisition; land management, maintenance and capital improvements; and payments in lieu of taxes to eligible counties for lands acquired, or to be acquired, by the District. Capitalized preacquisition costs are also eligible to be reimbursed from the Florida Forever Trust Fund. Prior to FY2010, the District relied solely upon the WMLTF to fund preacquisition costs; however with reduced WMLTF funding, the District will seek reimbursement for a portion of preacquisition costs from the Florida Forever Trust Fund. The District makes this request to DEP each year, at the end of its first quarter, in order to update the amount remaining and reallocate where appropriate.

##### *Costs*

The State Legislature did not appropriate any funds to this district within the WMLTF for FY2011; however, unused prior year appropriations remain in the District's account which can be utilized to offset a portion of the FY2011 budget requirements.

Other revenues that will be used to offset FY2011 land management, maintenance and capital improvements budget requirements include Hillsborough River and Pinellas-Anclote River Basin Boards' ad valorem funds, revenue from consent orders, and revenue derived through the use of District-owned lands such as timber sales, leases, hog hunt permit fees, etc.

The following table indicates amounts required by category and funding source.

Category	FY2011 Budget	Funding Source
Land Management, Maintenance and Capital Improvements	\$15,702,467	WMLTF
Preacquisition	3,789,273	WMLTF and Florida Forever
Payments in Lieu of Taxes	80,840	WMLTF
<b>Total</b>	<b>\$19,572,580</b>	

## Item 10

Staff Recommendation:

Approve resolutions requesting the encumbrance of the District's FY2011 budget for preacquisition; land management, maintenance and capital improvements; and payments in lieu of taxes within the WMLTF and Florida Forever Trust Fund, and authorize staff to request quarterly reimbursements for FY2011 costs not to exceed \$19,572,580.

Presenters: Eric Sutton, Director, Land Resources Department  
Linda Pilcher, Assistant Director, Finance Department

## Consent Agenda January 25, 2011

### Resource Management Committee

#### **Clearwater Chautauqua/Coachman Reclaimed Water Project - First Amendment** *(Presented to the Pinellas-Anclote River Basin Board at its December 2010 meeting)*

##### *Purpose*

To request the Governing Board approve a first amendment to the cooperative funding agreement with the City of Clearwater for the Clearwater Chautauqua/Coachman Reclaimed Water project. The Pinellas-Anclote River Basin Board approved this first amendment at their December 2010 meeting for a no-cost revision to the scope of work to increase the scale of the project, increase anticipated flows, increase offsets, and to modify and extend the project timeline. The project's total budget and the Basin's contribution remain unchanged.

##### *Background/History*

The City of Clearwater has approximately 13 million gallons per day (mgd) annual average of reclaimed water available and utilizes an average of 54 percent with 4 mgd for Clearwater customers plus another 3 mgd supplied to Pinellas County North Reclaimed Water System (Florida Department of Environmental Protection, 2007), leaving more than 6 mgd available for other projects. In fiscal year 2008, the District entered into a cooperative funding agreement with the City for a \$3,954,000 project for the design and construction of reclaimed water transmission mains and distribution piping in the Chautauqua/Coachman area of Clearwater. The project was to provide service to an anticipated 450 residential reclaimed water customers in northeastern Clearwater.

As implementation of the Chautauqua/Coachman project went forward, the City determined that, due to construction cost decreases, the original project's customer base could be expanded at no increase in overall project cost. As a consequence, in July 2010, the City of Clearwater requested a no-cost scope expansion amendment to increase the anticipated customer base by 45 residential customers (495 total) and add a commercial customer (McMullen Booth Elementary).

##### *Benefits/Costs*

The expanded 2010 project will result in service to 800 residential properties within the area of which 495 are anticipated to initially connect; diversify the customer base by including a commercial property; increase the utilization from 0.27 mgd to 0.31 mgd; increase the estimated offset from 0.14 mgd to 0.16 mgd; and improve the cost/benefit from \$6.80 to \$5.96/1000 gallons offset.

The first amendment related changes to the components, customers, utilization and offsets are tabulated below. The no-cost amendment will increase reclaimed water utilization and offsets, and improve the cost effectiveness with no change in the project's offset efficiency. The amendment will also extend the existing project completion date of December 31, 2010 to December 31, 2011; and extend the existing termination date of December 31, 2011 to December 31, 2012. A copy of the amendment is available upon request.



## Item 11

### Project-Costs

Description	Total Cost	WPSTF	District Portion	City Portion
Existing Scope	\$3,954,000	\$0	\$1,977,000	\$1,977,000
1 <sup>st</sup> Amend. Scope	\$3,954,000	\$0	\$1,977,000	\$1,977,000

### Project Changes-Benefits

Description	Cost/ Benefit (Kgal.)	Storage & Pumping (mg)	Large I/C Customers	Residential Customers	Use (mgd)	Offset (mgd)	Offset Efficiency (%)
Existing Scope	\$6.80	0	0	450	0.27	0.14	52%
1 <sup>st</sup> Amend. Scope	\$5.96	0	1	495	0.31	0.16	52%

### Staff Recommendation:

Approve the no-cost change first amendment to the agreement with the City of Clearwater for the Chautauqua/Coachman Reclaimed Water project to modify the scope of work and modify the project timeline; and authorize the Executive Director to sign the amendment.

Presenter: Mark A. Hammond, Director, Resource Projects Department

## **Consent Agenda January 25, 2011**

### **Resource Management Committee**

#### **Polk County Southwest Reclaimed Water Service Area Carter Road Reclaimed Water Project – First Amendment**

*(Presented to the Alafia River Basin Board at its December 2010 meeting)*

##### *Purpose*

The purpose of this item is to request the Governing Board approve a first amendment to the cooperative funding agreement with Polk County for the Polk County Southwest Reclaimed Water Service Area (SWRWSA) Carter Road Reclaimed Water project. The Alafia River Basin Board approved this first amendment at their December 2010 meeting for a cost reduction scope of work modification to decrease the transmission main diameter, change the project manager, add updated District contract language, and modify the customer connection timeline. The original construction schedule, the anticipated number of customers served, reclaimed water flows and resulting offsets remain unchanged.

##### *Background/History*

The Polk County SWRWSA has 1.53 million gallons per day (mgd) annual average of reclaimed water available and utilizes approximately 50 percent with 0.75 mgd supplied for residential irrigation and golf customers (Florida Department of Environmental Protection, 2008). In fiscal year 2010, the District entered into a cooperative funding agreement with the County for a \$900,000 project for the design and construction of a reclaimed water transmission main along Carter Road in southwest Polk County. The project will improve pressure and reliability in the County's existing reclaimed water system to provide service to 561 dry-lined customers in the area.

As implementation of the project went forward, the County determined that, due to design optimization, the original project's transmission main diameter could be reduced with no decrease to overall project benefit. As a consequence, in July 2010, Polk County requested a cost-reduction scope modification amendment to decrease the transmission main diameter from 16 to 12 inches; to decrease the total project cost from \$900,000 to \$784,130; and proportionately decrease the District's contribution by \$57,935 from \$450,000 to \$392,065.

##### *Benefits/Costs*

The project will continue to result in service to 561 residential properties within the area which will utilize 0.22 mgd to offset an estimated 0.13 mgd. The offset efficiency remains unchanged at 60 percent; however the cost/benefit will improve from \$1.61 to \$1.40/1000 gallons offset.

The first amendment related changes are tabulated below. The amendment will decrease the transmission main diameter; reduce the project costs; proportionately reduce the District's funding commitment; extend the minimum required customer connection date from September 30, 2012 to September 30, 2015; add updated District contract language; change the District project manager; and improve the cost effectiveness. The existing completion date and termination date remain unchanged. A copy of the amendment is available upon request.

## Item 12

### Project-Costs

Description	Total Cost	WPSTF	District Portion	County Portion
Existing Scope	\$900,000	\$0	\$450,000	\$450,000
1 <sup>st</sup> Amend. Scope	\$784,130	\$0	\$392,065	\$392,065

### Project Changes-Benefits

Description	Cost/ Benefit (Kgal.)	Storage & Pumping (mg)	Large I/C Customers	Residential Customers	Use (mgd)	Offset (mgd)	Offset Efficiency (%)
Existing Scope	\$1.61	0	0	561	0.22	0.13	60%
1 <sup>st</sup> Amend. Scope	\$1.40	0	0	561	0.22	0.13	60%

### Staff Recommendation:

Approve the first amendment to the agreement with Polk County for the Polk County SWRUSA Carter Road Reclaimed Water Project to modify the scope of work, reduce the project costs, proportionately reduce the District's funding commitment, extend the customer connection date; and authorize the Executive Director to sign the amendment.

Presenter: Mark A. Hammond, Director, Resource Projects Department

## Consent Agenda January 25, 2011

### Finance and Administration Committee

#### Budget Transfer Report

##### *Purpose*

Request approval of the Budget Transfer Report covering all budget transfers made during the month of December 2010.

##### *Background*

In accordance with Board Policy No. 130-8, all transfers approved by the Basins, Executive Director and Finance Director under delegated authority are regularly presented to the Finance and Administration Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

##### Staff Recommendation:

See Exhibit

Request approval of the Budget Transfer Report covering all budget transfers for December 2010.

Presenter: Linda R. Pilcher, Assistant Director, Finance Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---	Budget Transfer Report December 2010		Transfer Amount
Item No.	Department / Expenditure Category	Department / Expenditure Category	Reason For Transfer		
<b><u>Basin Board Approved</u></b>					
<b>Pinellas-Anclote River Basin:</b>					
1	Resource Projects Reserves for WSRD	Resource Projects Grant - Financial Assistance	Transfer of funds originally budgeted for Water Supply and Resource Development Reserves. Funds were needed to implement BMPs that will address flood protection issues and improve wetland hydrology in the Brooker Creek Watershed.	\$	963,000
2	Resource Data & Restoration Grant - Financial Assistance	Resource Data & Restoration Contracted Construction	Transfer of funds originally budgeted for design and construction of a stormwater management storage area as part of the Implementation of BMPs: Alligator Creek Watershed - Channel "B" Area III project. Funds were no longer needed due to stormwater management improvements made downstream. Funds were needed for additional dredging to hard bottom of Sawgrass Lake.		1,839,136
<b>Total Basin Board Approved</b>					<b>\$ 2,802,136</b>
<b><u>Executive Director Approved</u></b>					
<b>General Fund:</b>					
1	Information Resources Photography Supplies Maint/Repair Equipment	Information Resources Equipment - Inside	Transfer of funds originally budgeted for (1) conversion of board meeting recordings to DVD media and (2) server hardware maintenance. Funds were no longer needed due to (1) implementation of streaming video and (2) reduction in cost as result of the surplus of servers previously covered under maintenance contract. Funds were needed for purchase of new server racks and switches with fans to address excessive heat conditions in Brooksville computer room causing unplanned system outages.	\$	49,900
2	Resource Projects Consultant Services	Land Resources Surveying Services	Transfer of funds originally budgeted for survey support related to analyzing biologic data, modeling support, and development of MFLs for Charlie and Horse creeks. Additional analysis was not needed at this time. Funds were needed for survey support at select transects along the Upper Peace River needed in Hydrologic Engineering Center-River Analysis System (HEC-RAS) modeling development.		50,000
<b>Withlacoochee River Basin:</b>					
3	Land Resources Maint/Repair Bldgs Structures	Land Resources Maint/Repair Bldgs Structures	Transfer of funds originally budgeted for maintenance and repair of security residence at Potts Preserve. Fund were no longer needed due to the scheduled demolition of the security site. Funds were needed for purchase and installation of three commodes at the Lake Panasoffkee campground.		900
<b>Total Executive Director Approved</b>					<b>\$ 100,800</b>
<b><u>Finance Director Approved</u></b>					
1	Land Resources Land Clearing and Demolition	Land Resources Land Clearing and Demolition	Transfer of budgeted funds to the appropriate project code for tree removal at the Weeki Wachee Preserve property.	\$	1,100
2	Community & Legislative Affairs Other Contractual Services	Resource Projects Other Contractual Services	Transfer of budgeted funds to the appropriate department for technical assistance from the Florida Rural Water Association.		50,000
3	Performance Management Office Bartow Regulation Brooksville Regulation Tampa Regulation Sarasota Regulation Other Contractual Services Micro/Digital Imaging Services	General Services Other Contractual Services	Transfer of budgeted funds to the appropriate department and expenditure category for Districtwide micro imaging services.		256,000

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

<b>Budget Transfer Report</b>				
<b>--- TRANSFERRED FROM ---</b>		<b>--- TRANSFERRED TO ---</b>		
<b>Item</b>	<b>Department /</b>	<b>Department /</b>	<b>December 2010</b>	<b>Transfer</b>
<b>No.</b>	<b>Expenditure Category</b>	<b>Expenditure Category</b>	<b>Reason For Transfer</b>	<b>Amount</b>
4	Information Resources Wetland Monitoring Contr Svcs	Information Resources Software Development	Transfer of budgeted funds to the appropriate project code and expenditure category for development of the Wetlands Assessment Program module for the Water Management Information System (WMIS).	210,800
5	Information Resources Project Mgmt System Contr Svcs Other Contractual Services	Information Resources Software Development	Transfer of budgeted funds to the appropriate expenditure category for enhancements for the Project Management Information System (PIMS) which include modifications required to meet the Network Security Audit 2010.	51,244
6	Resource Data & Restoration Other Contractual Services	Resource Data & Restoration Other Contractual Services	Transfer of budgeted funds to the appropriate project code for subscription fees, maintenance, and repairs related to the Automatic Meter Reading project.	19,000
7	Resource Projects Grant - Financial Assistance	Resource Projects Grant - Water Conservation	Transfer of budgeted funds to the appropriate expenditure category for the City of Tarpon Springs Alternative Water Supply project.	1,020,947
8	Resource Projects Contracted Construction	Resource Data & Restoration Contracted Construction	Transfer of budgeted funds to the appropriate department and project code for off-site removal of soil material as part of the Ekker Tract Florida Department of Transportation Mitigation project.	3,117
9	Information Resources Software Development	Information Resources Software Development	Transfer of budgeted funds to the appropriate project code for the upgrade of the Permit Information Center module of the WMIS.	81,000
10	Information Resources Other Contractual Services	Information Resources Software Development	Transfer of budgeted funds to the appropriate project code and expenditure category for enhancements to the Metadata system.	39,894
11	Resource Projects Consultant Services	Land Resources Surveying Services	Transfer of budgeted funds to the appropriate department and expenditure category for survey support at select transects along the Upper Peace River needed in HEC-RAS modeling development.	70,000
12	Information Resources WMIS Contractual Services	Information Resources Other Contractual Services	Transfer of budgeted funds to the appropriate project code and expenditure category for enhancements and maintenance of the WMIS.	45,000
13	Information Resources Other Contractual Services	Information Resources Software Development	Transfer of budgeted funds to the appropriate project code and expenditure category for the upgrade of the Land Resources Information System (LaRIS).	31,800
14	Performance Management Office Travel - Training	Human Resources & Risk Mgmt Districtwide Training Programs	Transfer of budgeted funds to the appropriate department and expenditure category for team building training class.	2,800
15	Resource Data & Restoration Grant - Agriculture	Resource Data & Restoration Grant - Agriculture	Transfer of budgeted funds to the appropriate project code for the general Facilitating Agricultural Resource Management Systems (FARMS) budget appropriation to be allocated toward future projects.	60,305
<b>Total Finance Director Approved</b>				<b>\$ 1,943,007</b>
<b>Total Transfers for Governing Board Approval</b>				<b>\$ 4,845,943</b>

-----  
 This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Basin Boards, Executive Director, or Finance Director consistent with Board Policy 130-8, and are presented for Governing Board approval on the consent agenda. All Basin transfers are made based on Basin Board authority and are presented to the Governing Board via this report for ratification or approval. Executive Director approved transfers are made for a purpose other than the original budget intent, but are limited to individual transfer amounts of \$50,000 or less. Finance Director approved transfers are accounting type transfers with no change to the original budget intent.

## Consent Agenda January 25, 2011

### General Counsel's Report

#### Initiation of Litigation – Unlawful Entry and Unlawful Detainer – Dean D. Grubb – Pasco County

On December 21, 2010, the District acquired title to land in Pasco County formerly owned by the Sun West Acquisitions Corporation (the Sun West Land) as part of the exchange authorized and approved by the Governing Board in 2010. This land is now part of the Weeki Wachee Preserve.

Sometime in late 2008, prior to District ownership but without the consent of the prior owner, Dean D. Grubb unlawfully entered onto a portion of the Sun West Land, shoveled through a berm, cleared a path through the woods, set up a campsite and brought in personal property including a makeshift shelter and an automobile. On or about October 6, 2008, Mr. Grubb was arrested and charged with trespass on the property and possession of marijuana. In what appears to be a plea bargain to both charges, Mr. Grubb paid a fine and then resumed his possession of the property, still without the then-owner's consent. Since that time, Mr. Grubb has added to the makeshift shelter, removed boulders designed to keep him from re-entry onto the property, and resisted all efforts of the previous owner to eject him from the property. Mr. Grubb is reportedly armed.

Sometime in late July 2010, presumably having learned that the District was in the process of purchasing the Sun West property, Mr. Grubb left a voice mail message with a District staff member containing several express and implied threats of bodily harm and harassment against staff should any staff attempt to interfere with his possession of the property. The District has advised District staff to stay clear of the area occupied by Mr. Grubb unless accompanied by a law enforcement officer and an incident report was filed with the Pasco County Sheriff's Department.

District staff believe that attempts to resolve this matter through cooperation with Mr. Grubb would be unsuccessful and possibly dangerous.

#### Staff Recommendation:

Authorize the initiation of litigation in the County Court in Pasco County against Mr. Grubb for Unlawful Entry and Unlawful Detainer, allowing Mr. Grubb due process to present any claim or defense he may have, and seeking a court-ordered Writ of Possession, to be enforced, if granted, by the Pasco County Sheriff after allowing Mr. Grubb a reasonable time to remove his personal property.

Presenter: Lori A. Tetreault, Senior Attorney



## Consent Agenda January 25, 2011

### General Counsel's Report

#### **Settlement Agreement – SWFWMD v. Lawrence Sutton & Victoria Sutton, et al, Case No. 2009-CA-008298-2050, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel No. 20-503-220 – Polk County**

##### *Purpose*

The purpose of this item is to request Governing Board approval of a Settlement Agreement for a total sum of \$1,320,458 in full settlement of all claims for compensation as well as attorney's fees, expert's fees and costs. The lawsuit is a Petition in Eminent Domain to acquire a 1.6-acre parcel and home owned by Lawrence and Victoria Sutton for the District's Lake Hancock Lake Level Modification Project (the Project). A general location map of the parcel in relation to the Project (Exhibit 1) and a detailed map of the parcel (Exhibit 2) are included in the board packet as exhibits to this item.

##### *Background/History*

On September 25, 2007, the Governing Board authorized the implementation of the Project including acquisition of lands (placing priority emphasis on voluntary acquisitions) necessary for the Project. The Board also approved the use of eminent domain, if necessary, to complete the acquisition process. The Project is a result of the District being required by state law (Section 373.042, Florida Statutes (F.S.)) to develop minimum flows and levels (MFLs) on priority water bodies and aquifers. The purpose of the MFLs is to ensure that adequate flows or levels are maintained to protect the state's water resources. The District has set minimum flows for the upper Peace River including 17 cubic feet per second (cfs) at Bartow, 27 cfs at Fort Meade, and 45 cfs at Zolfo Springs. Flows in the upper Peace River were below the minimum flows at Fort Meade approximately 28 percent of the time during the last 30 years. The District's Southern Water Use Caution Area (SWUCA) Recovery Strategy includes a specific recovery strategy, as required by state law (Section 373.0421, F.S.), for the upper Peace River because the minimum flows are not currently being met.

Ground-water withdrawals in the SWUCA have resulted in declines in aquifer levels throughout the SWUCA and contribute to reduced flows in the upper Peace River. The District determined that it is not feasible to reduce groundwater withdrawals to achieve the minimum flows for the upper Peace River. The Project is critical to the District's strategies for meeting the minimum flows in the upper Peace River. The goal of the Project is to store water by raising the control elevation of the outflow structure on Lake Hancock from 98.7 to 100.0 feet and to slowly release water during the dry season to help meet the flow requirements in the upper Peace River. Historically, prior to man-made alterations, the lake level was approximately one to two feet higher than the current operating level. The Project is anticipated to increase the number of days the upper Peace River will meet the minimum flow from 70 percent to 87 percent.

**Project/Parcel Benefits** – In addition to the Project increasing the number of days the upper Peace River will meet the minimum flow from 70 percent to 87 percent, the Project will also improve the function of approximately 1,000 acres of wetlands around the lake and preserve approximately 4,800 acres of floodplain. As of January 1, 2011, the District has acquired 7,255 acres in fee simple interest and 1,067 acres via perpetual conservation/inundation easements within the Project. Currently the parcels acquired or placed under contract total 98 percent of the land needed for the Project and were obtained through 69 transactions. The remaining acreage to be acquired consists of 5 parcels.

## Item 15

### Property Description

*Location and Access* – The subject property is located at 5285 Waterwood Drive, at the end of a cul-de-sac on a two lane paved street in Bartow, Polk County. The property has approximately 170 lineal feet of lake frontage along the west shoreline of Lake Hancock.

*Utilities and/or Improvements* – The property has a two-story residential dwelling that was built in 2006 and contains approximately 3,300 square feet of living area. In addition, the residence has an attached 3-car garage and a detached 500 square foot guest cottage. A wooden dock extends into Lake Hancock. Electrical service is provided by Lakeland Electric. Water service is provided by the City of Lakeland and sewer service is provided by private septic system.

*Zoning* – The Polk County land use classification for the property is RS (Residential Suburban) in the US 98 SAP pursuant to the Polk County Comprehensive Plan. The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses.

*Summary of Appraisal and Value Comparisons* – The District initially obtained two appraisals to be used in conjunction with a possible voluntary acquisition. One appraisal was done by Herr and Associates, has a valuation date of November 2007 and a value conclusion of \$880,000. The other appraisal was done by Nicolas J. Mancuso, MAI of Mancuso Appraisal Services, Inc. (Mancuso), has a valuation date of December 2007 and a value conclusion of \$810,000. The owners obtained three appraisals in 2007 having value conclusions of \$1,500,000, \$1,650,000 and \$2,010,000. On August 29, 2008, the District made a written offer to the owners for \$1,161,000, which was not accepted. The owners obtained a fourth appraisal in 2008 that has a value conclusion of \$1,930,000. In preparation for condemnation proceedings, the District's special eminent domain counsel obtained an updated appraisal from Mancuso. The updated appraisal report has a valuation date of August 31, 2009 and a value conclusion of \$670,000.

*Highest and Best Use* – The highest and best use, as determined by the appraiser, based on the physically possible, legally permissible, and financially feasible uses for this property, would be the current use as a lake front residential dwelling.

The appraiser applied the Sales Comparison Approach (Market Approach) and Cost Approach to determine the value of this property. The appraiser relied on recent sales of comparable property in Polk County. Adjustments for differences between the sales and the subject were considered that included topography, site size and location.

<b>Negotiated Amount</b>	<b>District Appraised Value</b>	<b>Sutton Appraised Value</b>
\$1,161,000	\$670,000	\$1,930,000

On May 10, 2010, the Court entered an Order of Taking, vesting title in the District upon payment of the good faith deposit (\$670,000). The case was set for a jury trial, on the issue of full compensation, beginning March 7, 2011. On December 3, 2010, the parties participated in a mediation conference pursuant to court order. At the mediation, the owners agreed to settle the case for the amount of the August 2008 offer (\$1,161,000), from the District. The total settlement cost for this property is \$1,320,458 including \$159,458 for attorney's fees, expert fees and costs. In addition, the property owners will be allowed to remain in possession of the premises until July 31, 2011, pursuant to an Occupancy Agreement setting forth their rights and responsibilities during the term of the extended possession.

A negotiated settlement avoids the significant expense and investment of staff time that is required for eminent domain litigation. Going to trial in an eminent domain proceeding exposes the District to substantial costs in the form of additional property owner attorney's fees and expert witness fees in addition to the District's own costs for attorneys and experts used at trial.

## Item 15

The District's special counsel strongly recommends approval of the Settlement Agreement. If the matter is not settled at this point, the District's exposure for additional attorney's fees and costs through the conclusion of a trial on compensation could easily exceed \$100,000. Moreover, there is the possibility that a jury verdict would exceed, perhaps substantially, the negotiated amount.

### Settlement Agreement

- Total amount of \$1,320,458 in full settlement of all claims for compensation as well as attorney's fees, expert's fees and costs.
- Property owners will be allowed to remain in possession until July 31, 2011, pursuant to an Occupancy Agreement to be executed by the parties.
- Entry of a Stipulated Final Judgment.

### *Impact If Not Funded/Funding*

Funds are available from the Governing Board's General Fund Water Supply and Resource Development Reserve for the acquisition/purchase of this parcel. If not funded, the Lake Hancock Lake Level Modification Project cannot be implemented.

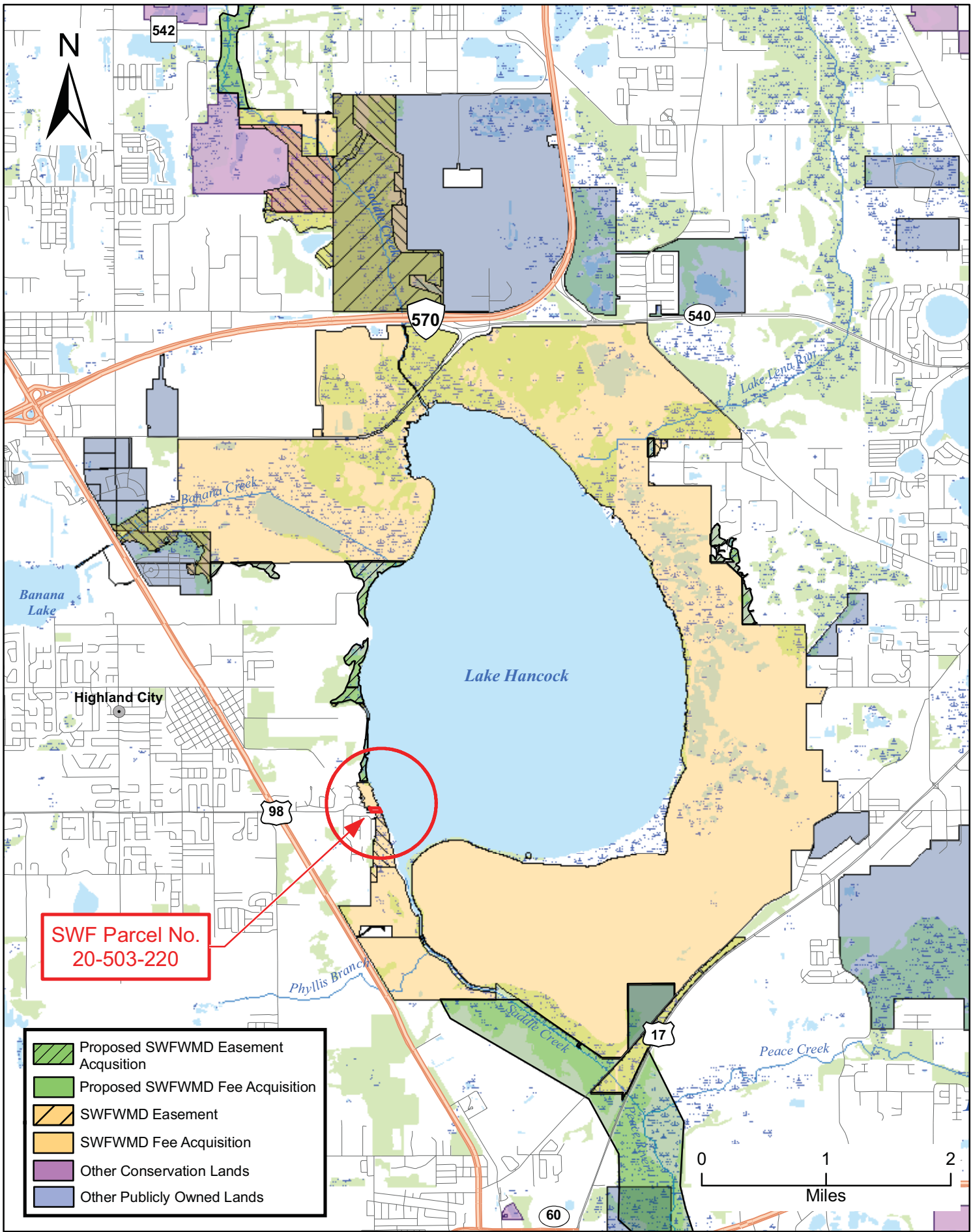
### Staff Recommendation:

See Exhibits

Approve the Settlement Agreement in the total amount of \$1,320,458.

Presenter: Jack Pepper, Deputy General Counsel

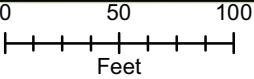
# Lake Hancock







	SWF Parcel No. 20-503-220
	SWFWMD Fee Acquisition
	SWFWMD Perpetual Easement



**Consent Agenda  
January 25, 2011**

**General Counsel's Report**

**Mediated Agreement on Costs – SWFWMD v. Titus L. Weflen & Angela R. Weflen, et al.,  
Case No. 53-2009-CA-008352, 10<sup>th</sup> Judicial Circuit - Lake Hancock Project, SWF Parcel  
No. 20-503-207 – Polk County**

In July 2009, the District initiated eminent domain proceedings to acquire an approximately 30-acre parcel with a home and other improvements owned by Titus and Angela Weflen. After a hearing that lasted five days, on May 10, 2010, the Court entered an Order of Taking thereby vesting title to the parcel in the District upon payment of a good faith deposit in the amount of \$695,000.

A jury trial on the issue of full compensation owed to the Weflens was scheduled to begin on August 30, 2010. After a four day trial the jury returned a verdict in the amount of \$1,700,000 for the value of the property taken plus \$10,962.10 for moving costs. The Court entered a Final Judgment on the verdict on September 20, 2010, retaining jurisdiction to tax costs and attorneys' fees. Florida law makes the condemning authority responsible for the property owners' attorneys' fees and all reasonable costs, including expert fees. On October 21, 2010, the Court entered an Order Taxing Attorneys' Fees against the District in the amount of \$153,990.52 pursuant to a statutory formula.

Counsel for the Weflens filed an affidavit and Motion to Tax Costs against the District in the amount of \$252,435.91. Fees were sought for two appraisal firms, two engineering firms, a planning firm, a construction firm, an agricultural consultant, a moving firm, a mortgage broker and two surveying firms. The experts' fees were for time spent in preparation for the hearing to obtain the order of taking and trial as well as for testimony in deposition, in hearing and at trial. In addition, certain routine litigation costs for things such as exhibits, court reporter charges, process servers, witness fees and copies were included in the total amount.

On November 19, 2010, counsel for the parties met with a mediator to see if agreement could be reached as to a reasonable amount for some or all of the fees and costs. No agreement was reached for one of the engineering firms, the planning firm, the construction firm or the agricultural consultant. These experts were not willing to settle for fee amounts anywhere near what District staff and special eminent domain counsel felt could be reasonably justified. The agricultural consultant sought \$25,323 for work and testimony regarding the results of a soil sample analysis. The engineering firm, planning firm and construction firm sought a total amount of \$81,291 in fees. The District engaged an engineering firm, planning firm and contractor to consider the same issues as the owners' experts for a total amount of \$13,626 in fees. On December 9<sup>th</sup> and 15<sup>th</sup>, the Court heard nearly six hours of testimony and argument on the amount and whether the disputed expert fees were reasonable and necessary. At the time of preparation of this recap, the Court had not ruled on the disputed expert fees.

At the November 19<sup>th</sup> meeting District staff did agree to recommend approval of some costs and experts' fees. Specifically, the amount (\$7,918.31) and nature of the routine litigation costs were not disputed. The two appraisal firms, one of the engineering firms, the moving firm, mortgage broker and the two surveying firms originally sought \$119,988 in fees. At the mediation, these experts agreed to a compromise amount of \$95,724.69, approximately 80% of the total originally sought. These experts' fees were for time spent in preparation of reports,

## Item 16

preparation for the order of taking hearing and trial, as well as testimony in deposition, hearing and trial. The fees for these experts are considered by District staff and special eminent domain counsel as more reasonable, given the time spent and work product produced. Moreover, the majority of the compromised expert fees are for the two appraisal firms and the compromised amount (\$70,000) is more closely in line with amounts spent by the District for similar services (\$63,461.64).

Staff Recommendation:

Approve the payment of \$103,643 for experts' fees and costs incurred by the property owners.

Presenter: Jack Pepper, Deputy General Counsel



**Consent Agenda  
January 25, 2011**

**Executive Director's Report**

**Approve Governing Board Minutes – December 14, 2010 Meeting**

Staff Recommendation:

See Exhibit

Approve the minutes as presented.

Presenter: David L. Moore, Executive Director

## MINUTES OF THE MEETING

### GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

BROOKSVILLE, FLORIDA

DECEMBER 14, 2010

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:11 a.m. on December 14, 2010, at the District's headquarters in Brooksville. The following persons were present:

#### Board Members Present

Ronald E. Oakley, Chair  
Hugh Gramling, Vice Chair  
H. Paul Senft, Secretary  
Douglas B. Tharp, Treasurer  
Jeffrey M. Adams, Member  
Carlos Beruff, Member  
Jennifer E. Closshey, Member  
Neil Combee, Member  
Albert G. Joerger, Member  
Todd Pressman, Member  
Judith C. Whitehead, Member

#### Staff Members

David L. Moore, Executive Director  
William S. Bilenky, General Counsel  
Lou Kavouras, Deputy Executive Director  
Richard S. Owen, Deputy Executive Director  
Eugene A. Schiller, Deputy Executive Director  
Bruce C. Wirth, Deputy Executive Director

#### Board's Administrative Support

LuAnne Stout, Administrative Coordinator  
Tahla Paige, Sr. Administrative Assistant

#### Board Member(s) Absent

Bryan K. Beswick, Member

A list of others present who signed the attendance roster is filed in the permanent records of the District. This meeting was available for viewing through internet streaming. Approved minutes from previous meetings can be found on the District's Web site ([www.WaterMatters.org](http://www.WaterMatters.org)).

## Public Hearing

### 1. Call to Order

Chair Oakley called the meeting to order and opened the public hearing. Mr. Senft noted a quorum was present.

### 2. Pledge of Allegiance and Invocation

Chair Oakley led the Pledge of Allegiance to the Flag of the United States of America. Mr. Bilenky offered the invocation.

## Public Hearing

Chair Oakley introduced each member of the Governing Board. He noted that the Board's meeting was recorded for broadcast on government access channels, and public input was only taken during the meeting onsite.

Chair Oakley stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. To assure that all participants have an opportunity to speak, a member of the public may submit a speaker's card to comment on agenda items only during today's meeting. If the speaker wishes to address the Board on an issue not on today's agenda, a speaker's card may be submitted for comment during "Public Input." Chair Oakley stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute

limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. **Additions/Deletions to Agenda**

Mr. Moore said there was one deletion to the agenda and one item moved for discussion.

**Consent Agenda**

The following item was deleted from consideration:

20. Initiation of Litigation – Surface Water Activity - Colvin, Robert and Mary – Lake County

**Regulation Committee**

The following item was moved from the Resource Management Committee to Regulation Committee's Discussion Items:

34. Hydrologic Conditions Status Report

**General Counsel's Report**

The following item was moved from the Consent Agenda to Discussion Items under the General Counsel's Report:

21. Initiation of Litigation – Surface Water Activity - Ramaela of Clermont, LP – Sumter County

Chair Oakley noted for the record that the agenda was accepted as amended. (Track 1 – 00:00/05:35)

4. **District Recognition – North American Lake Management Society (NALMS) Technical Merit Award for Shinn Ditch Restoration in Citrus County**

Mr. Mark Hammond, Director, Resource Projects Department, said the NALMS presented the Technical Merit Award in the project category to the District for the Wetland and Hydrologic Restoration of the Shinn Ditch, Grand Prairie Site, and Flying Eagle Wildlife Management Area. Each year NALMS recognizes individuals, organizations and programs, corporations and projects that have contributed to the science of lake and watershed management. These awards were established to recognize and encourage the forging of partnerships among citizens, scientists, and professionals to foster the management and protection of lakes and reservoirs for today and tomorrow. (Track 1 – 05:354/08:45)

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

5. **Employee Recognition**

Mr. Moore recognized staff members who have achieved milestones of 20 years or greater.

MILESTONE	EMPLOYEE NAME	TITLE	DEPARTMENT	OFFICE LOCATION
30 Years	Mack Sweat	Aquatic Plant Mgt Crew Leader	Operations	Bartow
25 Years	Dianna Brass	Administrative Supervisor	Executive	Brooksville
	Gwen Brown	Administrative Supervisor	Resource Projects	Brooksville
20 Years	Carol Lynch	Senior Administrative Assistant	Performance Mgt Office	Brooksville

Ms. Kuligofski introduced Mr. Don Wood who is the new Manager in the Human Resources Department. (Track 1 – 08:45/15:34)

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

Chair Oakley requested Mr. Brian Starford, Director, Bartow Regulation Department, to come forward so he could be recognized for his efforts, as well as Messrs. Jan Burke and Dave

Carpenter. He commended staff for their work with a homeowner association and solving the problem with the as-builts. (Track 2 – 00:00/02:58)

6. **Public Input for Issues Not Listed on the Published Agenda**

Chair Oakley noted that one request to speak was submitted.

Mr. Don Ross, representing EarthBalance, noted that the Florida Department of Mitigation (FDOT) program was discussed at the November 16, 2010 Board meeting. He provided an update on the opt-out issue and federal requirements. He requested the Board provide direction to staff for working on the new plan and not wait until the January meeting. (Track 3 – 00:00/03:28)

Mr. Bilenky said the District staff maintains its position to comply with all the requirements within the statute. He said staff concurs with the FDOT that the statute, in order to accommodate concerns, needs to be amended and staff offered assistance to FDOT to work with them to draft the statute to address concerns raised by Mr. Ross. Chair Oakley clarified that the District should follow the current statutes until changed legislatively. Mr. Senft said it may be proactive to advise legislative delegations that the District will not oppose changes so that it may be expedited. Mr. Beruff said his concern is that the FDOT would come to the District when it cannot find a private provider and the cost would exceed the statutory requirement. He said, with the opt-out provision, the District would not have to take on the extra cost and do the right thing for the taxpayer. In response to Chair Oakley's question, Mr. Bilenky said the District strictly follows the statutes and has an active program dealing with the FDOT. Ms. Closshey said she was expecting an overview of the mitigation program that is sufficient for the Board to make a policy decision regarding the District's involvement. Mr. Moore said staff will provide an overview at the January 2011 Board meeting. He said it would be appropriate at this time to send a message that the Board would advocate some of these changes. (Track 3 – 03:38/12:42)

For discussion purposes, **Ms. Closshey moved that the Board extend its support for the revision of the statute pertaining to mitigation banks. Mr. Gramling seconded the motion.** Discussion ensued regarding opt-out option, costs, taxpayer funds, legal opinions, policies, free market, land restoration and mitigation. (Track 3 – 12:42/30:40)

(Mr. Combee entered the meeting.)

Ms. Closshey requested that the overview include the existing inventory and associated costs, as well as projected sales and cash flow, and how that impacts our budget from the current program. She said to also do projected sales and review of what it would be under various alternative scenarios to understand how it affects budget, cash flow and operations. In response to Ms. Closshey's question, Mr. Bilenky said this item was not added to the amended agenda and there are interested parties who are being deprived that might want to be heard.

**Since this item was not on the published agenda and advertised, the motion and second were withdrawn.** (Track 3 – 30:40/32:18)

Mr. Senft requested information from the FDOT of its deadline(s) for project(s) currently proposed. Mr. Moore said the Board can provide direction whether it concurs with staff attending delegation and transition team meetings to relay that this is an issue for statutory discussion and modification. Mr. Joerger discussed the possibilities of using mitigation bank credits under current statutes and using free market enterprise. Chair Oakley said staff will provide an overview at the January meeting and Board members may contact staff to answer any questions. (Track 3 – 32:18/36:01)

## Consent Agenda

Item 20 was deleted from consideration, and Item 21 was moved for discussion purposes.

### Regulation Committee

7. **Initiate and Approve Rulemaking to Adopt New Noticed General Environmental Resource Permit for Construction, Operation and Maintenance of Nonproduction-Related Agricultural Facilities, Rule 40D-400.550, Florida Administrative Code**

Staff recommended to authorize the initiation of rulemaking and approve proposed Rule 40D-400.550, Florida Administrative Code (F.A.C.), to establish a new Noticed General Environmental Resource Permit for construction, operation and maintenance of nonproduction-related agricultural facilities.

8. **Individual Water Use Permits Referred to the Governing Board – WUP No. 20002933.006 - Diamond Z Ranch (Manatee County)**

Staff recommended to approve the proposed permit.

### Resource Management Committee

9. **Initiate Rulemaking to Amend 40D-8.624, F.A.C., to Add Minimum and Guidance Levels for Lake Crystal and North Lake Wales in Polk County**

Staff recommended to approve initiation of rulemaking to amend Rule 40D-8.624, F.A.C., to delete previously adopted guidance level and add new guidance and minimum levels.

10. **The Florida Government Utilities Authority Seven Springs Reuse Feasibility Study**

Staff recommended to authorize the Executive Director to execute the cooperative funding agreement between the District and the Florida Government Utilities Authority for the related project.

11. **Declaration of Surplus Lands – Chito Branch Reserve, SWF Parcel No. 11-709-141S**

Staff recommended to declare SWF Parcel No. 11-709-141S surplus.

12. **Amendments to Existing Management Agreements with Pinellas County – Sawgrass Lake Park and Brooker Creek Preserve, SWF Parcel Nos. 16-560-134X and 16-074-145X**

Staff recommended to (1) approve the Fifth Amendment to Sawgrass Lake Park and the Second Amendment to Brooker Creek Preserve Management Agreements with Pinellas County for SWF Parcel Nos. 16-560-134X and 16-074-145X; and (2) authorize the Land Resources Director to execute the amendments to the lease agreements.

13. **Accept Land Donation – Flying Eagle Preserve, SWF Parcel No. 19-334-146**

Staff recommended to (1) accept the donation; and (2) designate parcel as having been acquired for conservation purposes.

14. **Assign Cattle Grazing/Haying Lease Agreement between the District and Harrison Cattle LLC to the Peace River Manasota Regional Water Supply Authority – RV Griffin Reserve, SWF Parcel No. 20-223-113X**

Staff recommended to (1) approve the assignment of a Cattle Grazing/Haying Lease between the District and Harrison Cattle LLC to the Authority, SWF Parcel No. 20-223-113X; and (2) authorize the Land Resources Director to execute the Lease Assignment.

15. **Authorize Submission of Preliminary Flood Insurance Rate Maps (FIRMs) to the Federal Emergency Management Agency (FEMA)**

- a. **Deep Creek Gulley Watershed in DeSoto County**

Staff recommended to authorize staff to submit the preliminary FIRMs for the Deep Creek Gulley watershed in DeSoto County to FEMA.

- b. **Alligator Branch, Buzzards Roost Run, City of Wauchula, Horse Creek, and Thompson Branch Watersheds in Hardee County**

Staff recommended to authorize staff to submit the preliminary FIRMs for the Alligator Branch, Buzzards Roost Run, City of Wauchula, Horse Creek, and Thompson Branch watersheds in Hardee County to FEMA.

- c. **Withlacoochee River, Withlacoochee Region, and Withlacoochee River 2 Watersheds in Southwestern Marion County**

Staff recommended to authorize staff to submit the preliminary FIRMs for the Withlacoochee River, Withlacoochee Region, and Withlacoochee River 2 watersheds in Marion County to FEMA.



- d. **Christina Watershed in Polk County**  
Staff recommended to authorize staff to submit the preliminary FIRMs for the Christina watershed in Polk County to FEMA.
- 16. **Facilitating Agricultural Resource Management Systems (FARMS)**
  - a. **Roper Growers Cooperative - Amendment – DeSoto County**  
Staff recommended to (1) approve the Roper Growers Cooperative Project for a not-to-exceed project reimbursement of \$11,250 with \$2,812 provided by the Peace River Basin Board, \$2,813 provided by the Governing Board, and \$5,625 provided from 2009 State Appropriations; (2) authorize the transfer of \$2,812 from fund 020 H017 Peace River Basin Board FARMS funds, \$2,813 from fund 010 H017 Governing Board FARMS funds, \$5,625 from State Appropriations allocated to fund 010 H017 FARMS funds, to H594 Roper Growers Cooperative project fund; and (3) authorize the Executive Director to execute the agreement.
  - b. **Alafia Berry Farms, LLC Amendment – Hillsborough County**  
Staff recommended to (1) approve the Alafia Berry Farms, LLC project for a not-to-exceed project reimbursement of \$40,500 with \$20,250 provided by the Alafia River Basin, \$20,250 provided by the Governing Board; (2) authorize the transfer of \$20,250 from fund 011 H017 Alafia River Basin FARMS funds, \$20,250 from fund 010 H017 Governing Board FARMS funds to H017 Alafia Berry Farms, LLC project fund; and (3) authorize the Executive Director to execute the agreement.
  - c. **Blues Berry Farm, LLC – Hillsborough County**  
Staff recommended to (1) approve the Blues Berry Farm LLC project for a not-to-exceed project reimbursement of \$58,500 with \$29,250 provided by the Alafia River Basin Board and \$29,250 provided by the Governing Board; (2) authorize the transfer of \$29,250 from fund 011 H017 Alafia River Basin Board FARMS funds and \$29,250 from fund 010 H017 Governing Board FARMS funds to H620 Blues Berry Farm, LLC, project fund; and (3) authorize the Executive Director to execute the agreement.
  - d. **Brookdale Farms, LLC – Hillsborough County**  
Staff recommended to (1) approve the Brookdale Farms LLC project for a not-to-exceed project reimbursement of \$117,000 with \$58,500 provided by the Alafia River Basin Board and \$58,500 provided by the Governing Board; (2) authorize the transfer of \$58,500 from fund 011 H017 Alafia River Basin Board FARMS funds and \$58,500 from fund 010 H017 Governing Board FARMS funds to H625 Brookdale Farms, LLC, project fund; and (3) authorize the Executive Director to execute the agreement.
  - e. **Ennis Strawberry Farm – Hillsborough County**  
Staff recommended to (1) approve the Ennis Strawberry Farm project for a not-to-exceed project reimbursement of \$23,250 with \$11,625 provided by the Alafia River Basin and \$11,625 provided by the Governing Board; (2) authorize the transfer of \$11,625 from fund 011 H017 Alafia River Basin FARMS funds and \$11,625 from fund 010 H017 Governing Board FARMS funds, to H619, Ennis Strawberry Farm project fund; and (3) authorize the Executive Director to execute the agreement.
  - f. **Mathis Farms, Inc. – Hillsborough County**  
Staff recommended to (1) approve the Mathis Farms, Inc. project for a not-to-exceed project reimbursement of \$123,900 with \$61,950 provided by the Alafia River Basin Board, and \$61,950 provided by the Governing Board; (2) authorize the transfer of \$61,950 from fund 011 H017 Alafia River Basin Board FARMS funds, and \$61,950 from fund 010 H017 Governing Board FARMS funds to the H622 Mathis Farms, Inc. project fund; and (3) authorize the Executive Director to execute the agreement.
  - g. **Peacock-Meek Farms – Hillsborough County**  
Staff recommended to (1) approve the Peacock-Meek project for a not-to-exceed project reimbursement of \$33,750 with \$16,875 provided by the Alafia River Basin and \$16,875 provided by the Governing Board; (2) authorize the transfer of \$16,875 from fund 011 H017 Alafia River Basin FARMS funds and \$16,875 from fund 010 H017 Governing Board FARMS funds to H623 Peacock-Meek project fund; and (3) authorize the Executive Director to execute the agreement.

h. **Peacock-Register Farms – Hillsborough County**

Staff recommended to (1) approve the Peacock-Register project for a not-to-exceed project reimbursement of \$24,000 with \$12,000 provided by the Alafia River Basin and \$12,000 provided by the Governing Board; (2) authorize the transfer of \$12,000 from fund 011 H017 Alafia River Basin FARMS funds and \$12,000 from fund 010 H017 Governing Board FARMS funds to H624 Peacock Register project fund; and (3) authorize the Executive Director to execute the agreement.

i. **Mary McTeer – Polk County**

Staff recommended to (1) approve the Mary McTeer project for a not-to-exceed project reimbursement of \$23,000 with \$5,750 provided by the Peace River Basin Board, \$5,750 provided by the Governing Board, and \$11,500 provided from State Appropriations; (2) authorize the transfer of \$5,750 from fund 020 H017 Peace River Basin Board FARMS funds, \$5,750 from fund 010 H017 Governing Board FARMS funds, \$11,500 from State Appropriations allocated to fund 010 H017 FARMS funds, to H621 Mary McTeer project fund; and (3) authorize the Executive Director to execute the agreement.

**Finance & Administration Committee**

17. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for November 2010.

**General Counsel's Report**

18. **Settlement Agreement – SWFWMD v. Raymond J. Shea & Mary Lou Shea, et al, Case No. 53-2009-CA-008352, 10th Judicial Circuit – Lake Hancock Project, SWF Parcel No. 20-503-129 – Polk County**

Staff recommended to approve the settlement in the total amount of \$1,800,000.

19. **Settlement Agreement – SWFWMD v. Don Gary Crabtree & Kaye Hadlock Crabtree, et al, Case No. 53-2009-CA-008352, 10th Judicial Circuit – Lake Hancock Project, SWF Parcel No. 20-503-196 – Polk County**

Staff recommended to approve the Settlement Agreement in the total amount of \$516,092.50.

20. **Initiation of Litigation – Surface Water Activity - Colvin, Robert and Mary – Lake County** – This item was deleted from consideration.

21. **Initiation of Litigation – Surface Water Activity - Ramaela of Clermont, LP – Sumter County** – This item was moved for discussion purposes.

**Executive Director's Report**

22. **Approve Governing Board Minutes – November 16, 2010 Meeting**

Staff recommended to approve the minutes.

**Mr. Gramling moved, seconded by Mr. Tharp, to approve the Consent Agenda as amended. Motion carried unanimously.**

At this time, the order of consideration was altered to allow for the item moved from the Consent Agenda to General Counsel's Report to be heard. (Track 4 – 00:00/04:40)

**General Counsel's Report**

***Discussion Items***

56. **Consent Item(s) Moved for Discussion** – Item 21

21. **Initiation of Litigation – Surface Water Activity - Ramaela of Clermont, LP – Sumter County**

Ms. Carrie Felice, Staff Attorney, provided an overview and timeline of observed wetland impact activities and communications with Ramaela of Clermont Limited Partnership (Owner). She said staff is recommending to authorize the initiation of litigation against Ramaela of Clermont Limited Partnership and any other appropriate parties to obtain compliance, to recover an administrative fine/civil penalty for the



violations, and to recover District enforcement costs, court costs and attorney's fees. (Track 5 – 00:00/04:54)

Chair Oakley said there was one request to speak.

Mr. Joseph Zagame, representing Ramaela of Clermont Limited Partnership, addressed the Board. He said he feels he has worked in good faith with the District and has requested help from staff in resolving this issue for which he received no assistance. He provided a brief overview of his activities to clean up a dump site and a packet of information for each Board member.

Following consideration, **Mr. Gramling moved, seconded by Mr. Pressman, to authorize the initiation of litigation against Ramaela of Clermont Limited Partnership and any other appropriate parties to obtain compliance, to recover an administrative fine/civil penalty for the violations, and to recover District enforcement costs, court costs and attorney's fees. Motion carried unanimously.** (Track 5 – 04:54/13:33)

Chair Oakley relinquished the gavel to Regulation Committee Chair Beruff.

## Regulation Committee

Item 34 was moved from the Resource Management Committee to the Regulation Committee.

### Discussion Items

23. **Consent Item(s) Moved for Discussion** – None

34. **Hydrologic Conditions Status Report**

Mr. Granville Kinsman, Manager, Hydrologic Data Section, said November marks the second month of the eight-month dry season and is historically the driest month of the year, with a long-term mean of just 1.8 inches District-wide. Provisional rainfall totals through November 28 fall within the normal range in the northern and central portions of the District and the above-normal range in the southern District. Rainfall during the month was regionally variable and associated with tropical moisture or frontal systems. The provisional 12-month District-wide rainfall deficit showed a slight improvement during November, ending the month approximately 0.51 inch below the long-term average. The 24-month and 36-month cumulative rainfall deficits improved during the month and are approximately 5.8 and 10.1 inches, respectively, below the historic average. The amount of rainfall received was not sufficient to improve conditions, and most hydrologic indicators declined during November throughout the District. Regional lake levels, streamflow and groundwater levels are at low-normal to below-normal conditions. (Track 6 - 00:00/07:55)

Mr. Kinsman provided a brief overview of drawdowns in the Dover/Plant City area occurring due to the cold temperatures. Mr. Moore said staff will provide an update later today on this morning's monitoring report. (Track 6 – 07:55/17:37)

24. **Approve Amendments to Chapters 40D-1, 40D-2, 40D-8 and 40D-80, F.A.C., including the Water Use Permit Basis of Review, to Establish a Water Use Caution Area in the Dover/Plant City Area and Associated Water Use Permitting Requirements, Minimum Level and Recovery Strategy**

Mr. Owen reviewed the order of presentations for this item. He noted that Board members were provided via electronic methods additional documents with changes to the rules as staff discussed with the Florida Strawberry Growers Association (FSGA). He said Ms. Más will review the rules as provided in the Board's meeting materials. Mr. Owen said then he will review the additional changes provided to the Board. He suggested the public be allowed to speak and then the Board consider the staff recommendations.

Ms. Alba Más, Director, Tampa Regulation Department, said the Board authorized staff in July 2010 to initiate rulemaking in support of the Management Plan. She then provided a summary of the proposed modified rules in Chapters 40D-1, 40D-2, 40D-8 and 40D-80, Florida Administrative Code (F.A.C.), including the Water Use Permit Basis of Review, minimum aquifer level and minimum aquifer level protection zone, and recovery strategies. (Track 7 – 00:00/23:10)

Mr. Owen reported on the meeting with the FSGA, and discussed the proposed rule language and additional modifications resulting from the meeting. He noted that automatic meter reading devices would be required for all permits with frost/freeze protection quantities. The District will provide funding for new meters and automatic meter reading equipment as well as the installation for all existing permits that do not already have these devices, and take all responsibility maintaining these meters.

Ms. Más said staff is recommending to (1) approve rules as presented with modifications as presented; and (2) authorize Executive Director to make changes to the proposed rules, in consultation with Board Chair, to resolve issues that are raised by Joint Administrative Procedures Committee (JAPC) or affected entities. (Track 7 – 23:10/32:00)

Committee Chair Beruff noted there is one speaker card.

Mr. Doug Manson, representing the FSGA, said he wanted to first address the next item regarding the emergency rule noting that the FSGA is in full support. Regarding the existing rule, he said the FSGA is in support of moving forward with the rule and provided comments on the work still needing to be accomplished. (Track 7 – 32:00/35:50)

Mr. Gramling requested that staff report to the Board no later than a year from today the suggested changes to the rule by all the external groups, whether accepted or not, and provide updates during the year as feasible. Ms. Closshey said she supports Mr. Gramling's request but would like to see the report by October 2011.

Following discussion, **Mr. Joerger moved, seconded by Chair Oakley, to approve the staff recommendation to (1) approve rules as presented with modifications as presented; and (2) authorize Executive Director to make changes to the proposed rules, in consultation with Board Chair, to resolve issues that are raised by Joint Administrative Procedures Committee (JAPC) or affected entities.** (Track 7 – 35:50/43:20)

Discussion continued between Board members and staff. **Committee Chair Beruff called the question and the motion carried unanimously.** (Track 7 – 43:20/56:05)

Ms. Adrienne Vining, Staff Attorney, provided an update on the status of the active well complaints and a summary of expenses. (Track 8 – 00:00/06:22)

25. **Authorize the Executive Director to Adopt Portions of the Proposed Dover/Plant City Rules as Emergency Rules**

Ms. Karen Lloyd, Assistant General Counsel, said the District's objective has been to have the rules in effect before the first freeze event might occur in the winter of 2010/2011 in order to avoid the dry well problems that arose last winter and the need for an emergency order and other actions to address the problems resulting from freeze protection pumping. It is now unlikely that the rules will become effective in time to be used in the event of freeze events this winter. If an immediate danger to public health, safety and welfare would be created due to a freeze being predicted to occur before the rules become effective, the law provides that emergency rules can be adopted.

Following consideration, **Mr. Combee moved, seconded by Mr. Gramling, to approve the staff recommendation to authorize the Executive Director to adopt the rules**

**shown in the exhibit as emergency rules if and when the Executive Director determines that emergency rules are necessary due to an immediate danger to public health, safety and welfare.** (Track 9 – 00:00/06:13)

Committee Chair Beruff asked Mr. Manson if he still wanted to address the Board and he declined. Mr. Moore said the District has received well complaints today and an emergency may be declared this afternoon due to the temperatures expected tonight.

**Committee Chair Beruff called the question and the motion carried unanimously.** (Track 9 – 06:13/08:20)

26. **Denials Referred to the Governing Board** – None

***Submit & File Reports*** – None

***Routine Reports***

The following items were provided for the Committee's information, and no action was required.

- 27. **Public Supply Production Report**
  - 28. **Southern Water Use Caution Area Quantities**
  - 29. **Overpumpage Report**
  - 30. **E-Permitting Metrics: Online vs. Paper Applications**
  - 31. **Individual Permits Issued by District Staff**
  - 32. **Resource Regulation Significant Initiatives**
- (Track 9 – 08:20/09:09)

Regulation Committee Chair Beruff relinquished the gavel to Committee Chair Joerger

**Resource Management Committee**

Item 34 was presented during the Regulation Committee's Discussion Items.

***Discussion Items***

33. **Consent Item(s) Moved for Discussion** – None

35. **Establish Final Numeric Water Quality Standards for Nutrients in Fresh Water**

Ms. Veronica Crow, Environmental Section Manager, Resource Projects Department, presented a summary of the components of the U.S. Environmental Protection Agency's (EPA) final lake, stream and springs numeric nutrient criteria for Florida as published in the Federal Register on December 6, 2010. The standards will become effective 15 months from the date of publication. The standards comply with the terms of the August 2009 consent decree between EPA and the Florida Wildlife Federation. For streams, EPA established five different watershed-based nutrient regions with different total nitrogen and phosphorus (TN and TP) criteria in each region. EPA classified lakes into three groups (colored, clear/alkaline, clear/acidic) and assigned different values for TN, TP and chlorophyll a to each lake group. EPA established a single nitrate-nitrite criterion for springs statewide. EPA also announced an approach for obtaining federal approval of site-specific alternative criteria (SSAC), allowing for case-by-case adjustments to the criteria depending on local environmental factors while protecting water quality. There are currently two lawsuits challenging the standards, including one by the state agriculture commissioner. In a later action, EPA will establish rules to protect estuaries, South Florida canals and coastal waters, following a peer review by their Scientific Advisory Board. These standards must be proposed by November 2011 and finalized by August 2012.

Mr. Beruff noted that the South Florida Water Management District is considering entering the lawsuit with the state agriculture commissioner and suggested this District may want to join. He said the attorney general will also be filing suit. Ms. Closshey requested

Ms. Craw present this item to the joint Industrial and Public Supply Advisory Committees meeting in January 2011. (Track 10 – 00:00/33:26)

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

36. **Initiation of Rulemaking to Allow for the Sale and Consumption of Alcoholic Beverages on Cooperatively Managed District Lands**

Following a brief overview by Committee Chair Joerger, **Ms. Closshey moved, seconded by Mr. Combee, to authorize staff to initiate rulemaking to Chapter 40D-9, F.A.C., to allow the sale and consumption of alcoholic beverages on cooperatively managed District land where a local government or agency has adopted by rule or ordinance the appropriate guidelines.**

The Office of General Counsel, Risk Management and Land Resources have evaluated the requests and determined that there is minimal risk to the District if the sale and consumption of alcohol under these circumstances were authorized by the Board. The impact to the overall management and use of the properties would be minimal.

In response to Mr. Tharp's question, Mr. Will Miller, Land Use and Protection Manager, Land Resources Department, said this only applies to cooperatively-managed lands, and the prohibition will stand for lands only managed by the District. In response to Mr. Adams' question, Mr. Miller said staff will return in January 2011 with specific rule language which will address insurance requirements.

**Committee Chair Joerger called the question and the motion carried unanimously.**

At this time, the meeting recessed for lunch and reconvened at 1:15 p.m. (Track 11 – 00:00/04:49; Track 12 – 00:00/00:02)

Committee Chair Joerger called the Committee meeting to order. He noted that this is another report in a series of staff presentations to provide the Board with a better understanding of the District's various programs, as well as staff and financial resources necessary. (Track 13 – 00:00/01:50)

37. **Aquatic Plant Management Program Overview**

Mr. Brian Nelson, Aquatic Plant Management Program Manager, Operations Department, provided the Board an update on the staffing, ongoing maintenance operations, budget and trends associated with the District's Aquatic Plant Management Program which includes the control of invasive species infestations on District-managed lands. One-hundred percent of the funding required for the District to manage aquatic plant populations on 28 lake and river systems (State waterways) is provided by the Florida Fish and Wildlife Conservation Commission (FWC). (Track 13 – 1:50/33:50)

Discussion ensued regarding this program's budget and costs. Ms. Closshey said she is concerned there are other functions within the District where similar situations occur in anticipation of a weather event and requested information on how much of the total budget is impacted. She said it is one thing to be prepared for hurricanes, but there needs to be agreement on the policy to handle these situations. Messrs. Moore and Wirth clarified the budgeting process for land management programs. (Track 13 – 33:50/53:04)

Ms. Closshey said her questions are comprehensive enough for staff to provide a response, and then the Board can set policy affirming staff's actions or change it. (Track 13 – 53:04/57:31)

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

38. **Aquifer Storage and Recovery – Arsenic Issue Update**

Mr. Don Ellison, Senior Professional Geologist, Resource Projects Department, provided an update and status of the District's ongoing efforts to address the metals mobilization issue that is impeding the development of Aquifer Storage and Recovery (ASR) projects throughout the country. Currently, there are 12 ASR projects constructed in the District that provide up to 52 million gallons daily of water supply during the dry season. It was discovered that the injection of the water into the aquifer causes a reaction that mobilizes naturally occurring arsenic, resulting in elevated arsenic levels in the withdrawn water. The pilot project is removing the oxygen from the water prior to its injection to determine if that stops the chemical reaction that frees the arsenic from the rock. So far, results have been extremely promising, including estimated costs of about ten cents per thousand gallons for treatment.

Ms. Closshey requested Mr. Ellison present this item to the joint Industrial and Public Supply Advisory Committees meeting in January 2011. (Track 14 – 00:00/14:40)

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

***Submit & File Reports – None***

***Routine Reports***

The following items were provided for the Committee's information, and no action was required.

39. **Florida Forever Funding**

40. **Minimum Flows and Levels**

41. **Structure Operations**

42. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**

43. **Significant Water Supply and Resource Development Projects**

(Track 14 – 14:40/14:49)

Resource Management Committee Chair Joerger relinquished the gavel to Committee Vice Chair Closshey.

**Outreach and Planning Committee**

***Discussion Item***

44. **Strategic Plan Update**

Mr. Roy Mazur, Director, Planning Department, provided a brief update to the District's Strategic Plan development process and reviewed the proposed calendar. The Board embraced the idea of having the Outreach and Planning Committee meet regularly with staff in the coming year to develop the FY2013 plan. (Track 15 – 00:00/04:31)

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

45. **Youth and Public Education Programs Overview**

Ms. Beth Putnam, Projects Administrator, Communications Department, provided the Board with an overview of District education programs, audiences reached, methods employed, trends and accomplishments. The presentation included overall accomplishments along with a discussion of how education projects are evaluated and how success is measured. (Track 16 – 00:00/24:30)

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

***Submit & File Reports – None***



### ***Routine Reports***

The following items were provided for the Committee's information, and no action was required.

- 46. **Comprehensive Plan Amendment and Related Reviews**
- 47. **Development of Regional Impact Reviews**
- 48. **Speakers Bureau**
- 49. **Significant Activities**

- Ms. Kavouras noted that staff has completed the update to the 2010 Regional Water Supply Plan as required by statute and the draft plan has been provided to the Board members. The Board will be asked to approve the plan at next month's meeting.

Committee Vice Chair Closshey relinquished the gavel to Finance and Administration Committee Chair Tharp. (Track 16 – 24:30/28:18)

## **Finance and Administration Committee**

### ***Discussion Items***

- 50. **Consent Item(s) Moved for Discussion** – None

- 51. **Delaying Employee Eligibility for Florida Retirement System Contributions**

Ms. Elaine Kuligofski, Director, Human Resources Department, provided an update of an issue raised at the September 2010 Governing Board Workshop regarding the potential for cost savings that might be achieved by delaying employee eligibility for Florida Retirement System (FRS) contributions. Staff investigated this approach and reviewed the matter with the Board member as a possible option for the District and determined that such an approach would be unlikely to result in significant (if any) cost savings to the District. The District currently, and typically, has a very low rate of turnover and does not experience turnover extensively in any particular class of employees. The average tenure for separating employees is approximately 12.5 years. In the past three years, only 14 staff members with less than one-year tenure have left District employment, and ten of those were in professional positions that are neither readily nor cost-effectively filled through temporary service contracts. Additionally, the current markup rate for temporary services ranges from between 33.5 percent to 44.0 percent, whereas the District's benefits overhead is approximately 38.0 percent. The cost savings from a temporary-to-full-time approach would therefore be negligible at best. Mr. Senft said he agreed with staff's assessment. (Track 17 – 00:00/05:25)

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

- 52. **Status of Request for Proposals for Workload and Staffing Analysis**

Ms. Elaine Kuligofski, Director, Human Resources Department, said there were three proposals for the workload and staff analysis received by the deadline—2:30 p.m. today. The report listed the three respondents and the dollar value range of submitted proposals. District staff will review the proposals for responsiveness, then the proposals will be examined by the Finance and Administration Screening Committee prior to making a recommendation to the Governing Board. (Track 17 – 05:25/09:51)

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

In regard to the action taken against conducting a salary and benefits analysis at last month's Board meeting, Mr. Beruff requested that the vote be rescinded or action amended for discussion purposes since he was unable to attend the meeting. Mr. Bilenky said, since this item is not on the agenda, a two-thirds vote (six Board members) is required for consideration. **Mr. Beruff moved to reopen consideration; Mr. Combee seconded the motion.** Mr. Beruff raised the salary and benefits analysis issue again along with information that conducting such an analysis for all state employees is part of the incoming governor's guiding principles. Discussion ensued. **Committee Chair Tharp called the question and the motion failed with**

**Messrs. Combee and Senft voting in favor and the remaining Board members voting in opposition.** (Track 18 – 00:00/30:20)

**Ms. Closshey moved, seconded by Ms. Whitehead, to recommend that all the water management districts, or at least the three largest districts, participate jointly in a salary and benefits analysis. Motion carried unanimously.** (Track 18 – 30:20/32:58)

**53. Status of District's Fiscal Year 2011 Outsourcing Funds**

As part of an ongoing comprehensive review of the Fiscal Year (FY) 2011 budget in preparation for FY2012 budget development, staff is providing the Board with overviews of major District initiatives and programs, organized by Area of Responsibility, each month for a period of five to six months. Mr. Schiller's presentation included a review of expense categories and a status report of the program budget and associated staffing. He reviewed that portion of the budget to be contractually outsourced for the following programs: Facilitating Agricultural Resource Management Systems (FARMS), Surface Water Improvement and Management (SWIM), Agricultural and Urban Landscape Research, Florida Department of Transportation Mitigation, Youth and Public Education, and Aquatic Plant Management. Through December 2010, the following has been presented for review: \$29.3 million (37 percent) of the \$79.1 million budgeted in FY2011 for contractual outsourcing, \$43,232,175 of the \$279,807,363 adopted FY2011 budget, and \$94,820,271 of the \$838,460,848 FY2011 modified budget. Over the next few months, the District's remaining major initiatives will be presented.

Ms. Closshey requested this format be presented each year so Board members understand the budget. (Track 19 – 00:00/22:44)

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

**Submit & File Reports** – None

**Routine Reports**

The following items were provided for the Committee's information, and no action was required.

**54. Treasurer's Report, Payment Register, and Contingency Reserves**

**55. Management Services Significant Activities**

Finance and Administration Committee Chair Tharp relinquished the gavel to Chair Oakley. (Track 19 – 22:44/22:53)

**General Counsel's Report**

**Discussion Items**

**56. Consent Item(s) Moved for Discussion** – None

**57. Status of Tampa Bay Water's Seawater Desalination Project Operational Protocol Discussions**

Mr. Bilenky noted that, during the September 2010 Board meeting, staff discussed the history of the agreement that brought about the final District payments for the completion of Tampa Bay Water's (TBW's) desalination facility. As part of that discussion, staff noted that on October 1, 2010, TBW would commence a new "water year" and new budget year, and the Partnership Agreement will terminate on December 31, 2010. It was further noted that the District and TBW have a fundamental disagreement as to whether the original Funding Agreement between the District and Tampa Bay Water remains in force and effect after the final payment made pursuant to the Second Amendment to that Agreement. Staff indicated that they would work with the staff of TBW with the objective of returning to the December Governing Board meeting with a recommendation on an



operational protocol for the desalination facility consistent with the parameters discussed at the September meeting.

Mr. Bilenky provided an update to the Board on the negotiations with TBW and a chronological list of communications between the two agencies. Chair Oakley said he contacted Mr. Jerry Seeber, TBW General Manager, who said he was told by his Board not to discuss the matter until the joint meeting between his agency's Board of Directors and the District's Governing Board. Chair Oakley said he then contacted Commissioner Mark Sharpe, Chair of TBW's Board of Directors, and has received no response. (Track 20 – 00:00:00/00:09:58)

Mr. Bilenky said the District knows the facility's capability and it is being ramped up for use due to climatic conditions. He said it is reasonable to consider the capacities of this facility as a source that is available for TBW to rely upon going into the future to meet demands that are placed on the system. He said there is no argument as to the facility's capacity.

Following discussion, **Mr. Gramling moved, seconded by Mr. Beruff, to direct staff to return to the January Board meeting with a list of potential actions, including permitting, litigation, etc., to take in response to differing opinions between the District and TBW regarding operation of the desalination facility.** Discussion ensued between Board members and staff. **Chair Oakley called the question and the motion carried unanimously.** (Track 20 – 00:09:58/00:34:13)

Chair Oakley said there is one speaker card for this item.

Mr. Gene Heath, attending on behalf of Polk County, said the County is negotiating with TBW for a water supply achieved through a cooperative effort. He said the District's role is important and there is a need for substantive participation to negotiate a water supply contract. Mr. Heath said elements involved in the Southern Water Use Caution Area's (SWUCA's) strategy involved a regional approach including governance and regulatory solutions. He noted that the watershed is located 60 percent in the TBW and 40 percent in Polk County which is not a member of TBW and does not have a preferential right to the water. Mr. Heath said the District should be involved from the beginning to help reach a regional solution together with all the local governments and agencies. (Track 20 – 00:34:13/00:41:20)

Discussion ensued regarding defining regionalism to provide a structure and framework, water supply authorities, District's involvement, governance, regulatory solutions, multi-governmental negotiations, policy and legal positions, pending permits, and statutory mandates.

Mr. Moore said there is a December 21, 2010, meeting with the Polk County Administrator and TBW General Manager to work through the issues. He noted that District staff will be available to attend future meetings but suggested waiting to see if the two parties can resolve issues. He said staff will provide an update and recommendations at the Board's meeting in January. (Track 20 – 00:41:20/01:02:35)

**Submit & File Reports – None**

#### ***Routine Reports***

The following items were provided for the Committee's information, and no action was required.

- 58. **Litigation Report**
- 59. **Rulemaking Update**

At this time, **Mr. Joerger moved, seconded by Mr. Beruff, to defer the remainder of the agenda (Items 60-63) to the January 2011 Board meeting. Motion carried unanimously.** (Track 20 – 01:02:35/1:04:25)

## Committee/Liaison Reports

- 60. Basin Board Land Resources Committee and Land Use Stakeholders Joint Meeting
- 61. Environmental Advisory Committee Meeting

## Executive Director's Report

- 62. Executive Director's Report
  - a. Water Supply Agreement Polk County and Tampa Bay Water
  - b. Transition Team Activities
  - c. Other

## Chair's Report

- 63. Chair's Report
  - a. Performance Evaluations of the Executive Director and Inspector General
  - b. Other

Mr. Combee said an issue which may come before the Board is the Rancho Bonito wetlands and destruction which has occurred.

Chair Oakley adjourned the meeting at 5:05 p.m. (Track 20 – 01:04:25/01:06:07)



# Governing Board Meeting

## January 25, 2011

### REGULATION COMMITTEE

#### **Discussion Items**

18. Consent Item(s) Moved for Discussion
19. Hydrologic Conditions Status Report ..... (10 minutes) ..... 2
20. Consider Modification of Water Shortage Order 2010-022 ..... (15 minutes) ..... 4  
(Strategic Plan: Water Supply – Conservation)
21. Freeze Protection Pumpage Status Report ..... (5 minutes) ..... 5  
(Strategic Plan: Water Supply – Regulation)
22. Individual Water Use Permits Referred to the Governing Board –  
WUP No. 20011771.001 - Tampa Bay Water Consolidated  
Permit – Hillsborough County ..... (15 minutes) ..... 6  
(Strategic Plan: Water Supply – Regulation)
23. Southern Water Use Caution Area Quantities ..... (5 minutes) ..... 23  
(Strategic Plan: Natural Systems – MFL Establishment)
24. Denial(s) Referred to the Governing Board ..... (0 minutes) ..... 25

#### **Submit & File Reports – None**

#### **Routine Reports**

25. Public Supply Production Report ..... See Report
26. Southern Water Use Caution Area Quantities ..... 26
27. Overpumpage Report ..... 27
28. E-Permitting Metrics: Online vs. Paper Applications ..... 35
29. Individual Permits Issued by District Staff ..... 38
30. Resource Regulation Significant Initiatives Report ..... 39

## Regulation Committee January 25, 2011

### *Discussion Item*

#### **Hydrologic Conditions Status Report**

This routine report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record. The data shown are typically considered final, fully verified monthly values, but occasionally, due to timing of publication, some data are identified as "provisional," meaning that the values shown are best estimates based on incomplete data. The information presented below is a summary of data presented in much greater detail in the Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at <http://www.swfwmd.state.fl.us/waterres/hydro/hydro.htm>.

#### **Rainfall**

Provisional rainfall totals, as of December 31<sup>st</sup>, were below-normal in the northern and central regions of the District, while they were within the normal range in the southern region. The normal range is defined as rainfall totals that fall on or between the 25<sup>th</sup> to 75<sup>th</sup> percentiles derived from the historical data for each month.

- The northern region received an average of 0.65 inch of rainfall, equivalent to the 14<sup>th</sup> percentile.
- The central region received 0.70 inch of rainfall, equivalent to the 17<sup>th</sup> percentile.
- The southern region recorded an average of 1.05 inches of rain, equivalent to the 36<sup>th</sup> percentile.
- District-wide, average rainfall was 0.81 inch, equivalent to the 23<sup>rd</sup> percentile.

#### **Streamflow**

December streamflow data indicates regional streamflow decreased in all three regions of the District, compared to the previous month. Streamflow conditions ended the month below-normal in all three regions of the District, based on flow conditions in regional index rivers. Normal streamflow is defined as falling between the 25<sup>th</sup> and 75<sup>th</sup> percentiles.

- The monthly average streamflow in the Withlacoochee River near Holder in the northern region was in the 7<sup>th</sup> percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 21<sup>st</sup> percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 15<sup>th</sup> percentile.

#### **Groundwater Levels**

December groundwater data indicate levels in the Floridan/Intermediate aquifer decreased and ended the month below-normal in all three regions of the District. Normal groundwater levels are defined as those falling between the 25<sup>th</sup> and 75<sup>th</sup> percentiles.

- The average groundwater level in the northern counties was in the 13<sup>th</sup> percentile.
- The average groundwater level in the central counties was in the 22<sup>nd</sup> percentile.
- The average groundwater level in the southern counties was in the 6<sup>th</sup> percentile.

## Item 19

### Lake Levels

December water-level data indicates average lake levels decreased in all four lake regions of the District. All four lake regions ended the month below the base of the annual normal range. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the Northern region decreased 0.32 foot and were 4.38 feet below the base of the annual normal range.
- Average lake levels in the Tampa Bay region decreased 0.34 foot and were 0.27 foot below the base of the annual normal range.
- Average lake levels in the Polk Uplands region decreased 0.25 foot and were 1.52 feet below the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region decreased 0.19 foot and were 4.15 feet below the base of the annual normal range.

### Issues of Significance

December historically marks the third month of the 8-month dry season and provisional rainfall totals for the month were below-normal in the northern and central regions and within the normal range in the southern region. Analysis of dry-season rainfall, to date, shows October through December totals to be below the historic mean in all regions of the District.

Rainfall was regionally variable during the month and mainly associated with the passage of several cold front systems moving across the District. The cold weather systems brought freezing temperatures to some areas of the District that caused agricultural interests to pump groundwater for crop protection. Groundwater pumping during the cold weather events caused temporary aquifer level declines in the Dover/Plant City area of Hillsborough County that resulted in numerous dry wells complaints and the development of at least one sinkhole. The provisional twelve-month District-wide rainfall deficit worsened during December, ending the month approximately 3.7 inches below the long-term average. The 24- and 36-month cumulative rainfall deficits worsened and are approximately 6.11 and 10.9 inches, respectively, below the long-term average.

The amount of rainfall received during December was not sufficient to improve conditions, and most hydrologic indicators declined throughout the District. Regional lake levels, streamflow and groundwater levels ended the month at below-normal conditions. The US Drought Monitor, as of December 28, indicates that abnormally dry to severe drought conditions exist throughout the District, and that conditions are expected to worsen.

Current NOAA climate forecasts continue to predict below-normal rainfall conditions for the District through May 2011, due to La Niña conditions in the Pacific Ocean. The dry season runs from October through May, and further declines in hydrologic conditions are likely through this period if below-normal rainfall conditions continue through the winter and spring months.

Updated weather forecasts will be available in mid-January. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

### Staff Recommendation:

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

Presenter: Granville Kinsman, Manager, Hydrologic Data Section

### Regulation Committee January 25, 2011

#### *Discussion Item*

#### **Consider Modification of Water Shortage Order 2010-022**

The Governing Board declared a Phase I Water Shortage at its November 16, 2010 meeting. As a result, Water Shortage Order No. 2010-022 was entered into, effective December 1, 2010. Staff has continued to monitor hydrologic conditions and other pertinent factors in accordance with the District's Water Shortage Plan (Rule 40D-21, F.A.C.) to determine when and if this existing declaration needs to be modified or rescinded.

As of January 4, 2011, below-normal conditions continue, with many indicators having worse values than those that existed when the Modified Phase I (Moderate Water Shortage) was declared in November. A Phase I declaration primarily directs local governments and other Water Use Permit holders to proactively prepare for possible worsening conditions, such as updating local enforcement procedures. A Phase II (Severe Water Shortage) declaration builds upon this foundation by implementing prudent actions to assure that only reasonable water uses are occurring in the affected area. Prudent actions specifically include a seasonally-appropriate once-per-week limit on lawn watering and also a stricter "time of day" limitation on watering.

Staff will continue to monitor conditions to determine whether a Phase II declaration or more stringent response is needed in any portion of the District. A summary of current information will be provided as part of any Water Shortage Order that staff prepares for the Board's consideration.

#### **Staff Recommendation:**

To be presented at the Governing Board meeting.

**Presenter:** Lois Ann Sorensen, Manager, Demand Management Program



## Regulation Committee January 25, 2011

### *Discussion Item*

#### **Freeze Protection Pumpage Status Report**

The Dover/Plant City area of Hillsborough County experienced two two-day freeze events and one three-day freeze event during the month of December, and then another freeze event in mid-January. Pumping of groundwater by the commodities that use irrigation for frost/freeze protection during the freeze events resulted in the drawdown of the aquifer in the area. Dry wells have been reported after each freeze event.

During the December meeting, the Governing Board authorized the Executive Director to adopt emergency rules pertaining to specific portions of the proposed rule amendments authorized by the Board for the Dover/Plant City area. Staff has been implementing the emergency rules for the well complaint allocation process, as well as for the well-complaint investigation and mitigation process.

Staff will provide a status report on freeze protection management activities.

#### **Staff Recommendation:**

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

**Presenter:** Alba E. Más, Director, Tampa Regulation Department

## Consent Agenda January 25, 2011

### Regulation Committee

#### Individual Water Use Permits Referred to the Governing Board

##### WUP No. 20011771.001 - Tampa Bay Water's Consolidated Permit – Hillsborough County

Tampa Bay Water's Consolidated Permit was first issued on January 1, 1999. It combined eleven public supply wellfields collectively known as the Central System Facilities that had been previously managed by the West Coast Regional Water Supply Authority, the predecessor of Tampa Bay Water, and member governments. These wellfields were incrementally developed over a time period spanning from the 1930's through the 1990's. In the 1990's withdrawals from these wellfields were determined to be causing adverse impacts to lakes and wetlands in the northern Tampa Bay area. The District, Tampa Bay Water and its member governments entered into the Partnership Agreement in 1998 to develop alternative water sources and reduce pumpage from these wellfields. The original Consolidated Permit was issued for 158 million gallons per day (MGD), with staged reductions to 121 MGD by 2003, and 90 MGD by 2008; each reduction in groundwater permitted quantity was to be offset with the introduction of alternative water supplies. In conjunction with the Partnership Agreement, the Northern Tampa Bay Recovery Rule, Chapter 40D-80.073, F.A.C., was adopted by the Governing Board. This Recovery Rule allowed issuance of the initial Consolidated Permit, even though the permit did not meet normal permitting criteria.

The proposed renewal for the Consolidated Permit will maintain the 90 MGD average annual withdrawal quantity for a duration of 10 years and requires the ongoing implementation of the Northern Tampa Bay Recovery Strategy and the Comprehensive Environmental Resources Recovery Plan outlined in Rule 40D-80.073, F.A.C. Inclusion of this Comprehensive Plan is needed to continue the prescribed recovery strategy. Although the strategy of reducing groundwater withdrawals from the Central System Facilities has, to date, resulted in increased water levels and flows and improved conditions in many wetlands, lakes, streams, springs and aquifer levels, compliance with the criteria specified in the Conditions for Issuance of Permits, Rule 40D-2.301, F.A.C., has not yet been demonstrated. This past spring the Governing Board adopted rules implementing the second phase of the Recovery Strategy. These rules became effective May 26, 2010 and contain the Comprehensive Plan that allows for issuance of this permit.

Staff will present a summary of the proposed permit, including the primary mechanisms that will be used to achieve additional recovery specified in the Operations Plan, Environmental Management Plan, Phase 1 Mitigation Plan and the Permit Recovery Assessment Plan. A copy of the proposed permit is included as an exhibit to this item. All exhibits to the permit are available upon request.

Staff Recommendation:

See Exhibit

Approve the proposed Northern Tampa Bay Consolidated Permit renewal, as presented.

Presenter: Alba E. Más, Director, Tampa Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
INDIVIDUAL WATER USE PERMIT NO. 20011771.001  
for  
TAMPA BAY WATER'S CENTRAL SYSTEM**

**EXPIRATION DATE:** January 25, 2021

**PERMIT ISSUE DATE:**

THE PERMITTEE IS RESPONSIBLE FOR APPLYING FOR A RENEWAL OF THIS PERMIT PRIOR TO THE EXPIRATION DATE IN ACCORDANCE WITH DISTRICT RULES, WHETHER OR NOT THE PERMITTEE RECEIVES PRIOR NOTIFICATION BY MAIL. CONTINUED USE OF WATER AFTER THE EXPIRATION DATE IS A VIOLATION OF DISTRICT RULES, EXCEPT AS OTHERWISE PROVIDED BY APPLICABLE LAW. VIOLATION OF THE CONDITIONS OF THIS PERMIT CONSTITUTES A VIOLATION OF APPLICABLE LAW.

**GRANTED TO:** Tampa Bay Water  
2575 Enterprise Road  
Clearwater, FL 33763-1102

**AUTHORIZATION:** Subject to the terms and conditions set forth below, this permit authorizes water withdrawals at the following facilities:

1. Cosme-Odessa Wellfield
2. Cross Bar Ranch Wellfield
3. Cypress Bridge Wellfield
4. Cypress Creek Wellfield
5. Eldridge-Wilde Wellfield
6. Morris Bridge Wellfield
7. Northwest Hillsborough Regional Wellfield
8. North Pasco Wellfield
9. Section 21 Wellfield
10. South Pasco Wellfield
11. Starkey Wellfield

These 11 facilities are referred to collectively as the "Central System". This permit is referred to as the "Consolidated Permit". A general description of each facility is set forth in Table 1 within the Withdrawal Points and Monitoring Sites, which is attached to this permit as Exhibit A.1. All tables and Exhibits to this Water Use Permit are incorporated herein by reference for all purposes.

The Permittee shall continue to manage withdrawals using the Operations Plan (Exhibit B) to define and control how wellfield withdrawal points from the Central System will be operated to avoid or minimize environmental stress.

The combined production from the Central System shall not exceed 90 million gallons per day (MGD) on a 12-month running average except as otherwise authorized herein. Impacts of sustained withdrawals at that rate will be assessed during the ten year period of the Minimum Flows and Levels Recovery Strategy and Comprehensive Environmental Resources Recovery Plan for the Northern Tampa Bay Water Use Caution Area (the Comprehensive Plan) set forth in Rule 40D-80.073, F.A.C.

**SPECIAL CONDITIONS:**

**All references to approval by or notification to the District shall be defined as the Executive Director or designee.**

**1. SUBMISSION OF DATA AND REPORTS**

All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If a condition specifies that a District-supplied form is to be used, the Permittee shall use that form in order for its submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center ([www.swfwmd.state.fl.us/permits/epermitting/](http://www.swfwmd.state.fl.us/permits/epermitting/)) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the fifteenth day of the month following data collection, it shall be deemed a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District  
Tampa Regulation Department, Water Use Regulation  
7601 U.S. Hwy. 301 North  
Tampa, Florida 33637-6759

Unless submitted online or as otherwise indicated in the special condition, all submittals shall be made in a format acceptable to the District such as, but not limited to, Microsoft EXCEL and WORD, other compatible software or ASCII format.

**2. WITHDRAWAL LIMITATIONS**

**A. Total Withdrawals**

Total withdrawals from the Central System as metered at the individual production wells, shall not exceed 90 MGD on a 12-month running average basis except during the Exception Period, as provided in Rule 40D-80.073(2)(f)(2), F.A.C. The locations of withdrawal points for this permit are found in Exhibit A.2.

**B. Requirements of Exception Period**

During the duration of this permit and the corresponding phase of the Comprehensive Plan, the C.W. Bill Young Regional Reservoir (the Reservoir) will be renovated. During the period of the renovation project, the Permittee is limited to a total annual average daily withdrawal rate of 90 MGD on a 12-month moving average basis, except as provided below:

- 1) The period during which withdrawals may be greater than 90 MGD on a 12-month moving average basis (Exception Period) begins when:
  - a. The Permittee announces the date that the Reservoir cannot produce water supply and the renovation project has begun, and
  - b. The District has determined that hydrologic factors exist that are contributing to a water supply deficit. These factors include the designated water resource indicators in the District's Water Shortage Plan and stream flow and rainfall conditions in the Alafia River and/or the Hillsborough River watersheds, and
  - c. The Permittee demonstrates there are not sufficient surface water, desalination and other interconnected sources available that would allow withdrawals pursuant to this permit to remain at or below 90 MGD on a 12-month moving average basis, and
  - d. The Permittee demonstrates that it has complied with any Board or Executive water shortage or emergency order relating to water supply.

- 2) The Exception Period shall end on the date on which the earlier of the following occurs:
  - a. 36 months after the period begins; or
  - b. When water stored in the C.W. Bill Young Regional Reservoir equals 11.0 billion gallons.
- 3) During the Exception Period, the Permittee shall maximize the authorized use of alternative water supply sources, including the Alafia River and Hillsborough River/Tampa Bypass Canal system, the desalination plant and other available interconnected sources in order to minimize groundwater use from the Central System. The purpose of the Permittee maximizing its use of alternative water supplies is to minimize the extent to which, and the duration that, withdrawals from the Central System exceed 90 MGD on a 12-month moving average basis. A monthly report demonstrating the maximized use of these sources shall be submitted to the District by the 15<sup>th</sup> of the following month (see Special Condition 5).
- 4) During the Exception Period, the Permittee shall comply with any Board or Executive water shortage or emergency order.
- 5) The District shall notify the Permittee of the beginning and ending dates of the Exception Period.
- 6) Compliance with the 90 MGD on a 12-month moving annual average basis is tolled during the Exception Period and compliance shall recommence beginning 365 days from the date the Exception Period ends.
- 7) The Permittee shall use its best efforts to minimize the period of the renovation project and reduce the duration of the Exception Period.

3. **OPERATIONS PLAN - GENERAL REQUIREMENTS**

The Permittee shall continue to implement and refine, as needed, the Operations Plan (Exhibit B). The Permittee shall update the Operations Plan found in Exhibit B to be consistent with recent changes to the relationship between the Optimized Regional Operations Plan (OROP) and Environmental Management Plan (EMP) and submit the updated Plan to the District for approval within 180 days of the issuance of this permit. The Operations Plan shall include the Permittee's OROP, input data sets, constraint data sets, and supporting models used in the development of a weekly rotation schedule for the Central System. The Operations Plan shall continue to be used to define and control how wellfield withdrawals from the Central System shall be optimized to avoid or minimize environmental stress. Throughout the term of this permit, any changes to the Operations Plan that could result in a change to the distribution of wellfield withdrawals will require District approval including the following:

- A. Any change to the optimization formulation, implementation or software;
- B. Any change to the Integrated Northern Tampa Bay (INTB) Model code and INTB model, or incorporation of new codes and models;
- C. Any change to the Unit Response Matrix (URM), operating rule curves, or preferential weighting system;
- D. Any change to the number and location of control points;
- E. Any change to target aquifer levels at control points;
- F. Any change to the number and location of the Upper Floridan aquifer monitor wells used in OROP; and
- G. The addition of any new interconnected groundwater supply source.

If a change is proposed to the Operations Plan, the Permittee shall submit an amended and restated version of the entire Operations Plan identifying the proposed change to the District. The restated report shall be submitted in an electronic format acceptable to the District such as, but not limited to, Microsoft Excel and Word, other compatible software or ASCII format. Approval must be obtained from the District prior to implementation of any changes by the Permittee. The Permittee shall begin implementation of the approved changes within 60 days of District approval. Any District approved change to elements of the Operations Plan shall be documented in the

Operations Plan Report for the next reporting period by attaching a copy of the latest version of the amended and restated Operations Plan to the report.

The Operations Plan shall:

- A. Define how the Permittee will operate the Central System;
- B. Provide the protocol under which the Permittee will select among the production wells in the Central System to meet demand;
- C. Provide the protocol under which the Permittee will rotate among the production wells in the Central System to avoid or minimize environmental stresses;
- D. Rely upon ground water elevation target levels in the aquifer systems as a surrogate for water levels in wetlands and lakes, and flows in streams and springs at a specified set of existing and proposed monitor wells, to gage environmental stresses in and around the Central System wherein increased ground water elevations will denote reduced environmental stresses;
- E. Include procedures for analyzing relationships between the distribution and rate of withdrawal at the well fields, flow rates in rivers and streams, and the associated Floridan and surficial aquifer system levels, using available models;
- F. Include procedures for selecting optimal scenarios for the distribution and rate of ground water withdrawals from the well fields, using available mathematically-based optimization software, based on projected demand and operating system constraints, such that ground water levels in the surficial aquifer system are maximized according to a specified weighting/ranking system as a surrogate for water levels in wetlands and lakes and flow in rivers and streams;
- G. Include in the optimization analysis a weighting/ranking system to enable priority factors to be applied to reduce environmental stress preferentially at selected locations, with such factors to be associated with the specified surficial aquifer monitor wells;
- H. Propose a set of surficial aquifer monitor wells as well as a priority weighting system for those wells; and
- I. Provide data and software for all models used in the OROP.

Permanent Removal of Production Wells:

One of the keys to the Recovery Strategy set forth in Rule 40D-80.073(2), F.A.C., is the ability of the Permittee to distribute the groundwater withdrawals authorized under the Permit among the many production wells of the Central System found in Exhibit A.2. During the duration of this Permit, the Permittee may find it advisable and appropriate for utility purposes to permanently remove one or more production wells from the Central System by permanently ceasing pumping or abandoning said wells. Prior to the permanent removal of any production well in the Central System, the Permittee shall notify the District of its intent to permanently remove the well, and the well may not be permanently removed without the approval of the District. The District shall not withhold permission to permanently remove the well except upon an express determination that the removal of the well from the Central System will adversely impact the Recovery Strategy or otherwise cause unacceptable adverse impacts to wetlands, lakes, streams, springs or aquifer levels. The Permittee has the right to petition and be heard in an administrative hearing pursuant to Chapter 120, F.S., on a determination by the District to deny permission to permanently remove a production well.

#### 4. **BIENNIAL OPERATIONS PLAN REPORTS**

The Permittee shall submit to the District an Operations Plan Report for the previous 2 water years by July 1 of years 2012, 2014, 2016, 2018 and in conjunction with the application to renew the Consolidated Permit in 2020. This report is subject to District approval based upon consistency with Rule 40D-80.073, F.A.C., conditions within this permit, the previously approved Operations Plan and the previously approved Biennial Report. The District shall respond in writing with approval or comments/questions. The Permittee shall respond in writing to any comments/questions from the District within sixty (60) days of receipt of the District letter and



shall revise the Operations Plan Report to address the District's comments/questions. The report shall include the following:

- A. Summary of all changes to the Operations Plan (Exhibit B) that were approved by the District during the reporting period;
- B. Description of any infrastructure changes during the reporting period that affect groundwater sources, including changes to withdrawal points, conveyance infrastructure and points of connection;
- C. Review of Central System operations for the reporting period;
- D. Discussion of how capital improvement projects (key infrastructure improvement projects) may affect operations of the Central System;
- E. Review of hydrologic conditions relevant to recent/existing/future operations (regional rainfall, surface water flow, and OROP control point performance) describing how hydrologic conditions affected the Operations Plan;
- F. Discussion of groundwater quality, describing how water quality affects the use of Central System facilities;
- G. Monthly average production for each of the Central System facilities for the reporting period;
- H. Annual average and moving-annual average daily production from the Central System for the reporting period;
- I. Discussion of groundwater facility shutdowns;
- J. Water level hydrographs of regulatory wells and OROP control points;
- K. Summary of the EMP/OROP Wetlands Referrals and subsequent actions;
- L. Any reassessment of OROP control points, including location and target level adjustments;
- M. Summaries of work plan activities for the reporting period, if any;
- N. Summary information and data on operation activities during the preceding reporting period;
- O. Proposed work plan activities for the next reporting period, if any; and
- P. Any other information or analysis associated with District approved changes to the Operations Plan, as applicable.

5. **EXCEPTION PERIOD REPORTS**

During the Exception Period (as defined in Special Condition 2.B), the following information shall be included in the monthly reports submitted to the District (as required in Special Condition 2.B.3):

- A. The following components of the Biennial Operations Plan Report required in Special Condition 4 above: C, E, F, G, H and I;
- B. A description of the criteria for:
  - 1) Withdrawing from permitted surface water sources, including purchasing water from the City of Tampa;
  - 2) Withdrawing water from or adding water to the Regional Reservoir;
  - 3) Producing water from the seawater desalination facility; and
  - 4) Producing water from groundwater sources other than the Central System.

6. **OPERATIONS PLAN WEEKLY REPORTS**

The Permittee shall submit to the District the following weekly reports as compliance reports addressed in Special Condition 1:

- A. Proposed weekly production schedule for all active production sources (groundwater, surface water and desalinated seawater), commonly referred to as the "OROP Consolidated Report". This report shall be provided to the District in the format that the report is automatically produced for the Permittee's internal use.

- B. Weekly actual and forecasted demands, source availability, water use, and surface water allocation, commonly referred to as the "Weekly Demand and Supply Report". This report shall be provided to the District in the format that the report is automatically produced for the Permittee's internal use.

7. **OPERATIONS PLAN INITIAL WORK PLAN**

- A. Within 180 days of permit issuance, a plan and schedule for the development of a procedure based on available models for analyzing relationships between the distribution and rate of withdrawals at the Central System facilities and associated Floridan and surficial aquifer system water levels and flow rates in rivers and streams shall be provided to the District for review. This procedure will be used to evaluate the sufficiency of the control point network used in the OROP to ensure that groundwater levels influenced by withdrawals from the Central System facilities are maximized. Documentation will be included in the Operations Plan biennial report due July 2012 which will explain the sufficiency of the control point network, and propose any necessary enhancements. The Permittee shall work cooperatively with the District during the course of this evaluation.
- B. The Permittee shall continue to monitor and evaluate water quality changes in the Floridan aquifer system near the Northwest Hillsborough Regional and Eldridge-Wilde wellfields and shall assess whether any observed water quality changes relate to withdrawals from these two wellfields. Results of the monitoring, evaluation, and assessment will be reported in the Wellfield Annual Reports as provided in Special Condition 17. If water quality changes are determined to be associated with wellfield withdrawals, a plan to address such changes will be submitted to the District as part of the Operations Plan biennial reporting. The Permittee shall work cooperatively with the District during the development of this plan.

8. **ENVIRONMENTAL MANAGEMENT PLAN**

The Permittee shall monitor and assess environmental systems based on the EMP entitled **Environmental Management Plan for the Tampa Bay Water Central System Wellfields** (Exhibit C).

Currently this EMP does not have a process to manage the potential impacts of groundwater withdrawals on wetlands associated with streams and flow-through systems. A process for use in this EMP will be developed during the duration of this permit to identify, assess and manage any existing and eliminate any new adverse impacts caused by the withdrawals associated with this permit on wetlands associated with streams and flow-through systems. A project plan to develop this process shall be submitted to the District within 180 days of the issuance of this permit for review and approval. The project plan shall include an implementation timeline that results in development of the process within 2 years of District approval of the project plan. Once completed, application of this process will not constitute a Permittee-generated change to the EMP. The application of this process for wetlands associated with streams and flow-through systems will be reported in the Annual Reports for the Central System wellfields.

If a change is proposed to the EMP the Permittee shall submit a request in writing to the District. Approval must be obtained from the District prior to implementation of any such change. The Permittee shall begin implementation of the monitoring elements of the change within 60 days of District approval. These changes shall be reported in the subsequent Wellfield Annual Report required pursuant to Special Condition 17.

Exhibits A.5 and A.7 identify the reference and control sites proposed by the Permittee for use in the EMP. Within 180 days of permit issuance, the Permittee will submit to the District the analysis used to identify those sites that the Permittee considers control and reference sites.

9. **PHASE 1 MITIGATION PLAN**

Phase 1 Mitigation Plans developed for the Central System, during the recovery strategy period of 1998-2010, assessed and prioritized, as candidate sites for mitigation, those lakes and

wetlands that were predicted to not fully recover following the reduction in groundwater withdrawals from the Central System, to a long-term average of 90 MGD. The Phase 1 Mitigation Project list (Exhibit D.1) is based upon the results of the Candidate Sites Evaluation Study (CSES) approved in September 2001. Conceptual mitigation projects were developed for the highest priority water bodies, and the Permittee has been evaluating and implementing these projects, where feasible. Evaluation and implementation of these conceptual Phase 1 Mitigation Plan projects, where feasible, shall be continued throughout the duration of this permit. The Permittee may propose revisions to this list for approval by the District as further impact analyses are conducted that alter the results of the CSES study. In addition, the Permittee shall revise the list of candidate water bodies to include any sites monitored through the EMP that are impacted by the Central System, and are predicted to not fully recover at a long-term average withdrawal rate of 90 MGD. Any changes to this list must be approved by the District.

An updated report addressing the progress and schedule of the Phase 1 Mitigation Projects will be included in each Wellfield Annual Report. The District may require the Permittee to provide details for each project after receipt of each Wellfield Annual Report.

10. **ENVIRONMENTAL AUGMENTATION**

When supplemental hydration is provided to sites described in Exhibit A.6, the specific augmentation shall be subject to the schedules provided in Exhibit D.2. The District must approve all changes to Exhibit A.6 or D.2 and items A-J below, as applicable. The initial augmentation schedules contained in Exhibit D.2 shall be revised and submitted for District approval no later than December 31, 2011 and shall include the following information:

- A. Location of a proposed augmentation site and its current condition;
- B. Benefits of augmentation at the proposed location;
- C. Source(s) of the augmentation water, e.g., surface water, groundwater, reclaimed water;
- D. Estimated augmentation quantity expressed as gallons per day;
- E. Proposed augmentation elevations and fluctuation schedule that will emulate similar natural systems;
- F. Plan for monitoring water elevations and water quality;
- G. The potential to provide supplemental hydration using sources other than groundwater;
- H. Assessment of potential unacceptable adverse effects that might be attributable to the proposed augmentation;
- I. Presence of any nuisance plants, coverage and the need for a maintenance control plan; and
- J. Plan for monitoring of biota.

The Permittee shall submit a summary of its augmentation efforts for all augmented sites with each applicable Wellfield Annual Report. Information shall include a description of current and projected augmentation, augmentation quantities per site per month, and any applicable nuisance plant/water quality control activities.

11. **PERMIT RECOVERY ASSESSMENT PLAN**

The Permittee shall prepare a Permit Recovery Assessment Plan that includes an evaluation of the recovery of water resource and environmental systems attributable to reduction of the groundwater withdrawals from the Central System to a long-term average of 90 MGD, identify any remaining unacceptable adverse impacts caused by the Central System's withdrawals at a long-term average rate of 90 MGD, and identify and evaluate potential options to address any remaining unacceptable adverse impacts at the time of the Consolidated Permit renewal in 2020. The remaining unacceptable adverse impacts will be determined through an update of the assessment of impact previously performed as part of the Phase 1 Mitigation effort. Exhibit E presents the generalized area of surficial aquifer impacts as of 1998. As part of this effort, the Permittee shall:

- A. Work cooperatively with the District throughout this second phase of the Comprehensive Plan to discuss the ongoing development of the Permit Recovery Assessment Plan. The Permittee shall submit to the District within 365 days of permit issuance, a work plan and schedule for the development of the Consolidated Permit Recovery Assessment Plan. This work plan shall include a detailed discussion of any proposed analytical techniques that will be used and timelines. Any changes to the analysis or implementation schedules in the work plan shall be submitted to the District.
- B. Submit status reports to the District by July 1<sup>st</sup> of each year, beginning in 2012, to demonstrate ongoing progress of the development of the Permit Recovery Assessment Plan throughout the duration of this permit.
- C. Submit the final results of the Permit Recovery Assessment Plan with the application for the second renewal of the Consolidated Permit in 2020. Preliminary results shall be submitted to the District by December 31, 2018.

12. **AERIAL PHOTOGRAPHY**

The Permittee shall utilize aerial photographs of the wellfield areas to detect and document changes to the vegetation and/or the hydrology of wetlands, lakes or streams that occurred during the reporting period relative to the previous reporting period aerial photographs. Any aerial photographs taken by the Permittee in support of the aerial photographic analysis as well as the interpretation of the photographs shall be dated and submitted to the District.

Each Wellfield Annual Report submitted to the District by July 1 of each year will contain copies of the imagery if conducted by the Permittee. An interpretive analysis of aerial photography collected since the previous report, including an analysis of historical conditions, shall be submitted as a part of the Wellfield Annual Reports in the years 2013, 2016 and 2019.

13. **CONSERVATION AND CONSERVATION REPORTING**

A. The Permittee's Member Governments for purposes of this condition are Pinellas, Hillsborough and Pasco counties and the cities of Tampa, St. Petersburg and New Port Richey. Until Wholesale Water Use Permits are obtained by Pinellas County, City of St. Petersburg, and Hillsborough County, as required by Chapter 40D-2, F.A.C., the Permittee shall report on these Member Governments' per capita rates, water losses, reclaimed water use, residential water use, and the following measures to reduce water demand. During the term of the permit, the Permittee shall only be responsible for reporting data for any Member Government that does not have a water use permit or a wholesale water use permit that requires such reporting. In the year following the year in which a Member Government is required by permit to report this data, the Permittee shall no longer be required to submit the data on behalf of the Member Government. This report shall detail the evaluation of the below-listed measures, the findings and conclusions and the schedule for implementing selected measures:

- 1) Toilet rebate/replacement.
- 2) Fixture retrofit.
- 3) Clothes washer rebate/replacement.
- 4) Dishwasher rebate/replacement.
- 5) Irrigation and landscape evaluation.
- 6) Irrigation/landscape rebate.
- 7) Cisterns/rain water harvesting rebate.
- 8) Industrial/commercial/institutional audits and repair.
- 9) Florida-Friendly landscape principles.
- 10) Water conservation education.
- 11) Water-conserving rate structures and drought rates.
- 12) Multi-family residential metering.

- B. The Permittee shall not have water losses greater than 10% of total system output, as measured from the Permittee's points of withdrawal to the points of connection with its member governments. Actual water loss shall be reported in the Permittee's Meter Calibration, Testing, and Maintenance Program Annual Report, as required by Condition 14.K. Should water losses exceed 10% of total system output, the Permittee shall conduct a water audit by the following July 1, and the results shall be submitted by October 1 of the same year. The water audit report shall (1) evaluate the items set forth in Water Use Permitting Basis of Review Section 3.6 Public Supply, Demand, as possible sources for the water losses, and (2) include a schedule for a remedial action plan to reduce the water losses to 10% or less.

14. **DATA COLLECTION AND SUBMITTAL**

A thorough analysis of field data is a key task in the Recovery Strategy for Northern Tampa Bay. Therefore, adherence to approved standards for the consistent and accurate collection of field data is a primary objective of this permit. Since collection of field data presents many challenges, it is critical such data is collected using properly installed and adequate field instrumentation, consistent data collection techniques, and appropriate quality control methods and that the data be readily available, comprehensive and well-documented.

- A. The Permittee's data collection program shall be conducted in compliance with the Data Collection Implementation Plan (Exhibit F). If a change is proposed to the components of this plan, including changes to the monitoring and augmentation sites in Exhibits A.3 – A.6, and flow metering devices for production wells in Exhibit A.2, the Permittee shall submit a request in writing to the District for approval of the specific change. For wetland water level readings, Tampa Bay Water may propose to the District the discontinuation of center well readings during times when water level readings can be made on the staff gage(s) if it can be demonstrated that the staff gage and center well readings are consistently equal (within 0.1 foot) over a reasonable length of time. Once demonstrated and approved by the District, data from such center wells need only be collected during times when the staff gage or gages are dry. Approval of any such change must be obtained from the District prior to implementation of any change by the Permittee. Changes approved by the District will be provided in written form and shall not constitute a modification of this permit. The Permittee shall begin implementation of the approved changes within 60 days of District approval, unless otherwise authorized by the District.
- B. The Permittee shall collect field data and submit the data to the District in a timely manner. Exhibits A.2 – A.6 of this permit list the devices to be monitored, the parameters to be collected at each device, and the frequency of data collection at each device. Within 180 days of the issuance of this permit, the Permittee shall provide an updated version of the tables in Exhibit A.2 – A.6 that more accurately reflects the devices to be monitored, includes assigned District Identification (DID) numbers for each device, and contains a reasonably accurate location for each device. For the purpose of this permit, devices include ground-water withdrawal wells including their associated monitoring devices, monitoring wells, staff gages, and transects for use in administering the Wetland Assessment Procedure.
- C. The accurate analysis of field data requires accurate site information on each of the devices used to collect the data. By December 31, 2011, the Permittee shall provide the District with accurate values for the site information listed below for all existing devices. If the Permittee cannot meet this requirement, it shall submit a plan and associated timeline to provide this information. Such plan must be submitted no later than June 30, 2011 for District approval. Such plan must demonstrate that all required information, including all survey work, will be completed and submitted to the District no later than October 1, 2014. All site information shall be collected in compliance with Exhibit F. All vertical and horizontal surveying shall be completed either under the direct supervision of a Florida licensed Professional Surveyor and Mapper or in accordance with the guidelines included



in the Data Collection Implementation Plan (Exhibit F). Additionally, this list of site parameters must be submitted to the District with the establishment of any new District-approved monitoring devices or the change of any site information at existing sites within 90 days of the establishment or change.

Site Information for Monitor Wells

- 1) Location (Latitude and Longitude)
- 2) Well diameter
- 3) Well depth
- 4) Casing depth and material
- 5) Liner Depth (if applicable)
- 6) Ground elevation
- 7) Measuring point description and elevation (NGVD 29/NAVD 88)
- 8) Aquifer(s) monitored
- 9) Well Completion Report No. (if available)
- 10) Well Construction Date and Chapter 40D-3, F.A.C., permit number
- 11) Information on recorder (if applicable)
- 12) Parameters sampled/measured
- 13) Sampling method/measurement technique
- 14) Sampling depth (if applicable)
- 15) Sampling frequency
- 16) Date of data collection start and (if applicable) end
- 17) Source and documentation for all horizontal and vertical surveys
- 18) Information on legal access/land owner for each site.

Detailed Site Information for Staff Gages

- 1) Location (Latitude and Longitude)
- 2) Ground elevation
- 3) Description of gage construction
- 4) Information on recorder (if applicable)
- 5) Sampling frequency
- 6) Date of data collection start and (if applicable) end
- 7) Source and documentation for all horizontal and vertical surveys
- 8) Information on legal access/land owner for each site.

Detailed Site Information for Wetland Monitoring and Augmentation Locations

- 1) Wetland Type per Environmental Management Plan (EMP)
- 2) Historic Normal Pool and method used (if applicable)
- 3) Details of WAP transect installation per Exhibit F (if applicable)
- 4) Details of augmentation installation (if applicable)
- 5) Sampling frequency
- 6) Date of data collection start and (if applicable) end
- 7) Source and documentation for all horizontal and vertical surveys
- 8) Applicable documentation on benchmarks used (as per Exhibit F)
- 9) Information on legal access/land owner for each site.

- D. The addition or subtraction of monitoring devices, changes in types of data collected at devices, and changes in data collection frequency shall require prior approval from the District, as set forth in Special Condition 14.A. If legal access is lost to a device, it is the Permittee's responsibility to re-acquire access to the device, or propose an acceptable alternative to the District within 30 days of access loss to the original device. Acceptable alternatives may include, but are not limited to, acquiring a site in the same general vicinity, utilizing other existing or proposed sites, or justifying why not replacing a site is



acceptable. The Permittee shall make a good faith effort to replace all devices for which it loses legal access. If loss of legal access or loss of devices is anticipated in the future, the Permittee shall inform the District in writing in a timely manner. All District approved changes to monitoring devices as set forth in Special Condition 14.A, including but not limited to, survey changes, measuring point changes and gage replacement, must be reported to the District within 30 days of such changes being implemented by the Permittee, and include any new site parameters (listed above).

- E. All data shall be submitted to the District in an electronic format acceptable to the District.
- F. A data value shall be collected for each parameter at the frequency specified in Exhibit A. If data cannot be collected for any parameter at the frequency specified, the Permittee shall indicate such in the regular submittal, along with an explanation of why the data could not be collected. Any long-term problems that prohibit the regular collection of data shall be rectified by the Permittee if feasible.
- G. Water level data shall be referenced to NGVD29 or NAVD88, and submitted to the District on or before the 15<sup>th</sup> day of the following month from which it is collected in accordance with Exhibit F. For sites with continuous recorders, the maximum of the 24 hourly values for each day shall be determined and only the maximum value for each day shall be reported to the District. Data collected manually (twice a month) shall be collected during the same weeks of each month.
- H. Water quality data shall be submitted to the District on or before the 15<sup>th</sup> day of the following month from which it is collected in accordance with Exhibit F. Water quality samples shall be collected from active production wells and monitor wells in accordance with the frequency identified in Exhibit A.3. For production wells that are temporarily out of service, water quality samples should not be separated by more than 180 days.
  - 1) All field sampling of groundwater water quality data shall follow the applicable field collection, quality control and record-keeping requirements described in the Florida Department of Environmental Protection's (FDEP) Standard Operating Procedures (SOPs) (DEP-SOP-001/01 (effective December 3, 2008)), Rule 62-160.800 F.A.C. The FDEP SOPs (specifically FD1000, FQ1000, FT1000 through FT1600, FS1000, FS2000, and FS2200) for collection, documentation, and quality assurance for required permit condition water quality parameters can be accessed at the FDEP website.
  - 2) Laboratories utilized by the Permittee for analyzing water quality samples, and therefore generating environmental data for submission to the District, must hold National Environmental Laboratory Accreditation Conference (NELAC) certification from the Florida Department of Health – Drinking Water or Environmental Laboratory Certification Program for the parameters being tested (as required under Rule 62-160.300, F.A.C.).
  - 3) The Permittee will permit the District, the FDEP, or any consultant operating on behalf of the District or FDEP, to conduct periodic audits of field and laboratory procedures or records to determine if approved protocols are being followed in accordance with Rule 62-160.650, F.A.C.
  - 4) The Permittee shall submit all water quality data in a standardized electronic format (available from the District) in accordance with Rule 62-40.540, F.A.C., and shall include the required data elements set forth in Rules 62-160.240 and 62-160.340, F.A.C.
- I. Wetland Assessment Procedure (WAP) data, collected in accordance with Exhibit C, shall be submitted on or before the 15<sup>th</sup> day of October after the data were collected.

- J. The Permittee shall meter withdrawals from the groundwater resources and meter readings from each withdrawal facility shall be recorded on a daily basis. Total groundwater flow shall be measured on a daily basis and reported on a weekly basis in an electronic format acceptable to the District. This data is currently and will continue to be posted to the Tampa Bay Water FTP site on a weekly basis for District access. Posting of this data on the Tampa Bay Water FTP site in a manner that provides direct access by the District constitutes full compliance with the requirements of this Special Condition 14.J. The mechanism of electronic data transfer may be modified with the mutual consent of the Permittee and the District and shall not constitute a modification of this permit. Flow metering shall be required for all withdrawal points identified in Exhibit A.2 and at all points at which water is discharged for environmental augmentation (Exhibit A.6). Recorded individual withdrawal records shall be final as determined by the Permittee and any corrections to the data will be included in the weekly data posting to the Tampa Bay Water FTP site.
- K. The Permittee shall submit an Annual Report summarizing activities conducted under the Meter Calibration, Testing and Maintenance Program (Exhibit F.6) for the preceding water year. This report shall be submitted by July 1 of each year.

15. **INVESTIGATION AND REMEDIATION OF WATER WITHDRAWAL COMPLAINTS**

The Permittee shall expeditiously investigate and resolve complaints regarding an impact to a well in accordance with the following procedures:

- A. The Well Complaint Mitigation Area (Mitigation Area) is defined as the area specified in Exhibit G. The Mitigation Area may be amended, as requested by the Permittee, subject to prior approval of the District.
- B. Within 24 hours of complaint receipt by the Permittee, the Permittee shall make every reasonable effort to commence a preliminary investigation and determine whether the Permittee's withdrawals may have caused the problem. The preliminary investigation shall include contacting the complainant to determine the location of the complainant's withdrawal relative to the Mitigation Area, the nature of the problem (e.g., loss of water, loss of pressure, water quality), the uses for the complainant's withdrawal, and the date the complainant's withdrawal was initiated.
- C. If this preliminary assessment indicates that the Permittee may be responsible for a water supply impact which represents a public health and safety problem, the Permittee shall, within 48 hours of complaint receipt, make available to the complainant any water necessary for health and safety purposes, such as drinking water.
- D. The Permittee is currently investigating domestic well complaints pursuant to Ch. 49B-3.005, F.A.C., and shall continue mitigating domestic wells during the term of this permit pursuant to this rule, as amended by the Permittee from time to time. However, in no case shall the Permittee's well mitigation be less stringent than as set forth in this special condition.
- E. The Permittee may elect to mitigate the complaint after the preliminary investigation without further investigation, or conduct a detailed investigation to determine if the Permittee caused the problem. This detailed investigation shall include, but not be limited to, an analysis of impacts at the complainant's well arising from the Permittee's pumpage, an analysis of water levels at the time of the complainant's problem, withdrawal and pump characteristics including depths, capacity, pump curves, and irrigation system requirements. If this detailed investigation confirms that the complainant's problem was caused by the Permittee's withdrawals, the complainant's problem shall be fully corrected. In cases where water is unavailable to the complainant for public health and safety purposes, the complainant's problem shall be corrected as soon as possible, with

restoration of essential domestic water supply within 15 days, and fully corrected within 30 days of complaint receipt, unless an extension of time is granted by the District. In cases of complaints where water is available to the complainant for public health and safety purposes, the complainant's problem shall be fully corrected as soon as possible, and within no more than 30 days of complaint receipt, unless an extension of time is granted by the District.

- F. Full correction shall be restoration of the complainant's water supply to pre-impact condition or better, including the aspects of pressure levels, water quality, and discharge quantity. Full correction may be accomplished by connecting a complainant to a public supply system, with the consent of the owner of the well. Produced or delivered water quality shall meet, at a minimum, the standards referenced below. If the water quality is found to exceed the standards referenced below, the Permittee shall propose alternative mitigation to resolve the complaint, with full correction completed within 45 days of water quality complaint receipt, unless an extension of time is granted by the District. If the water quality is found not to exceed the standards referenced below, mitigation shall be deemed complete.

Water Quality Constituents and Standards:

Constituents: Odor, Total Sulfides, Color, Coliform Bacteria, Iron, Turbidity, Nitrate, Chloride, Sulfate, Total Dissolved Solids. The maximum levels for these constituents in the complainant's well water sample shall not exceed any of the levels established by the Florida Department of Environmental Protection (FDEP) Secondary Drinking Water Standards [Ref: 62-550.320(1), F.A.C.], or any modified version thereof. Total Sulfides concentration must not exceed 0.20 milligrams/liter. This Total Sulfides concentration limit may be modified by the District on a case-by-case basis if necessary to protect legal existing water users. Such modifications shall be made only after consultation and discussion with the Permittee.

- G. In those instances where a complainant's withdrawal is located outside of the Well Complaint Mitigation Area, as determined by the Permittee's preliminary investigation, the District shall deem a detailed investigation unnecessary if the prior 90-day withdrawal from the wellfield(s) closest to the location of the complainant's withdrawal has remained below the quantities used to develop the Well Complaint Mitigation Area and below the historic 90-day peak withdrawal for said wellfield(s). In such cases, the Permittee shall not be responsible for mitigation except as provided for in Special Condition 15.K.
- H. If the detailed investigation determines that the Permittee was not responsible for the complainant's problem, the Permittee shall document the reasons for this determination and notify the District within 48 hours of the completion of the determination. The Permittee shall submit the findings of facts, all information collected during the investigation, and a summary explaining the Permittee's reasons for this determination. Upon concurrence by the District of the Permittee's determination, a copy of the report shall also be sent to the complainant. Should the District decide that water quality data should be collected for well complaints, or that well water quality complaints should be mitigated under the requirements of this permit, the District shall provide the Permittee written notification of these requirements after consultation and discussion with the Permittee.
- I. The Permittee shall file a monthly summary report showing the ongoing complaint investigations and new complaints received during the previous month of operation. The report shall be submitted by the 15th day of the month following the reporting period, to the District for review. The report shall include, but not be limited to:
- 1) The name and address of each complainant;
  - 2) The location of the complainant's withdrawal (latitude/longitude);

- 3) The date of complaint receipt and nature of the complaint (water level, water quality);
  - 4) The status of the Permittee's investigation (mitigate, not mitigate, pending);
  - 5) The name of the nearest wellfield included in this permit;
  - 6) An explanation of reasons for not mitigating a complaint (outside mitigation area, pre-existing problem, not a legal existing user, no problem found, not cause of problem), including a summary of the Permittee's investigation if one was performed;
  - 7) Date complaint file closed.
- J. In instances where a new well is constructed to replace an adversely impacted well, the Permittee shall properly abandon the impacted well in a timely manner in accordance with Department of Environmental Protection and District rules regarding well abandonment, currently Ch. 62-532.500(4), F.A.C., and Ch. 40D-3.531(2), F.A.C., as may be amended from time to time. Should the owner refuse to have the well abandoned, the Permittee shall report this situation to the District.
- K. In instances where the District and the Permittee differ on the need for mitigation in response to complaints that may be received, the Permittee shall abide by the District's determination. Such determinations by the District shall be made only after consultation and discussion with the Permittee.

**16. INVESTIGATION OF WATER RESOURCE AND LAND USE COMPLAINTS**

With respect to complaints regarding water levels or flows in water bodies such as lakes, wetlands, springs, streams or other watercourses, damage to crops and other vegetation, damage to the habitat of endangered or threatened species, or damage to other offsite land uses, the following requirements apply:

- A. The Permittee shall commence an investigation within 72 hours of receipt of the complaint by the Permittee, and file a monthly summary report showing the ongoing complaint investigations and new complaints received during the previous month of operation. The report shall be submitted by the 15th day of the month following the reporting period to the District. The report shall include, but not be limited to:
- 1) The name and address of each complainant;
  - 2) The date and nature of the complaint;
  - 3) A summary of the Permittee's investigation to date, and, if the investigation is ongoing, an estimate of the time necessary to complete the investigation; and
  - 4) A map showing the location of the water resource and land use impact complaints received, complaints mitigated, and complaints not mitigated that are presented in the monthly summary report.
- B. Within 90 days of complaint receipt, the Permittee shall submit a separate report presenting a summary of the Permittee's determinations, including whether the Permittee's withdrawals caused the problem, details of any mitigation or proposed mitigation activities and an estimate of the time necessary to complete mitigation, if incomplete, and any additional information necessary to assess the impact and any necessary mitigation. A copy of the report shall also be sent to the complainant concurrent with the report submitted to the District.
- C. The Permittee shall make all reasonable efforts to expeditiously mitigate water resource and land use impacts caused by the Permittee's withdrawals. Full mitigation shall not exceed 180 days from complaint receipt, unless additional time is granted by the District.
- D. In instances where the District and the Permittee differ on the need for mitigation in response to complaints that may be received, the Permittee shall abide by the District's

determination. Such determinations by the District shall be made only after consultation and discussion with the Permittee.

17. **ANNUAL REPORT**

The Permittee shall provide comprehensive and concise individual annual reports ("Wellfield Annual Reports") to the District which provide an assessment of the water resources and environmental systems of each of the facilities covered under this permit. Where wellfields are located in close proximity to each other, one Wellfield Annual Report may cover multiple wellfields (e.g., Northwest Hillsborough, Cosme Odessa, Section 21, and South Pasco Wellfields; Starkey and North Pasco Wellfields). An assessment of the water resources and environmental systems in the area of each facility is required for all sections listed below including all District monitored sites listed in Exhibit A.7 for which the District has continued to collect such data. The Wellfield Annual Reports shall concisely summarize the elements listed below, and any other elements within this permit that require annual environmental reporting, with emphasis on the interactions between these elements, where appropriate. Data sources shall be referenced. Only essential text, graphs and tables should be included in the Wellfield Annual Reports. Three printed copies and an electronic file in a format acceptable to the District such as, but not limited to, Microsoft Excel and Word, other compatible software or ASCII format of each Wellfield Annual Report shall be submitted to the District by July 1 of each year. The Wellfield Annual Reports shall cover the preceding water year from October 1 to September 30.

The Annual Report shall include, at a minimum:

- A. Executive Summary – Summarization of previous year's monitoring results;
- B. Summary of District-approved changes to the monitoring devices (Exhibit A) and the Data Collection Implementation Plan (Exhibit F);
- C. Production and Wetland Augmentation – Tabular representation of quantities by well or wetland site on average daily basis; meter calibration, testing and maintenance program results (may be submitted separately);
- D. Listing of any reported or noted sinkholes and any subsequent investigations, if conducted;
- E. Complaints – A summary of the investigations of all complaints concerning adverse impacts to existing legal users, land uses and environmental features, as well as all of the Permittee's efforts to mitigate such adverse impacts, shall be provided for each reporting period. This summary shall include:
  - 1) Number and type of complaint(s);
  - 2) Number and type of mitigation activity(ies);
  - 3) Number and type of complaint(s) which did not require mitigation activity; and
  - 4) The location of all water resource and land use impact complaints received, complaints mitigated and complaints not mitigated. This shall include a location map and may include ArcGIS coverage, if available;
- F. Rainfall – Monthly totals per site for previous year and available period of record yearly totals;
- G. Water Quality Monitoring Results – minimum, maximum and average values;
- H. Floridan and Surficial Aquifer Water Levels – Hydrographs of monitoring sites, period of record and previous year;
- I. Wetland Water Levels, Surface and Groundwater – Hydrographs showing levels in relation to Normal Pool, ground surface and Normal Pool offset of monitoring sites, period of record and previous year;
- J. Hydroperiods – Tabular representation of estimated days of surface water per wetland site;
- K. Wetland Assessment Results and Data Sheets – Tabular representation of individual categories for period of record with copies of WAP data sheets;
- L. Wildlife Usage – Summary of any listed, wetland dependent or exotic wildlife species observations noted throughout previous year;

- M. MFL Sites Water Level Summaries – Calculation of median water levels for Chapter 40D-8, F.A.C., listed sites;
- N. OROP Referrals – Listing of wetland sites referred to OROP and actions taken, period of record and previous year;
- O. Aerial Photography Summaries – Consistent with Special Condition 12;
- P. Ecological Site Descriptions – Detailed characterizations of wetland sites noting habitat type, significant natural features and any physical alterations;
- Q. Phase 1 Mitigation Plan Update – Summarization of previous year's activity and description of historical project implementation; and
- R. Consolidated Permit Recovery Assessment Plan Update – Summarization of previous year's activity and projected activity for upcoming year, consistent with Special Condition 11.

18. **TIME EXTENSIONS**

Unless specified otherwise, time extensions to condition deadlines will be considered upon written request to the District, provided that the request is made prior to the deadline, the Permittee has demonstrated a good faith effort in meeting the deadline set forth in the condition, and a reasonable modified deadline is proposed by the Permittee.

---

Authorized Signature  
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT



**Regulation Committee  
January 25, 2011*****Discussion Item*****Southern Water Use Caution Area (SWUCA) Quantities**

A new approach to portraying the water use activities in the Southern Water Use Caution Area (SWUCA) has been developed that will replace the previous monthly Routine Report. This new approach shows the total permitted groundwater quantity from March 1998, updated monthly on a single graph rather than the permitted quantities from the intermediate aquifer system and from the Floridan aquifer as has been previously included in the monthly packet. In addition, the new graph shows the estimation of the actual use of groundwater in the SWUCA from 1998 through 2009. This addition allows tracking of the groundwater usage by use type over time, showing the changes that occur due to climate and other influences. The monthly tracking of groundwater quantities permitted will continue; however, the estimation of the amount of groundwater pumped will only be updated annually when these data become available.

The permitted groundwater quantities are derived from the annual average quantities in the database for all active permits. Upon implementation of the SWUCA rules in January, 2003, irrigation quantities for crops and plants that derived some of their supplemental irrigation requirements from rainfall were reduced to reflect average rainfall conditions instead of drought conditions. By action of the SWUCA rule, permitted annual average quantities from groundwater were decreased by 275 MGD on January 1, 2003. From March 1998, when tracking began, to the most current data of December 24, 2010, the overall reduction in groundwater quantities permitted is 289.6 MGD, including the 2003 reduction. This reduction includes a decrease of 269.4 MGD in the Floridan Aquifer System and a decrease of 20.2 MGD in the Intermediate Aquifer System.

The lower part of the graph shows the estimation of actual groundwater use over this same period of time, excluding 2010. The estimated groundwater use from 1998 through 2008 is divided into the five major water use types: Agriculture, Public Supply, Industrial/Commercial, Recreation/Aesthetic, and Mining/Dewatering. The 2009 data are presented as a total as the use-type data are still being finalized. The 2009 data will be shown by use type when that information is available.

The estimated groundwater use is shown as stacked columns for each year. Each portion of the column, shown in differing shades of gray, represents the estimated water use for that use type. For instance, in 2008, beginning from the bottom of the chart moving upward, the Recreation/Aesthetic estimated water use was 17.6 MGD, the Mining/Dewatering was 31.3 MGD, Industrial/Commercial was 40.4 MGD, Public Supply was 139.9 MGD, and Agriculture was 303.7 MGD for a total estimated use of 532.9 MGD. The top of the bar chart represents the sum of the estimated water use for all the water use types per year and coincides with the top border of the agricultural section.

The estimation of groundwater use is based on groundwater pumpage for metered permits plus an estimate of groundwater use for un-metered permits that is based on the ratio of pumped quantities to permitted quantities for the metered permits. The permitted quantity exceeds the estimated use quantity for several reasons. First, the permitted groundwater use is based on proposed demand at the end of the permit term, which in most cases is between 10 to 20 years in the future. Additionally, most permits are not operated at their full permitted quantity because the permittees have either not fully implemented the plan on which the permitted quantity is based, or are utilizing less than the full quantity due to factors such as the economy, business plans or hydrologic conditions.



## Item 23

Staff Recommendation:

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

Presenter: Ken Weber, Water Use Program Director

## Regulation Committee January 25, 2011

### *Discussion Item*

#### **Denials Referred to the Governing Board**

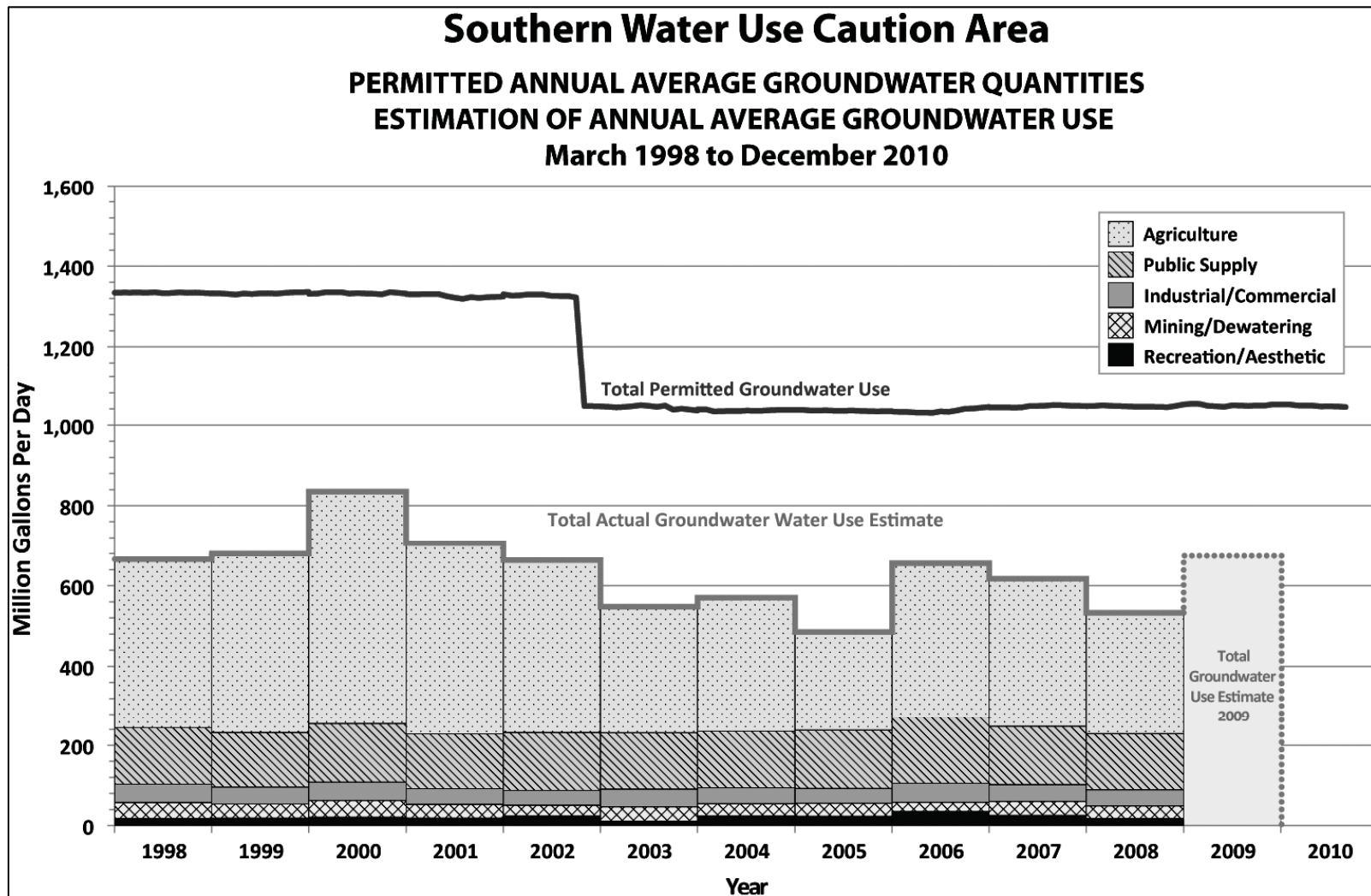
District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application for incompleteness, the applicant will be advised of the opportunity to request referral to the Governing Board for final action.

Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

#### **Staff Recommendation:**

If any denials are requested to be referred to the Governing Board, these will be presented at the meeting.

**Presenter:** Richard S. Owen, Deputy Executive Director, Resource Regulation



1/4/2011

January 2011 Governing Board Meeting

# Overpumpage Activity Report

## November 2010

**Table 1. Overpumpage Report Summary**

Service Office	Projects Under Review (Table 2)		Preparing for SPO / Legal (Table 3)		Justified/Closed Since Previous Report (Table 4)		Active Files in Legal (Table 5)		Consent Order Monitoring (Table 6)		Total Files	
	Previous Month	Current Month	Previous Month	Current Month	Previous Month	Current Month	Previous Month	Current Month	Previous Month	Current Month	Previous Month	Current Month
<b>Bartow</b>	13	5	0	0	11	9	1	1	0	0	25	15
<b>Brooksville</b>	1	2	0	0	0	1	2	2	1	1	4	6
<b>Sarasota</b>	3	7	0	0	0	0	0	0	0	0	3	7
<b>Tampa</b>	5	7	0	0	1	1	0	0	0	0	6	8
<b>Totals</b>	22	21	0	0	12	11	3	3	1	1	38	36

SPO = Strategic Program Office

## Overpumpage Report November 2010

**Table 2. Projects Under Review** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Months on Report	Service Office
<b><i>Continuing From Previous Report</i></b>					
5086.006	VONANN GROVES INC	A	202,800	6	Bartow
8096.004	MYERS GROVES INC	A	168,300	6	Bartow
8098.002	ALNER INC	A	168,200	6	Bartow
11031.003	GROWERS INVESTMENT GROUP LLC	A	125,400	2	Bartow
6871.007	DAVIS ENTERPRISES INC	A	421,300	4	Sarasota
7632.007	CASCADES AT SARASOTA RES ASSOC C/O ADVANCED MGMT OF SW FL INC	R	157,200	2	Sarasota
11549.005	PREMIERE AGRICULTURAL PROPERTIES	A	873,200	5	Sarasota
2128.005	BVG GROVES INC	A	100,800	2	Tampa
2581.004	WAYNE MOSS & EDDIE JONES	A	267,800	2	Tampa
4536.003	C DENNIS CARLTON	A	215,800	3	Tampa

(1) These projects are under review by the Service Office and have not been determined to be in non-compliance at this time.

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial

## Overpumpage Report November 2010

**Table 2. Projects Under Review** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Months on Report	Service Office
<b><i>Continuing From Previous Report</i></b>					
8410.004	Sundance Growers, Inc	A	155,500	2	Tampa
<b><i>New Since Previous Report</i></b>					
7704.005	COUNTRY CLUB UTILITIES INC	P	183,000	1	Bartow
279.007	Aqua Utilities Inc	P	330,000	1	Brooksville
590.008	MAD HATTER UTILITIES INC	P	1,000,000	1	Brooksville
1719.007	SUNNY SOUTH PACKING CO	A	174,000	1	Sarasota
5310.005	PORT MANATEE LAND LLC	A	196,000	1	Sarasota
5592.011	RIVER PLANTATION HOA INC	R	122,200	1	Sarasota
5656.006	Waterlefe CDD	R	254,900	1	Sarasota
3060.007	LEE TE KIM	A	146,100	1	Tampa

(1) These projects are under review by the Service Office and have not been determined to be in non-compliance at this time.

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial



# Overpumpage Report November 2010

**Table 2. Projects Under Review** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Months on Report	Service Office
<b><i>New Since Previous Report</i></b>					
7058.003	GERALD DAVIS, INC.	A	101,000	1	Tampa
11810.003	EVERETT F & SHARON PREVATT TTEE	A	219,400	1	Tampa

(1) These projects are under review by the Service Office and have not been determined to be in non-compliance at this time.

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial

# Overpumpage Report

## November 2010

**Table 3. Preparing for Strategic Program Office / Legal** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>None For This Report</i>						

(1) Preliminary determination that permit is in non-compliance; file is being prepared for or is under review by Strategic Program Office.

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial

## Overpumpage Report November 2010

**Table 4. Justified / Closed Since Previous Report** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Months on Report	Service Office
819.004	ROBERT WASHINGTON C/O MARY HAMILTON	A	86,200	2	Bartow
1109.005	BRENT MONK & BETSY MONK	A	140,100	5	Bartow
1253.006	CUTRALE CITRUS JUICES USA INC	A	184,300	2	Bartow
1883.004	JOHNSON PROPERTIES INC C/O ESTES CITRUS, INC.	A	176,100	6	Bartow
3984.004	JOHN A ATTAWAY SR	A	71,600	5	Bartow
5574.006	JOE L DAVIS JR & JOE L DAVIS SR	A	95,900	4	Bartow
7024.003	TASTESPIRE, INC	A	109,800	5	Bartow
8839.002	MILES & DORIS SCHWEIGHOFER	A	100,100	5	Bartow
13201.000	BOWEN BROTHERS INC	A	78,800	2	Bartow
6519.007	CITY OF BUSHNELL	P	550,000	1	Brooksville
7105.007	RIVERVIEW GROVE LTD	A	184,100	3	Tampa

(1) Determination that Permit is in compliance - no further action

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial

# Overpumpage Report November 2010

**Table 5. Active Files in Legal** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<b><i>Continuing From Previous Report</i></b>						
10392.005	MILMACK INC	R	259,900 gpd	11/26/2008 338,393 gpd 30.2 %	11/24/2010 267,926 gpd 3.10 %	Bartow
9791.007	CITRUS COUNTY *	P	2,064,000 gpd	06/28/2006 2,552,635 gpd 26.9 %	11/24/2010 2,024,639 gpd -1.90 %	Brooksville
12843.002	VIKINGS LLC **	R	310,520 gpd	06/27/2007 500,427 gpd 90.3 %	10/27/2010 271,093 gpd -12.70 %	Brooksville

(1) Strategic Program Office concurs with non-compliance and file is in Legal for enforcement.

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial

\* WUP 9791 - Citrus County had a Permitted Annual Average of 2,010,000 gpd until February 24, 2009 (new revision issued)

\*\* WUP 12843 - Vikings LLC had a Permitted Annual Average of 263,000 gpd until March 4, 2009 (new revision issued)

# Overpumpage Report

## November 2010

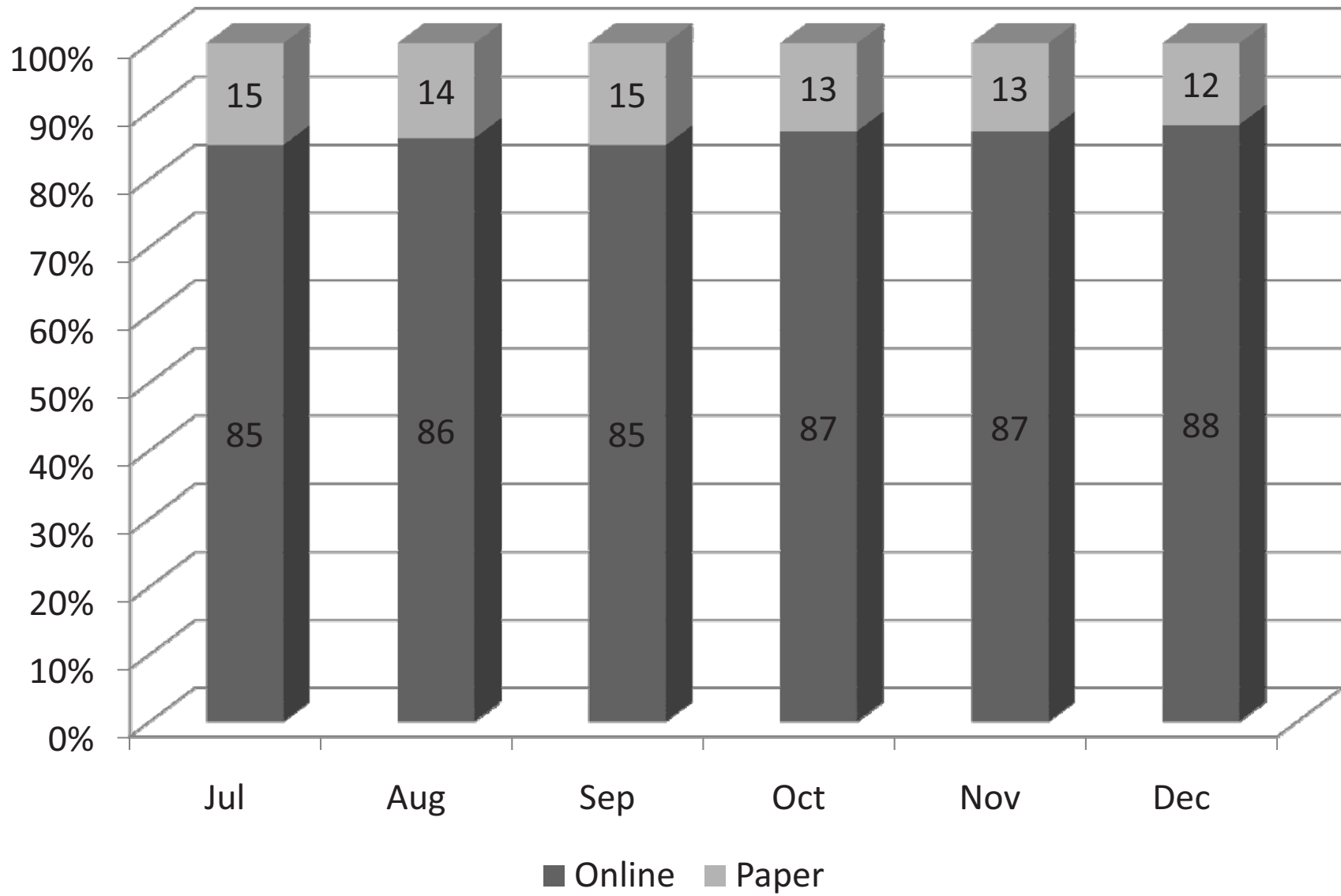
**Table 6. Consent Order Monitoring** <sup>(1)</sup>

Permit No.	Permit Holder	Use Type <sup>(2)</sup>	Permitted Annual Average	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office	GB Approved CO Date
<b><i>Continuing From Previous Report</i></b>							
3182.005	FLORIDA GOVERNMENTAL UTILITY AUT	P	2,040,000 gpd	03/27/2009 3,744,904 gpd 83.5 %	11/24/2010 3,018,890 gpd 48.0 %	Brooksville	APR10

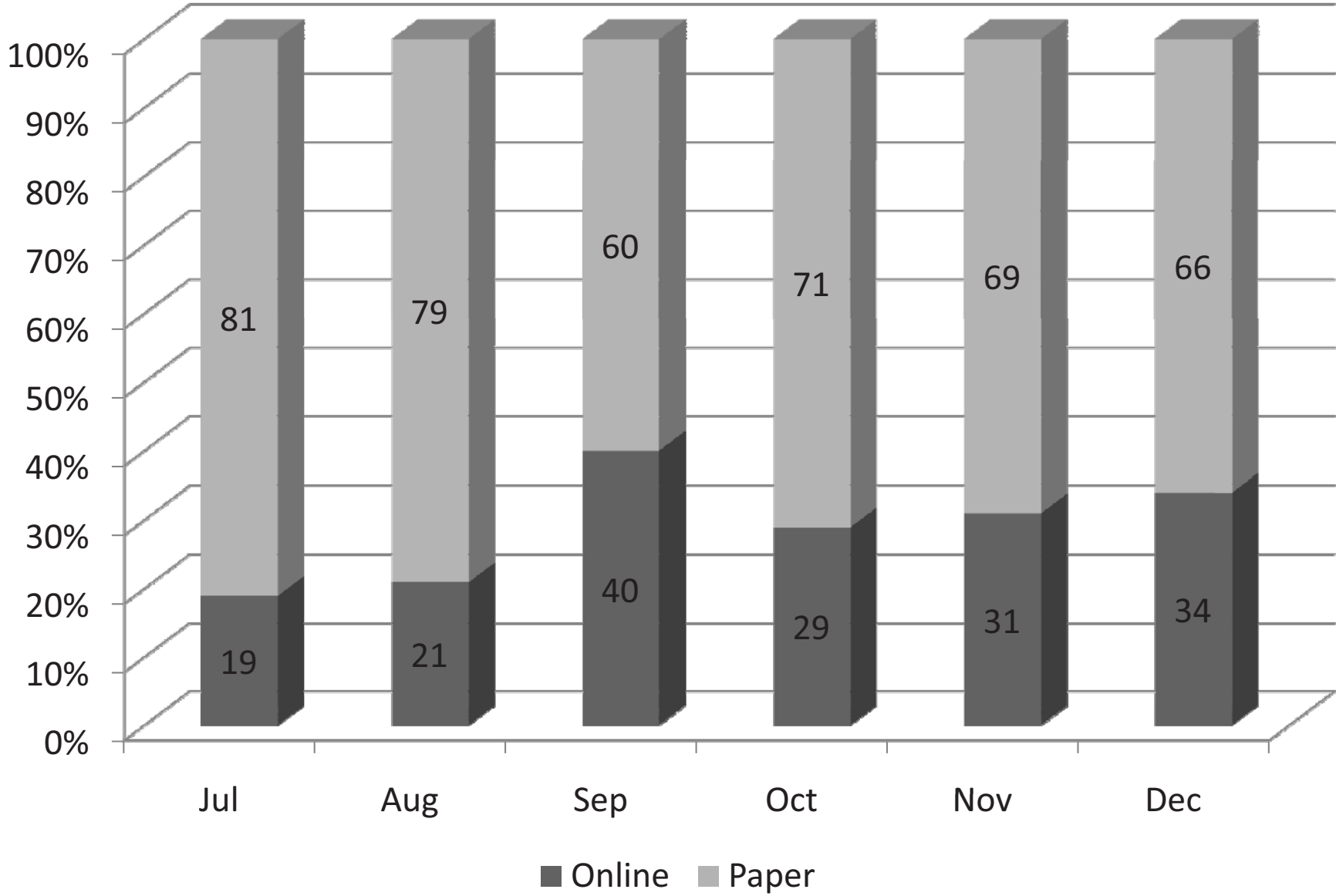
(1) Legal pursued enforcement action and a Consent Order has been signed; corrective actions are now being monitored for compliance.

(2) Use Types: P = Public Supply; R = Recreational; A = Agricultural; MD = Mining/Dewatering; IC = Industrial/Commercial

## WCP E-Permitting Metrics: Online vs Paper Applications

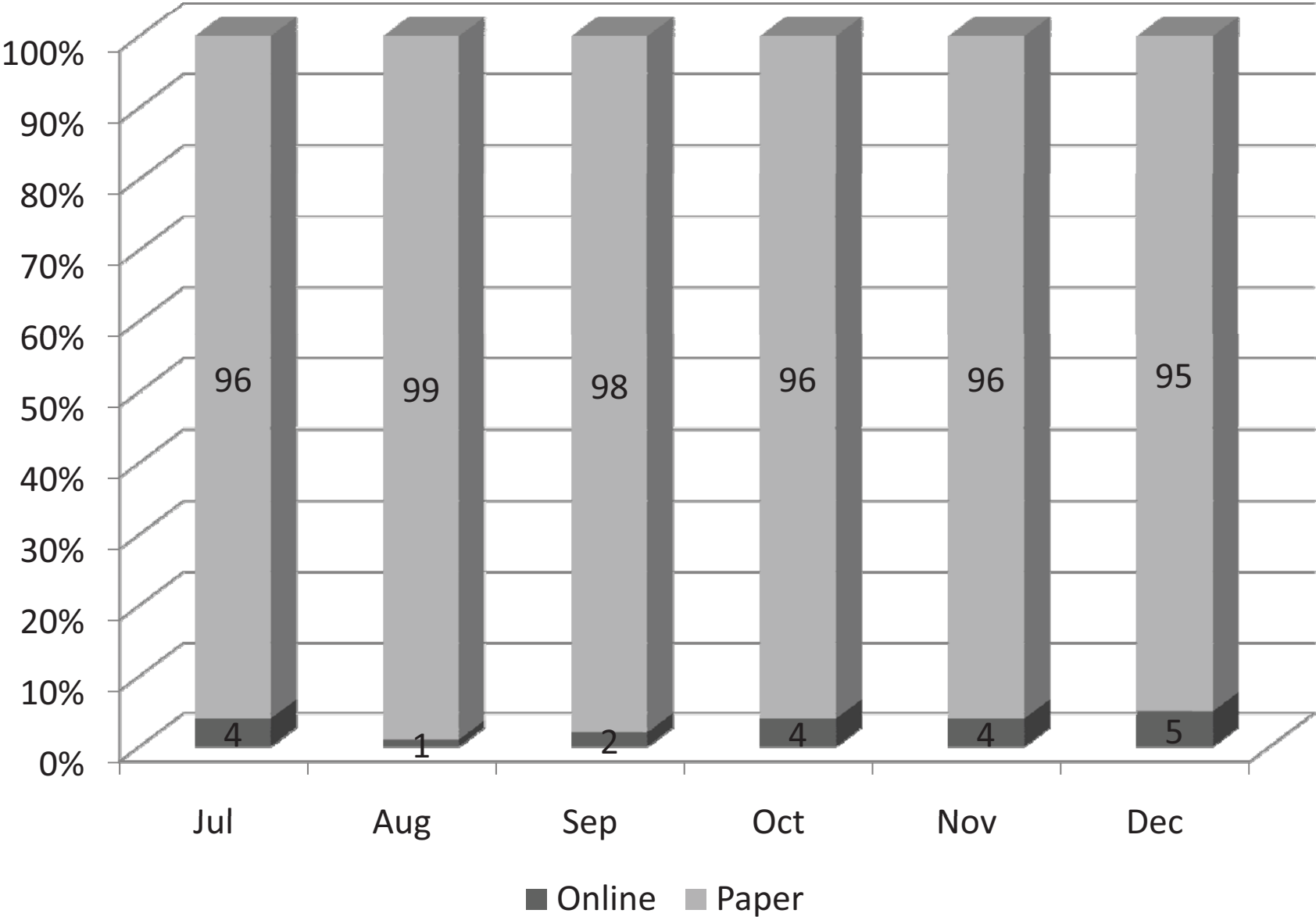


# WUP E-Permitting Metrics: Online vs Paper Applications





# ERP E-Permitting Metrics: Online vs Paper Applications



### INDIVIDUAL PERMITS ISSUED: ERPS

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43027992.002	FDOT-SR35 (US 17) Sweetwater Road to 75 <sup>th</sup> Ave in Zolfo Springs	Hardee	Road Project	0.00	23.18	17.10	0.00
43000492.049	University Mall Modifications	Manatee	Commercial Subdivision	69.00	0.00	0.00	0.00
43031900.004	Evansville Western Railway – Rail Terminal Facility	Polk	Industrial	415.27	56.58	40.40	18.68

***Wetland Mitigation Acres may be zero or less than Wetland Acres Impacted for a variety of reasons. Some of those reasons are: impacted wetlands require no mitigation by rule (e.g., upland cut manmade ditches, etc.); quality of the impacted wetlands is less than the quality of proposed mitigation; or mitigation is provided through a different permit or a mitigation bank.***

### INDIVIDUAL PERMITS ISSUED: WUPS

PERMIT NUMBER	PERMITTEE NAME / PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
20008421.007	4 Star Tomato Inc/Long Creek Farm	Manatee	Individual renewal for irrigation of spring and fall row crops	Agriculture	920,800	1,252,600	10

# Regulation Committee January 25, 2011

## Routine Report

### Resource Regulation Significant Initiatives Report

This report provides information regarding significant activities within the Resource Regulation Division. Recent activity within each of the District's major permitting programs is provided, followed by information regarding other significant activities.

TYPE OF PERMIT	DEPARTMENTS					AVERAGES	
ENV RES PERMITS ISSUED - Nov 10	BAR	BVLLE	SAR	TPA	MONTHLY TOTAL	6-MONTH AVERAGE	12-MONTH AVERAGE
General Minor System	4	1	3	9	17	23	23
Noticed General	3	0	1	1	5	12	17
General	9	15	16	9	49	70	72
Individual	2	1	0	2	5	6	5
Exemption	8	11	11	29	59	38	21
Formal Wetland Determination	0	0	0	0	0	2	2
ERP Conceptual	0	0	0	0	0	1	1
ERP Site Condition	0	0	0	0	0	0	0
Letter Modification	2	5	5	2	14	24	22
<b>TOTALS</b>	<b>28</b>	<b>33</b>	<b>36</b>	<b>52</b>	<b>149</b>	<b>176</b>	<b>163</b>
ENV RES ACRES PERMITTED - Nov 10	BAR	BVLLE	SAR	TPA	MONTHLY TOTAL	6-MONTH AVERAGE	12-MONTH AVERAGE
General Minor System	3.86	1.75	2.31	14.26	22.18	N/A	N/A
Noticed General	10.70	0.00	7.00	.18	17.88	N/A	N/A
Generals	90.01	314.05	219.11	68.02	691.19	N/A	N/A
Individual	594.87	7.31	0.00	663.80	1,265.98	N/A	N/A
Exemption	695.13	2.77	238.88	300.64	1,237.42	N/A	N/A
Formal Wetland Determination	0.00	0.00	0.00	0.00	0.00	N/A	N/A
ERP Conceptual	0.00	0.00	0.00	0.00	0.00	N/A	N/A
ERP Site Condition	0.00	0.00	0.00	0.00	0.00	N/A	N/A
<b>TOTALS</b>	<b>1,394.57</b>	<b>325.88</b>	<b>467.3</b>	<b>1,046.9</b>	<b>3,234.65</b>		
WATER USE PERMITS ISSUED - Nov 10	BAR	BVLLE	SAR	TPA	MONTHLY TOTAL	6-MONTH AVERAGE	12-MONTH AVERAGE
Small General	28	5	4	8	45	52	50
General	11	2	0	10	23	21	19
Individual	1	0	5	1	7	5	5
Letter Modification	3	5	1	0	9	11	10
<b>TOTALS</b>	<b>43</b>	<b>12</b>	<b>10</b>	<b>19</b>	<b>84</b>	<b>89</b>	<b>84</b>
WELL CONSTRUCTION PERMITS ISSUED - Nov 10	BAR	BVLLE	SAR	TPA	MONTHLY TOTAL	6-MONTH AVERAGE	12-MONTH AVERAGE
Well Construction	101	142	44	162	449	462	477
COMPLIANCE ACTIVITIES - Nov 10	BAR	BVLLE	SAR	TPA	MONTHLY TOTAL	6-MONTH AVERAGE	12-MONTH AVERAGE
Water Use Inspection	2	2	59	0	63	30	22
ERP/WUP Permit Condition Violation	5	3	4	7	19	31	26
ERP/WUP Expired/Expiring	3	10	25	15	53	69	75
ERP/WUP Permit Ownership Transfer	12	2	6	6	26	48	44
ERPs Re-certification Received	80	125	137	210	552	443	429
ERP/WUP Complmts Invstgtd	3	23	6	24	56	75	147
ERP Construction Inspection	132	245	127	373	877	901	893
ERP As-Built Activities	33	43	29	56	161	198	210
ERP Transfer to Operation	18	21	22	43	104	148	161
Well Abandonments/Grouting	8	15	2	19	44	52	56
Well Construction Inspection	10	31	7	38	86	92	87

TOTALS	306	520	424	791	2,041	2,087	2,150
AGRICULTURAL GROUND & SURFACE WATER MANAGEMENT PROJECT DESIGNS (AGSWM) - Nov 10					MONTHLY TOTAL	6-MONTH AVERAGE	12-MONTH AVERAGE
Ordinary Farming					1	2	2
Temporary Farming					1	1	1
Permanent Farming					1	3	2
TOTALS					3	6	5

- Central Florida Coordination Area Rules Development and Implementation** – District staff continues to coordinate with St. John's River Water Management and South Florida Water Management staff on the assessment of groundwater sustainability and development of regulations for the Central Florida Coordination Area (CFCA). The first phase of regulations was approved by all three Governing Boards at their December 2007 meetings. Major components of the Phase I rules include establishing 2013 demands as the limit on new groundwater withdrawals in the CFCA. The rules also provide an incentive for permittees to develop alternative water supplies. Those permittees that agree to meet demands beyond 2013 with alternative supplies can obtain a 20-year permit for their groundwater supplies. The rules also contain a sunset provision, requiring the Districts to re-evaluate this determination of groundwater availability by 2012 and to either reaffirm this determination or adopt new rules which could either lower or increase the available groundwater in the region. Within the SWFWMD, these rules only apply in the portion of Polk County outside the SWUCA, and in Lake County. Representatives of the three Districts have been meeting to develop a plan to evaluate the sustainability issues of the CFCA and chart a course for the next phase of regulations that will focus on longer-term solutions to the area's water resource issues. Meetings have been occurring on a frequent basis and are expected to continue throughout the year. Environmental staff of the three Districts has conducted environmental assessments within the area. Additionally, meetings continue between the staff of the three districts undertaking the ground water flow modeling and hydrologic evaluation of the water resources in the area. Regular meetings have been conducted during the past year and will continue throughout 2010. District staff and contractors are continuing hydrologic data analysis, groundwater flow modeling, and wetland assessments within the area. A public meeting was held on September 25, 2009 in Orlando at which the Districts provided an update of ongoing activities to stakeholders. Presentations on the wetland assessments, modeling and data analyses were provided, as well as a draft schedule of activities intended to result in Phase II rules to be implemented by the time the current rules sunset in December 2012. The meeting was very well attended by approximately 100 people, including utility representatives, consultants and other interested persons. Additional public workshops will be scheduled to continually inform and involve stakeholders in the ongoing activities of the CFCA effort. Staff from the three water management districts reviewed and confirmed the CFCA project schedule and is finalizing a Work Plan for Phase II of the project. Staff has also been preparing presentations for a second stakeholder's workshop for the purpose of providing an overview and status of the districts' hydrologic modeling and environmental work efforts. It is anticipated that the workshop will be held in April 2010. Alterations to the Work Plan will be a schedule adjustment of the Groundwater Availability to December 2010 and final changes to the task "Accountability Matrix". Given the adjustment in schedule, the public workshop on modeling tools has been postponed to summer 2010. The SWFWMD will lead a sub-group to discuss the management of the data generated by the CFCA task work. The Rule Making subgroup will be meeting the first week in May 2010. The stakeholder workshops, covering the Modeling Tools Technical Methodology, took place (as scheduled) on July 29, 2010 at the Osceola County Chambers. The meeting, which attracted 52 non-District attendees, introduced the groundwater availability approach, model construction and data input, impact criteria, proposed initial modeling scenarios and statistical studies. The rule workgroup is continuing to meet to determine which elements are critical to the rule aspect of the CFCA, given that the existing rules expire December 31, 2012. The CFCA Management group decided its Public Participation schedule associated with its Groundwater Assessment Timeline. The introduction of the environmental assessment methods and preliminary groundwater model statistical results will be presented in late October with the environmental

assessment results, final groundwater model statistical results and initial discussion on groundwater availability presented in early December. The second workshop addressing groundwater availability will be in late January 2011. The dates and times will be announced when the meeting locations are confirmed. On September 21, 2010, the CFCA Modeling Tools Group held a workshop intended to discuss specific technical details of the groundwater modeling assessment. The goals of the workshop were to present detailed methodology information to stakeholders and receive their thoughts and ideas. The CFCA management team met October 1 to discuss the project's status, identify potential adjustments and plan for the public stakeholder workshop. On October 27, 2010, the CFCA Environmental Assessment and Modeling Tools groups held a public workshop to discuss preliminary results of the wetlands assessments and model scenarios. The workshop was well attended by local governments and other stakeholders. The CFCA management team will meet November 17 to discuss the project's status, identify potential adjustments and plan for upcoming public stakeholder workshops to be held in early 2011. The CFCA management team met on November 17 to discuss the project's status and identify potential adjustments. The primary topic for discussion was the ramifications of HB 1565 recently passed in the special legislative session. The group discussed whether the original plan to have new rules in place by 2013 would have to be modified. A recommendation will be made at the next Executive Directors and DEP Secretary meeting. Another major decision was to facilitate a technical workshop for stakeholders to further review the specifics of the groundwater modeling and availability assessment. The second week of December was identified as the timeframe for the workshop. An assessment, and plan, for upcoming public stakeholder workshops will be held in early 2011. The group also finalized the decision to complete the evaluation of groundwater availability with the two model approach currently in place, and based upon the results of that effort re-evaluate the need to develop a single model for the solution development phase of the CFCA work. **New activities since last meeting:** The Modeling and Tools group is completing their groundwater availability analysis, which is anticipated by the end of January. That analysis including all data and conclusions, will be made available to stakeholders prior to the next public meeting, anticipated in February.

- **Reclaimed Water Policy Workgroup** – During the 2008 legislative session, a number of reuse issues prompted proposed legislation. The proposals raised several areas of concern regarding the respective roles of local governments, utilities and the water management districts related to reclaimed water. In lieu of legislation, the Florida Department of Environmental Protection (DEP) agreed to review emerging reclaimed water issues, particularly those related to the regulation of reuse under the consumptive use permitting program. DEP held three public meetings with interested stakeholders to discuss impediments, incentives, policy clarifications and concerns regarding reclaimed water issues as they relate to consumptive use permitting. All parties agreed the goal of the workshops was to develop specific ideas on how to enhance and promote the use of reclaimed water in relation to consumptive use permitting policies. Meeting attendees included representatives from DEP, the five water management districts, local government, utilities, and other parties with interest in reuse. There was consensus on some, but not all, topics. For those topics on which stakeholders continued to have different views, there was at least improved understanding of other viewpoints. Continued dialog among utilities, regulators and water users on these topics is important to further reuse throughout Florida. The DEP stakeholder meetings concluded in November 2009. At the invitation of interested utilities, the water management districts, DEP and utilities convened another workgroup to continue the dialog on the unresolved topics. This workgroup began meeting in April 2009 and meets approximately every month to develop consensus on policy proposals to enhance water management district and utility coordination in reuse feasibility analyses in the water use permitting processes and to enhance focus on reclaimed water during the Regional Water Supply Planning process. During this past legislative session a proposal of the workgroup to amend section 373.250, F.S. to facilitate coordination between reclaimed providers and the water management districts in the water use permitting process became law. Section 373.250 was enacted in 1994 and addresses the legislative intent that reclaimed water be used as a source when it is available to a site and the use is environmentally, technically and

economically feasible. The amendments require water use permit applicants to obtain a letter from the applicable reuse utility addressing the availability of reclaimed water for use by the applicant. **New activities since last meeting:** The most recent meeting was on December 6, 2010. The Workgroup has worked for over a year on a policy paper that outlines an approach that could be used statewide for consistency of reclaimed water substitution credits and impact offsets in the water management districts' water use permitting programs. A working final draft was completed at the December 6 meeting. Substitution credits are similar to this District's Net Benefit permitting provisions when reclaimed water is used to replace an existing water use. Impact offsets are a means of providing mitigation with reclaimed water for potential impacts from water use withdrawals. The final draft represents a consensus on issues such as the definition of substitution credits and impact offsets, when and where credits and offsets are available, the duration of credits and offsets, who is entitled to credits, and how the amount of credits and offsets is determined. Additionally, the final working draft language was completed for a statewide approach to evaluation of water use permit applications for traditional sources of water within a local government's mandatory reclaimed reuse zone. At the next meeting the Workgroup will discuss legislative issues and needs that may affect the ability of the water management districts to implement these statewide approaches. The next meeting is on January 7, 2011.

- **Establishment of Numeric Water Quality Standards for Nutrients** – Under the Clean Water Act (CWA) Section 303, states are required to establish water quality standards, which define the amounts of pollutants (in either numeric or narrative form) that waters can contain without impairment of their designated beneficial uses. Florida currently uses a narrative nutrient standard to guide the management and protection of its waters. The Florida Department of Environmental Protection (DEP) has relied on this narrative for many years because nutrients are unlike any other pollutant regulated by the federal Clean Water Act (CWA). Nutrients are not only present naturally in aquatic systems, they are necessary for the proper functioning of biological communities. In July 2008, the Florida Wildlife Federation and other environmental groups sued the Environmental Protection Agency (EPA) in an attempt to compel the adoption of numeric nutrient criteria in Florida. The lawsuit claims that numeric nutrient criteria are necessary and that EPA was obligated by the CWA Section 303 (c)(4), to promptly propose such criteria. EPA has signed a consent decree which obligates them to propose numeric nutrient standards for Florida's fresh water lakes and streams by January 2010, and estuaries and coastal systems by January 2011. On November 16, 2009, a fairness hearing was held in federal court to review the appropriateness of the consent decree. The federal judge approved the Consent Decree and schedule for setting nutrient criteria beginning this January (initial criteria) with the goal of adopting the first set of criteria in October 2010. On November 17, 2009, the DEP held a public meeting with the Technical Advisory Committee (TAC) on the Development of Numeric Nutrient Criteria for Streams and Lakes. EPA published draft fresh water numeric nutrient criteria in the Federal Register on January 26, 2010. Public comments were originally requested during a 60 day comment period following publication. EPA, in response to numerous requests from stakeholders, including the Florida Legislature, announced an extension of the comment period an additional 30 days to close on April 28, 2010. EPA held six public hearings in Florida during the comment period. The meetings were held on February 16 in Tallahassee, February 17 in Orlando, February 18 in West Palm Beach, April 13 in Fort Myers, April 14 in Tampa and April 15 in Jacksonville. On April 7, 2010, the DEP held an additional TAC meeting to discuss the draft rule as published. District staff submitted formal written comments to EPA on April 26, 2010. District comments have also been posted on the District's website. On June 7, 2010, EPA and the Plaintiffs filed a Joint Notice to the Court of Extension of Consent Decree Deadlines. In doing so, the EPA and the Plaintiffs recognized that peer review should be conducted prior to proposing or soliciting additional comment on the criteria for estuarine and coastal waters. Therefore, the following timeline changes were agreed upon by the EPA and Plaintiffs:
  - Publication of proposed regulations for coastal and estuarine waters was changed from January 14, 2011 to November 14, 2011.



## Item 30

- Final rulemaking for coastal and estuarine waters was changed from October 15, 2011 to August 15, 2012.
- The deadline of October 15, 2010 for publication of final rulemaking for lakes and all other flowing waters (except those in the South Florida region, which were extended to August 15, 2012) remains in effect.

EPA published a Supplemental Notice of Data Availability and Request for Comment in the Federal Register on August 3, 2010. Public comments were requested during a 30 day comment period that closed September 2, 2010. District staff submitted formal written comments to EPA on September 1, 2010. District comments have also been posted on the District's website. The DEP has prepared reports on numeric nutrient criteria development for estuarine and coastal systems. The reports for the Suwannee River Estuary to Charlotte Harbor were discussed on September 2<sup>nd</sup> and 3<sup>rd</sup> in Pinellas Park. The DEP also established a Marine Numeric Nutrient Criteria Technical Advisory Committee (MTAC). The first public meeting of the MTAC was held on September 15<sup>th</sup> in Tallahassee. On September 29<sup>th</sup> EPA announced a 30-day extension of final publication of the numeric nutrient standards for Florida's fresh water lakes and streams from October 15, 2010 to November 14, 2010. EPA received over 22,000 comments as a result of two public comment periods and 13 public hearing sessions in Florida. EPA Administrator Lisa Jackson signed the final "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" on November 14, 2010. The rule will take effect 15 months after it is published in the Federal Register except for the site-specific alternative criteria (SSAC) provision, which is effective 60 days from publication. **New activities since last meeting:** The final rule was published in the Federal Register on December 6, 2010. EPA held a meeting of their Science Advisory Board (SAB) on December 13 - 14, 2010 in Washington, D.C. The SAB was receptive to supporting local efforts in developing Site-Specific Alternative Criteria. The SAB was critical of Downstream Protection Values and EPA's modeling approach.

- **Proposed Revisions to Surface Water Classification System** – Florida's surface water quality standards include a classification system which describes how a water body is best used. The current system, established over 30 years ago, consists of these classes:

Class I: Potable Water Supplies  
Class II: Shellfish Propagation or Harvesting  
Class III: Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife  
Class IV: Agricultural Water Supplies  
Class V: Navigation, Utility and Industrial Use

For each of these classes, water quality standards necessary to protect that designated beneficial use are established. In July 2009, the Florida Stormwater Association petitioned the Florida Department of Environmental Protection (DEP) to adopt a new classification system. The petition states that the existing system is outdated and requires revision to effectively implement the Total Maximum Daily Load Program and related environmental management and restoration efforts. The petition seeks adoption of a classification system similar to that developed in 2007 by an advisory committee to the DEP, which creates Human Use (HU) and Aquatic Life (AL) Use Categories:

HU – 1: Potable use  
HU – 2: Shellfish harvesting  
HU – 3: Swimmable (prolonged and direct contact)  
HU – 4: Incidental or accidental contact\*  
HU – 5: Unsafe or not possible for contact\*  
HU – 6: Agricultural use  
HU – 7: Industrial use  
AL – 1: Exceptional structure and function; reference systems  
AL – 2: Balanced and healthy systems  
AL – 3: Altered systems



### AL – 4: Substantial changes in systems

\* Proposed to represent different exposure associated with recreational contact

The DEP conducted public workshops on August 18, 2009 and November 18, 2009 on the rule revisions necessary to adopt the new classification system. The DEP conducted an additional public workshop on January 7, 2010 in response to numerous comments received on the December 2009 rule draft. The DEP is no longer proposing to break out uses into Human Use and Aquatic Life categories. The draft rule now proposes to refine the existing classification system by adding a sub classification to Class III. The Class III-Limited subcategory will apply to wholly artificial or altered water bodies and will be protective of fish consumption, limited recreation and propagation and maintenance of a limited population of fish and wildlife. Class III-Limited waters may have Site Specific Alternative Criteria for nutrients, bacteria, dissolved oxygen, alkalinity, specific conductance, transparency, turbidity or pH that are established by petition under Rule 62-302.800, F.A.C. Additionally, the DEP is proposing to incorporate into this rule, a document that specifies the process for any person with a substantial interest in the water body to petition the DEP to reclassify a water body. The DEP conducted another public workshop on February 22, 2010 to present refinements that have been made to the proposed rule in response to public comment. Biological integrity was added to the parameters that are eligible for a Site Specific Alternative Criteria. These rule revisions require approval by the Environmental Regulatory Commission (ERC) and the Environmental Protection Agency (EPA). The ERC approved the proposed rule revisions on May 20, 2010. The District continues to monitor this DEP initiative and provide any appropriate input. The rule revisions concerning Florida's system of classifying waters went into effect on August 5, 2010. EPA Headquarters requested clarification of the effect of the revisions and FDEP responded to EPA's request in a September 16, 2010 letter to Region 4 Administrator Gwendolyn Keyes Fleming. The letter included an overview of the development of the rule and a summary of FDEP's responses to suggestions or questions that had been received concerning the revisions in the rule adoption process. **New activities since last meeting:** No new activities to report.

- **Statewide Stormwater Rule** – Unmanaged urban stormwater creates a wide variety of effects on Florida's surface and ground waters. Urbanization leads to the compaction of soil; the addition of impervious surfaces such as roads and parking lots; alteration of natural landscape features such as natural depressional areas which hold water, floodplains and wetlands; construction of highly efficient drainage systems; and the addition of pollutants from everyday human activities. These alterations within a watershed decrease the amount of rainwater that can seep into the soil to recharge our aquifers, maintain water levels in lakes and wetlands and maintain spring and stream flows. Consequently, the volume, speed and pollutant loading in stormwater that runs off developed areas increases leading to flooding, water quality problems and loss of habitat. In 1990, in response to legislation, the Florida Department of Environmental Protection (DEP) developed and implemented the State Water Resource Implementation Rule (originally known as the State Water Policy rule). This rule sets forth the broad guidelines for the implementation of Florida's stormwater program and describes the roles of DEP, the water management districts, and local governments. The rule provides that one of the primary goals of the program is to maintain, to the degree possible, during and after construction and development, the predevelopment stormwater characteristics of a site. The rule also provides a specific minimum performance standard for stormwater treatment systems: to remove at least 80% of the post-development stormwater pollutant loading of pollutants "that cause or contribute to violations of water quality standards." However, for a variety of reasons, the BMP design criteria in the stormwater or environmental resource permitting rules of DEP or the WMDs were never updated to achieve this level of treatment. In January 2008, the DEP initiated rule making to implement these criteria statewide. A Technical Advisory Committee was established and staff representatives were identified from the DEP and WMDs to assist in the rulemaking effort. The DEP has requested that each water management district contribute to fund the Statement of Estimated Regulatory Cost (SERC) in support of the proposed rule. This District has agreed to pay \$25,000 under a Memorandum of Understanding that is currently being developed. The DEP

and WMD staff completed the latest revision of the draft *Applicant's Handbook*, which was posted on the DEP's web site on March 17, 2010. The first round of public workshops were held during May, 2010 in the following cities: Tallahassee (05/11/10), Jacksonville (05/18/10), Orlando (05/19/10) and West Palm Beach (05/26/10). Meeting notices were published in the Florida Administrative Weekly. DEP's last update of their website was on 09/27/10. The projected release date of the next edition of the DRAFT *Applicant's Handbook* is April, 2011. Public workshops will follow in May 2011, with comments due back to FDEP during June 2011. Rule adoption is currently projected for the fall of 2011 or later. **New activities since last meeting:** None

- **Conserve Florida - Statewide Public Supply Water Conservation Initiative** – Conserve Florida is the name of the collaborative effort to fulfill the requirements of Chapter 373.227, Florida Statutes to develop comprehensive water conservation program for public suppliers that provides them with utility-specific options. Tampa Regulation (Demand Management), Strategic Program Office (Water Use Permitting), and Office of the General Counsel staffs have been involved in this initiative since its inception because there are many potential regulatory implications. Executive and Resource Projects (Conservation and Utility Outreach) staffs have also been involved, as appropriate. The main product of this initiative to date is two versions of a tool for utilities to use when developing or updating their water conservation plans; one version is a web-based computer application called "The Guide" and the other is a spreadsheet referred to as "EZ Guide" (both versions identify recommended and optional elements to include in a water conservation plan based on the utility's size, mix of customers, existing efforts, etc). The workgroup also helps Florida Department of Environmental Protection (DEP) staff provide oversight of the Conserve Florida Clearinghouse (currently hosted by the University of Florida, under contract from DEP, to provide technical support for both versions of the water conservation planning guide, an on-line water conservation library, and other core services). The District's financial contribution to the Clearinghouse in Fiscal Year 2011 is \$75,000. Conserve Florida's workgroup also provides a forum for all participants to receive information and solicit input on their conservation-related activities, such as ongoing work by the University of Florida's TREEO Center to develop a statewide training program for local government water conservation specialists. Conserve Florida is in the process of transitioning from an informal collaborative effort to a more deliberate organizational structure. While the restructuring is in progress, the Clearinghouse is continuing to follow its FY2011 scope of work, including two items of interest to the District: (1) identification of Hillsborough County Water Resource Services as a case study participant to work on how to use the EZ Guide as part of a Water Use Permitting application process and (2) improvements to the storage capacity and user interface features of the on-line water conservation library. **New activities since last meeting:** None.
- **Water Shortage Plan – Rulemaking Update** – The Southwest Florida Water Management District's Water Shortage Plan (Chapter 40D-21, F.A.C.) was adopted in 1984 and updated in 2006 to reflect experience with the 1999-2001 droughts. Similarly, the Governing Board approved initiation of rulemaking during its meeting on September 29, 2009 in order to refine the plan to reflect additional experience exercising various provisions during the 2007-2010 droughts. A focus group, which met on November 5, 2009 and January 14, 2010, helped staff identify needed refinements and explore potential amendment language. The focus group consisted of representatives from each of the District's advisory committees, several interested utilities and other subject matter experts (such as the air conditioning industry and UF-IFAS). Staff also held public workshops on November 20, 2009 and April 29, 2010, facilitated a special joint meeting of the Green Industry and Agricultural advisory committees on July 8, 2010 to revisit and refine draft amendment language, and prepared a Statement of Estimated Regulatory Costs. The Governing Board approved the proposed amendments, including changes based on last-minute input from the Peace River Manasota Regional Water Supply Authority and other interested parties, during its October 26, 2010 meeting. **New activities since last meeting:** Staff continues to postpone publication of the approved amendments in Florida Administrative Weekly and instead is focused on re-examining the SERC in light of reversal of the veto of HB 1565 during the Florida Legislature's special

session. Tampa Regulation (Demand Management) and Hydrologic Data staffs provided additional data to the Planning Department that was needed for the additional economic and financial analysis. As of December 28, 2010, publication and implementation dates have not been determined, pending outcome of the analysis.

- **Water Restriction Hotline** – Tampa Regulation staff continues to maintain a toll-free telephone number (1-800-848-0499) and e-mail address (water.restrictions@watermatters.org) that citizens and local officials can use to ask questions, report possible violations, and request information about water shortage restrictions, year-round water conservation measures and associated local government ordinances. **New activities since last meeting:** The hotline answered 270 calls, 25 of which were related to recent freeze events and 85 e-mails during the four-week period that ended December 17, 2010. Hotline activity resulted in ten first-time violation letters being sent to property owners or managers, but there were no repeat-violation situations requiring referral to a local enforcement agency for investigation. Three variances (requests for a special watering schedule that abides by the basic intent of year-round water conservation measures and any applicable water shortage restrictions) were also approved or otherwise resolved during that time period. Staff also contacted the District's advisory committees as well as local chapters of the Florida Irrigation Society and the Community Association Institute to inform them about the new requirement to use a specific variance application form. This requirement went into effect December 7, 2010 as a result of changes to Rule 40D-1 and Rule 40D-22 that the Governing Board approved in September.
- **Dover/Plant City Dry Well Complaints** – The District received 34 complaints of dry wells in the Dover/Plant City area related to crop establishment pumpage that occurred during October of 2010. The dry well complaints have been investigated by staff and assigned to responsible permittees in the area utilizing the allocation procedure developed as a part of the Dover/Plant City Freeze Protection Management Strategy. All but three of the complaints have been resolved. **New activities since last meeting:** As of January 4, 2011, the District has received 104 complaints of dry wells in the Dover/Plant City area related to the three December 2010 freeze events. Staff is working with the permittees and the complainants to bring these to resolution.
- **Watershed Model Review and Maintenance** – This is an information item regarding Resource Regulation's role in an inter-divisional initiative to enhance and support the District's Watershed Management Program and associated Federal Emergency Management Agency (FEMA) Map Modernization, including the District's role in the FEMA process. Resource Regulation is providing assistance to the Resource Projects Division in several ways, including the review of watershed models prior to submittal to FEMA, the maintenance of the GIS Geodatabase which will be the platform for future watershed models, and maintenance of final watershed models. Assistance from Resource Regulation is expected to continue based on staff availability and permitting workloads. Regulation staff selected to participate for this endeavor, while residing in their assigned Department, will take direction regarding watershed related work from the appropriate Resource Projects Review Coordinator (RPRC) and Project Manager. Watershed analysis work is a core function of the Resource Regulation engineering staff during the review of Environmental Resource Permits. This initiative will enhance communication between Resource Regulation and Resource Management staff participating in this inter-divisional cooperative initiative, as well as facilitate implementation of modernized flooding maps. Watershed Model review will be the first endeavor and will entail the following types of activities: detailed review of locations where Regulation permitted a project or has specific local knowledge; provide awareness of past undocumented complaints in a watershed; review of the GIS information; identify watershed parameters and connectivity; and review modeling results and their reasonableness. All time expended by Resource Regulation staff on watershed related work will be specifically documented on staff time sheets. **New Activities since last meeting:** Resource Regulation support for the overall watershed initiative has increased. The District GIS Department completed a training syllabus given to select Resource Regulation environmental scientists in order to provide a consistent and

## Item 30

uniform basis for geo-referencing for use in future watershed model development. The environmental scientist staff has been assigned approximately 740 documents to geo-reference. In addition to this effort, select Resource Regulation engineering staff is reviewing approximately 63 watersheds. The table below depicts the status of the watershed support initiatives.

WATERSHEDS SUPPORTED			
SERVICE OFFICE	COUNTY	PROJECT NAME	STATUS
Bartow	Hardee	Buzzard Roost Run	Completed, no comments from staff
Bartow	Highlands	Carter Creek	Completed on 10/25/2010
Bartow	Polk	Polk City	Completed on 9/30/2010
Bartow	Polk	Christina	Completed on 7/20/2010
Bartow	Hardee	Alligator Branch	Completed, no comments from staff
Bartow	Hardee	City of Wauchula	Completed, no comments from staff
Bartow	Hardee	Thompson Branch	Completed, no comments from staff
Bartow	Polk	Upper Peace-Homeland	In Review Process
Bartow	Polk	Itchepackesassa Creek	In Review Process
Bartow	Polk	Peace Creek	In Review Process
Brooksville	Citrus	Cardinal Lane	Completed on 5/28/2010
Brooksville	Citrus	Cardinal Lane-2 <sup>nd</sup> review	Completed on 10/28/2010
Brooksville	Marion	Gum Swamp & Big Jones Creek	Completed on 10/29/2010
Brooksville	Marion	Cotton Plant 2	Completed on 7/14/2010
Brooksville	Marion	Cotton Plant 3	Completed on 9/24/2010
Brooksville	Marion	Withlacoochee River/Region	Completed on 6/30/2010
Brooksville	Pasco	Anclote River	Completed on 6/3/2010
Brooksville	Pasco	Cypress Creek	Completed on 8/18/2010
Brooksville	Pasco	New River/Upper Hillsborough	Review Suspended
Brooksville	Pasco	Pasco DFIRM	Completed on 5/25/2010
Brooksville	Pasco	Trout Creek	Review Suspended
Brooksville	Hernando	Centralia	Assigned
Brooksville	Hernando	Croom	Assigned
Brooksville	Hernando	Chassahowitzka	Assigned
Brooksville	Hernando	Eastern Hernando	Assigned
Brooksville	Hernando	Little Withlacoochee	Assigned
Brooksville	Hernando	Lizzie Hart	Assigned
Brooksville	Hernando	McKethan	Assigned
Brooksville	Hernando	Oman Quarry/Indian Creek	Assigned
Brooksville	Hernando	Peck Sink	Assigned
Brooksville	Hernando	Pithlachascotee/Bear Creek (Hernando)	Assigned
Brooksville	Hernando	Powell	Assigned
Brooksville	Hernando	Spring Hill Lakes/Aripeka	Assigned
Brooksville	Hernando	Squirrel Prairie	Assigned
Brooksville	Hernando	Toachodka	Assigned

## Item 30

WATERSHEDS SUPPORTED			
SERVICE OFFICE	COUNTY	PROJECT NAME	STATUS
Brooksville	Hernando	Tooke Lake	Assigned
Brooksville	Hernando	Weeki Wachee Prairie	Assigned
Brooksville	Hernando	Willow Sink	Assigned
Brooksville	Hernando	Wiscon	Assigned
Brooksville	Marion	Blichton	Completed on 12/8/2010
Brooksville	Marion	Cotton Plant 1	Completed on 12/15/2010
Brooksville	Marion	Martel	Completed on 12/13/2010
Brooksville	Marion	SR200	In Review Process
Brooksville	Hernando	Bystre Lake	In Review Process
Brooksville	Hernando	Blue Sink	In Review Process
Sarasota	Sarasota	Alligator Creek	Completed on 5/27/2010
Sarasota	Sarasota	Island of Venice	Completed on 5/20/2010
Sarasota	Sarasota	Roberts Bay (Curry & Hatchett Creek)	Completed on 5/20/2010
Sarasota	Sarasota	Big Slough	Completed on 8/2/2010
Sarasota	Sarasota	Hudson Bayou	Completed on 9/24/2010
Sarasota	Manatee	Gamble Creek	Completed on 9/10/2010
Sarasota	Sarasota	Roberts Bay (Coastal)	Completed on 8/5/2010
Sarasota	Manatee	Braden River	Completed on 11/18/2010
Sarasota	DeSoto	Thorton Branch	Completed on 10/22/2010
Sarasota	Sarasota	Alligator Creek – 2 <sup>nd</sup> Review	Completed on 12/17/2010
Sarasota	Sarasota	Big Slough – 2 <sup>nd</sup> Review	Completed on 12/16/2010
Sarasota	Sarasota	Whitaker Bayou	In Review Process
Tampa	Hillsborough	Pemberton/Baker	In Review Process
Tampa	Hillsborough	Alafia River	In Review Process
Tampa	Hillsborough	Rocky/Brushy Creek	In Review Process
Tampa	Hillsborough	Silver Twin Lakes	Completed on 8/31/2010
Tampa	Hillsborough	Hillsborough River/Tampa Bypass Canal	In Review Process
Tampa	Pinellas	Alligator Creek	Assigned

### Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: Richard S. Owen, AICP, Deputy Executive Director, Resource Regulation



# Governing Board Meeting

## January 25, 2011

### RESOURCE MANAGEMENT COMMITTEE

#### ***Discussion Items***

- 31. Consent Item(s) Moved for Discussion
- 32. Reuse Program Overview ..... (15 minutes) ... 3  
(Strategic Plan: Water Supply – Reclaimed Water)
- 33. Utility Outreach Program Overview ..... (15 minutes) ... 2  
(Strategic Plan: Water Supply – Regional Water Supply Planning)
- 34. Water Quality Monitoring Program Overview ..... (15 minutes) ... 4  
(Strategic Plan: Water Quality – Assessment & Planning)

#### ***Submit & File Reports*** – None

#### ***Routine Reports***

- 35. Florida Forever Funding ..... 5
- 36. Minimum Flows and Levels ..... 9
- 37. Structure Operations ..... 13
- 38. Watershed Management Program and Federal Emergency  
Management Agency Map Modernization ..... 27
- 39. Significant Water Supply and Resource Development Projects ..... 30



## Resource Management Committee January 25, 2011

### *Discussion Item*

#### **Reuse Program Overview**

##### *Purpose*

To provide the Governing Board an overview on staffing, budget and trends associated with the District's reclaimed water (reuse) program.

##### *Background/History*

Reuse is one of the guiding principles of the District's Regional Water Supply Plan. The beneficial use of reclaimed water has been an integral part of the District's strategies to meet projected water supply demands including for the Northern Tampa Bay and Southern Water Use Caution Area Recovery Strategies. As such, reuse is included as a water supply strategic initiative in the District's Strategic Plan and a priority for all basin boards.

The District's reclaimed water goals are to achieve a 75 percent utilization rate of all wastewater treatment plant flows and a 75 percent offset efficiency of all reclaimed water used by the year 2030. As of 2008 (most recent confirmed Florida Department of Environmental Protection data), utilities in the District are at 50 percent utilization and 66 percent offset efficiency. Pursuing these reuse goals will be instrumental in assisting utilities in achieving the District objective for all utilities to reduce per capita usage below 150 gallons per day by 2019. Future reuse initiatives, such as the 156 potential reclaimed water projects identified in the District Regional Water Supply Plan can enable these goals and objectives to be met.

The District's commitment to beneficial use of reclaimed water (reuse) has resulted in tremendous water use efficiencies since the cooperative funding program began in 1987. Over this period, combined District funding of \$327 million toward reuse will result in an estimated 151 million gallons per day (mgd) of water use offset (replaced). The success of reuse utilization can be measured by both individual reduction of water use permits as well as by comparing the water use per capita average. For example; from 1999 through 2009, the average unadjusted gross per capita throughout the District has decreased from 137 gallons per capita per day to 107 gallons per capita per day (22 percent reduction). Even though population within the District has increased by 30 percent from 1999 through 2009, total public supply use has dropped by 1.5 percent.

Reuse has also proven to be cost effective. The average capital cost of reuse projects (\$5.34 per gallon offset) is significantly less than other alternative water supply projects such as surface water and seawater desalination that can cost between \$10 and \$15 per gallon of capacity developed (capital cost).

The Reuse Program is managed through the Conservation and Water Use Outreach section. In addition to this program, section staff also coordinates the Utility Outreach Program and Conservation Program.

##### **Staff Recommendation:**

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

**Presenter:** Anthony Andrade, Senior Water Conservation Analyst, Resource Projects Dept.

## Resource Management Committee January 25, 2011

### *Discussion Item*

#### **Utility Outreach Program Overview**

##### *Purpose*

To provide the Governing Board an overview on staffing, budget and trends associated with the District's Utility Outreach Program.

##### *Background/History*

Staff provided a brief overview of the Outreach Program at the July 27, 2010 District Governing meeting. The District initiated the Outreach Program to help accomplish the goals and objectives of the District's public water supply related strategic initiatives. The Outreach Program involves proactively working with the 193 water supply utilities within the District on water supply planning and management to assist local governments and utilities in developing and implementing programs to reduce their per capita water use and expand their use of reclaimed water and other alternative sources. Through this collaborative process, the District will inform utilities of key programs and resources, assist in identifying and developing water conservation related programs, and enable the District to better understand specific challenges the utilities face.

The Outreach Program is patterned after similar successful efforts in 2008-2009 during the development of the Polk County Comprehensive Water Supply Plan; and coordination with the City of Plant City, East Pasco Coalition, and several utilities in the northern District. District staff from Resource Regulation, Planning, Community and Legislative Affairs, and Resource Projects attended meetings with water supply utilities and offered assistance with water supply planning, water use permit renewals, cooperative funding opportunities, demand projections and water conservation measures.

In 2009, staff from departments throughout the District established an internal steering committee to help provide guidance for the program and develop coordination tools. In May 2010, a survey was mailed to 193 utilities to establish a baseline of utility awareness and perspective on these key District programs. The survey will be used annually to help measure the effectiveness of the Outreach Program. A Utility Reference Manual was completed in June 2010 that concisely describes key District programs, the benefits to utilities, and where to obtain more information. Outreach teams for the Northern Region, Heartland Region, Tampa Bay Region, and the Southern Region were developed to be consistent with the updated District's regional water supply planning process. The outreach teams are made up of District staff from Resource Regulation, Planning, Community and Legislative Affairs, and Resource Projects with support from the Communications department. In 2010, District staff met with 54 of the 193 utilities via the Outreach Program including utilities that have water use over 150 gallons per capita per day.

The Outreach Program is managed through the Conservation and Water Use Outreach section. In addition to this program, section staff also coordinates conservation and reuse programs.

##### **Staff Recommendation:**

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

**Presenter:** Kenneth R. Herd, Water Supply Program Director, Resource Projects Department

**Resource Management Committee  
January 25, 2011**

***Discussion Item***

**Water Quality Monitoring Program Overview**

***Purpose***

To provide the Governing Board an update on projects, staffing, funding, and trends associated with the District's Water Quality Monitoring Program (WQMP).

***Background/History***

In 1983, the Florida Legislature passed the Water Quality Assurance Act (Chapter 403.063, Florida Statutes (F.S.)), a portion of which required the Department of Environmental Protection (FDEP) to develop a groundwater quality monitoring network designed to provide statewide information on groundwater quality from the three major aquifer systems of the State. To facilitate this effort, the Act required that the FDEP work cooperatively with other federal and state agencies, including the five Water Management Districts, to acquire monitoring sites and perform data collection activities. In 1999, the FDEP redesigned this monitoring network under the Florida Watershed Restoration Act (Chapter 403.067, F.S.) and initiated a random-based approach for surface and groundwater monitoring in support of the Total Maximum Daily Load (TMDL) program (Chapter 373.406(2), F.S.). The District participated in these monitoring programs under revenue contract with FDEP from 1984 through 2005.

In addition to supporting the FDEP, the District began implementing additional goal specific monitoring projects in the late 1980s through the WQMP to support resource management decisions. These long-term projects have continued, and include monitoring the occurrence and movement of saline groundwater intrusion in support of the Southern Water Use Caution Area (SWUCA). Other projects include the investigation of nutrients in groundwater discharging from springs, trend monitoring of river water quality, and status monitoring of lake water quality. The WQMP also maintains several specialized shorter-term water quality networks that measure the success of implemented projects, programs, and cooperatively funded initiatives such as the Shell, Prairie, and Joshua Creek Reasonable Assurance Plan performance monitoring.

The District's WQMP adheres to strict monitoring and data reporting protocols required under Florida Administrative Code (F.A.C.) 62-160. Following these standards ensures that high quality data are available for District and statewide water resource decisions.

The District's WQMP is primarily supported through Governing Board funds. In fiscal year (FY) 2010, the WQMP collected 3,184 water quality samples, and total expenditures equaled \$919,721. The number of samples collected over the past ten years has fluctuated from a low of 1,819 in FY2000 to a maximum of 3,420 in FY2009. The WQMP consists of 14 full-time equivalent positions including a section manager, one administrative assistant who also supports the Geohydrologic Data Section, three professional staff, a field technician supervisor, and eight field technicians.

**Staff Recommendation:**

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

**Presenter:** Roberta Starks, WQMP Manager, Resource Data and Restoration Department

**Resource Management Committee  
January 25, 2011**

***Routine Report***

**Florida Forever Funding**

*Purpose*

No Board action is required. This item is submitted for information purposes only.

*Background/History*

Attached for the Board's use and information is the monthly funding status report for the Florida Forever program. The projects have been categorized as acquisitions or projects for: restoration; capital improvements for restoration; water resource development; and preservation. In addition to Florida Forever funding, staff continues to explore all funding opportunities.

Staff Recommendation:

See Exhibit

This item is provided for the Committee's information, and no action is required.

Presenter: Eric Sutton, Director, Land Resources Department

Southwest Florida Water Management District  
Florida Forever Status

Parcel/Project	Funds Available	Estimated Cost	Fee Acres	LTF Acres	Comments	Governing Bd Date
<b>Florida Forever Funds Available -- Inception to Date</b>	<b>\$ 252,130,012</b>				Includes \$13,170,753 from the Water Management Lands Trust Fund, \$3,182,719 from the P2000 Trust Fund and \$5,310,109 from FDOT mitigation	
<b>Completed Acquisitions</b>						
Panasoffkee/Outlet Tract - Gibbons (19-441-105)		\$ 74,758	10		Closed 01/18/2001	
Annuteliga Hammock (mega parcels)		205,744	38		Closed between 08/09/2001 and 02/09/2005 - 23 parcels	
Weekiwachee Preserve - Wooley (15-773-168)		869,732	65		Closed 10/04/2001	
Weekiwachee Preserve - Jones (15-773-121)		317,785	54		Closed 10/12/2001	
Weekiwachee Preserve - Leahon (15-773-180)		42,933	49		Closed 03/13/2002	
RV Griffin Reserve - Longino (21-599-102C)		1,188,231		3,802	Closed 07/18/2002 - used P2000 & Florida Forever funds	
Annuteliga Hammock - Strait (15-228-1204)		179,200	32		Closed 07/22/2002	
Green Swamp - Distefano (10-200-1242)		1,125	3		Closed 08/09/2002	
Tampa Bay - Furtick (21-728-121)		830,000	127		Closed 12/30/2002	
Prairie/Shell Creek - Burchers (20-649-105)		254,016	108		Closed 01/16/2003	
Prairie/Shell Creek - Leonard (20-649-104)		85,036	40		Closed 01/16/2003	
Alafia River Corridor - Fish Hawk (11-709-131)		4,800,000	899		Closed 02/06/2003 - used P2000 & Florida Forever funds	
Myakka River - Eagle Ridge (21-708-126)		1,670,269	997		Closed 02/07/2003	
Lake Pretty - Robinson (14-009-108)		60,000	3		Closed 03/27/2003	
Weekiwachee Preserve - GMB Investments (15-773-183)		422,000	56		Closed 05/28/2003 - used WMLTF funds	
Tampa Bay - Kushmer (11-728-108)		82,500	16		Closed 07/18/2003	
Tampa Bay - Pine Island (21-728-118)		450,000	86		Closed 08/09/2003	
Lake Panasoffkee - Beville (19-528-135)		1,840,000	525		Closed 09/18/2003 - used WMLTF funds	
Lake Panasoffkee - Beville (19-528-135C)		4,160,000		5,553	Closed 09/18/2003 - used WMLTF funds	
Annuteliga Hammock - 1029 Land Trust (15-228-1207)		1,087,200	288		Closed 09/24/2003	
Pasco 1 - Connerton (15-704-102)		9,792,677	2,981	507	Closed 09/29/2003	
Lake Hancock - Old Florida Plantation (20-502-101)		30,500,000	3,535		Closed 11/21/2003	
Tampa Bay - TECO (11-728-110)		1,713,572	2,347		Closed 12/11/2003	
Tampa Bay - Huber (21-728-105)		3,287,657	102		Closed 12/18/2003	
Panasoffkee/Outlet Tract - Lake Panasoffkee Water Assoc. (19-441-107)		57,000	6		Closed 08/18/2004	
Annuteliga Hammock - Kalathakis (15-228-1268)		90,000	16		Closed 09/23/2004	
Green Swamp - Davis (10-200-1238)		10,500	25		Closed 10/13/2004	
Lake Manatee Lower Watershed - Strickland (21-601-111C)		225,180		25	Closed 11/16/2004	
Tampa Bay - Shell Pit (11-728-109)		395,672	147		Closed 12/02/2004	
Flying Eagle - Boy Scouts (19-334-133)		13,500,000	5,484		Closed 12/14/2004	

**Southwest Florida Water Management District  
Florida Forever Status**

Parcel/Project	Funds Available	Estimated Cost	Fee Acres	LTF Acres	Comments	Governing Bd Date
Green Swamp - Beck (10-200-1246)		11,250	15		Closed 12/14/2004 - used P2000 funds	
Lake Hancock - Griffin (20-503-105)		4,900,000	213		Closed 12/30/2004	
Weekiwachee Preserve - Suncoast Seabird Sanctuary (15-773-128)		625,139	309		Closed 12/30/2004	
Annutteliga Hammock - Rush (15-228-1280)		278,480	40		Closed 02/09/2005	
Lower Peace River Corridor - McLeod (20-695-101)		309,550	62		Closed 02/09/2005	
Green Swamp West - Little Everglades Ranch (19-410-120C)		3,784,550		1,792	Closed 02/11/2005	
Myakka River - LOR, Inc. (21-708-125)		7,999,807	3,319		Closed 03/18/2005 - used WMLTF & Florida Forever funds	
Green Swamp - Jones (10-200-1251)		2,200	3		Closed 05/31/2005	
Green Swamp - Glass (10-200-1254)		200,000	20		Closed 06/01/2005	
Lake Hancock - Coscia and Ngwyn (20-503-102)		5,225,000	590		Closed 08/04/2005	
Green Swamp East - Crowell (10-200-1237)		2,500	4		Closed 2/16/2006	
Green Swamp East - Overstreet (10-200-1145)		24,101,645	5,067		Closed 5/31/2006 - used WMLTF & Florida Forever funds	
Flying Eagle - Keough (19-334-137)		25,535	20		Closed 10/12/2006	
Lake Hancock - Kent (20-503-122)		3,726,950	370		Closed 10/26/2006	
Green Swamp - Raulerson (10-200-1258)		400,000	20		Closed 04/13/2007	
Annutteliga Hamock - O'Brien (15-228-1288)		87,000	3		Closed 07/13/2007	
Annutteliga Hamock - Tyte (15-228-1287)		570,000	30		Closed 07/13/2007	
Lake Hancock - Powell (20-503-152)		30,000	2		Closed 07/26/2007	
Lower Hillsborough FDA - Guerard (13-300-110)		1,750,000	70		Closed 09/06/2007	
Green Swamp West - Barnes (19-410-123C)		1,125,000		300	Closed 10/30/2007	
Gum Slough - King/Phebus (19-193-195)		94,500	35		Closed 11/25/2007	
Myakkahatchee Creek - Carlton (21-694-102 and 103C)		19,746,592	4,744	7,626	Closed 12/20/2007 - used Florida Forever & FDOT mitigation funds	
Lake Hancock - Hampton (20-503-103)		37,175,000	2,036		Closed 4/30/2008	
Annutteliga Hammock - Hadley (15-228-1290)		90,211	5		Closed 6/26/2008	
Lower Manatee River Floodway - Green (21-602-110)		987,915	43		Closed 7/31/2008	
Myakka Prairie - Harrison (21-199-109C)		818,730		663	Closed 9/11/2008	
Green Swamp - Vegso (10-200-1005)		2,500	3		Closed 9/30/2008	
Weekiwachee Preserve - Aripeka Heights (15-773-143)		2,175,000	210		Closed 10/8/2008	
Annutteliga Hammock - Koblis (15-228-1294)		95,000	5		Closed 10/15/2008	
Annutteliga Hammock - Reid (15-228-1296)		119,723	6		Closed 11/14/2008	
Annutteliga Hammock DeGolden (15-228-258)		444,999	40		Closed 11/25/2008	
Annutteliga Hammock - Both (15-228-1293)		11,057	6		Closed 12/23/2008	
Annutteliga Hammock - O'Ryan (15-228-1295)		263,550	13		Closed 12/23/2008	
Crooked Lake - Stuart (20-697-101)		5,367,292	3,508		Closed 12/30/2008	
Crooked Lake - Britt (20-697-102)		147,500	77		Closed 6/2/2009	
Upper Hillsborough - Schaper (10-400-167)		570,000	33		Closed 7/10/2009	

Southwest Florida Water Management District  
Florida Forever Status

Parcel/Project	Funds Available	Estimated Cost	Fee Acres	LTF Acres	Comments	Governing Bd Date
Annuteliga Hammock (6 mega-parcels)		157,195	14		Closed 11/2009	
Myakka Prairie - Hullinger (21-199-110C)		500,000		588	Closed 11/4/2009	
Myakka Prairie - Carithers (21-199-106C)		204,500		233	Closed 2/18/2010	
Myakka Prairie - Chapman (21-199-107C)		162,500		185	Closed 2/18/2010	
Annuteliga Hammock (2 mega-parcels)		59,335	5		Closed 3/25/2010	
Myakka Conservation Area - Walton (21-599-105C)		12,610,523		3,760	Closed 7/15/2010	
Three Sisters Springs (15-347-123)		1,278,000	57		Closed 7/28/2010	
Myakka Conservation Area - Longino (21-599-106C)		13,103,100		3,981	Closed 8/19/10	
Annuteliga Hammock (2 mega-parcels)		60,845	7		Closed 8/31/10	
<b>Subtotal Completed Parcels/Projects</b>		<b>\$ 229,592,960</b>	<b>39,043</b>	<b>29,015</b>		
<b>Subtotal Funds Available</b>	<b>\$ 22,537,052</b>					
<b>Parcels/Projects Approved By Board (Funds Encumbered within DEP Trust Fund)</b>						
South Saddle Creek Restoration and Water Quality Treatment Project		\$ 10,276,877	N/A	N/A	Funds encumbered	
<b>Subtotal Parcels/Projects Approved By Board</b>		<b>\$ 10,276,877</b>	<b>-</b>	<b>-</b>		
<b>Subtotal Funds Available</b>	<b>\$ 12,260,175</b>					
<b>Ongoing Acquisitions/Projects</b>						
Annuteliga Hammock (multiple parcels)			20		Negotiating with owners	TBD
Brooker Creek - O'Rourke (14-074-158)			1,725		On hold	TBD
Lake Panasoffkee - Netishen (19-528-148)			1		Negotiating with owners	TBD
Flying Eagle - Windam (19-334-145)			400		On hold	TBD
Halpata Tastanaki Preserve - Cannon (19-733-117)			40		Preparing offer	TBD
Myakka Prairie - Horton (21-199-108C)				1,235	Partnership with NRCS; preparing cooperative agreement with NRCS	TBD
Starkey Wilderness Preserve - Starkey (16-010-038)			2,345		Negotiating with owners	TBD
<b>Subtotal Ongoing Acquisitions/Projects</b>		<b>\$ 16,991,588</b>	<b>4,531</b>	<b>1,235</b>		
<b>Grand Total</b>	<b>\$ (4,731,413)</b>	<b>\$ 256,861,425</b>	<b>43,574</b>	<b>30,250</b>		

Note that ongoing acquisition/project totals exceed current funding. As a result, several project have been placed on hold.



**Resource Management Committee  
January 25, 2011**

***Routine Report***

**Minimum Flows and Levels**

District staff continues to work on various phases of Minimum Flows and Levels (MFLs) development for water bodies on the District's MFLs priority list. Attached for the Board's use and information is the current Minimum Flows and Levels Priority List and Schedule – Water Body Timelines report that identifies the status of each water body in regard to our five phase process of MFL establishment.

Staff Recommendation:

See Exhibit

This item is provided for the Committee's information, and no action is required.

Presenter: Martin H. Kelly, Ph.D., Minimum Flows and Levels Program Director,  
Resource Projects Department

*Board Adopted 2011 Priority List  
Schedule and Timeline  
Exhibit A*

**RIVERS, SPRINGS and ESTUARIES**

	Phase 1 Data Collection	Phase 2 Data Analysis & Internal Draft MFL Report	Phase 3 Rpt to Board / Peer Review	Phase 4 Recovery Strategy	Phase 5 Rule Adoption
<b>2010</b>					
Chassahowitzka River System and Springs	completed	completed	completed	NN	Dec 2010
Homosassa River System and Springs	completed	completed	completed	NN	Dec 2010
Lower Myakka River System	completed	completed	completed	NN	Dec 2010
Middle and Upper Withlacoochee River System	completed	completed	completed	NN	Dec 2010
<b>2011</b>					
Brooker Creek	Jan 2011	May 2011	Jul 2011 / Oct 2011	TBD	Nov 2011
Crystal River System & Kings Bay Springs	Jan 2011	May 2011	Jul 2011 / Oct 2011	TBD	Nov 2011
Gum Springs Group	completed	completed	Feb 2011 / May 2011	TBD	Jun 2011
Lower Withlacoochee River System	Jan 2011	May 2011	Jul 2011 / Oct 2011	TBD	Nov 2011
Little Manatee River System	completed	Apr 2011	May 2011/ Aug 2011	TBD	Oct 2011
Manatee River System	completed	Apr 2011	May 2011/ Aug 2011	TBD	Oct 2011
Pithlachascotee River System	Jan 2011	May 2011	Jul 2011 / Oct 2011	TBD	Nov 2011
Rainbow River and Springs	completed	Mar 2011	Apr 2011/ Jul 2011	TBD	Aug 2011
Shell Creek Estuary	completed	completed	completed	Recovery	Nov 2011
Upper Peace River "Middle" and "High" Minimum Flows	Jan 2011	May 2011	Jul 2011 / Oct 2011	TBD	Nov 2011
<b>2012</b>					
Charlie Creek (Peace River drainage)	Jan 2012	May 2012	Jul 2012 / Oct 2012	TBD	Nov 2012
Horse Creek (Peace River drainage)	Jan 2012	May 2012	Jul 2012 / Oct 2012	TBD	Nov 2012
North Prong Alafia River	Jan 2012	May 2012	Jul 2012 / Oct 2012	TBD	Nov 2012
South Prong Alafia River	Jan 2012	May 2012	Jul 2012 / Oct 2012	TBD	Nov 2012
<b>2013</b>					
Prairie Creek (Peace River drainage)	Jan 2013	May 2013	Jul 2013 / Oct 2013	TBD	Nov 2013
Shell Creek (Peace River drainage)	Jan 2013	May 2013	Jul 2013 / Oct 2013	TBD	Nov 2013
<b>2014</b>					
Cypress Creek	Jan 2014	May 2014	Jul 2014/ Oct 2014	TBD	Nov 2014
Bullfrog Creek	Jan 2014	May 2014	Jul 2014/ Oct 2014	TBD	Nov 2014
<b>2015</b>					
Lower Peace River	Jan 2015	May 2015	Jul 2015/ Oct 2015	TBD	Nov 2015

*At the Board's direction, staff have added projected dates on which: we expect to have internal draft reports complete, presentation of draft to Board, report of peer review to Board, and return for rule establishment.*

*\* NN = not needed TBD = to be determined*

*\*\* Waterbodies completed through Phase 5 will be removed from this list and added to the Minimum Flows and Levels Established to Date list when the priority list is updated each year.*

**Updated December 28, 2010**

*Board Adopted 2011 Priority List  
Schedule and Timeline  
Exhibit A*

**LAKES**

	Phase 1 Data Collection	Phase 2 Data Analysis & Draft MFL Report	Phase 3 Peer Review	Phase 4 Recovery Strategy	Phase 5 Rule Adoption
<b>2010</b>					
Polk County Lakes					
Crystal (near Lake Wales)	completed	completed	NA	NN*	completed
North Lake Wales	completed	completed	NA	NN	completed
<b>2011</b>					
Hillsborough County Lakes					
Carroll	June 2011	Aug 2011	NA	TBD *	Dec 2011
Hooker	June 2011	Aug 2011	NA	TBD	Dec 2011
Raleigh	completed	Aug 2011	completed	completed	Dec 2011
Rogers	completed	Aug 2011	completed	completed	Dec 2011
Starvation	completed	Aug 2011	completed	completed	Dec 2011
Wimauma	completed	May 2011	NA	TBD	Jun 2011
Marion County Lakes					
Bonable	June 2011	Aug 2011	NA	TBD	Dec 2011
Little Bonable	June 2011	Aug 2011	NA	TBD	Dec 2011
Tiger	June 2011	Aug 2011	NA	TBD	Dec 2011
Polk County Lake					
Lowery	June 2011	Aug 2011	NA	TBD	Dec 2011
Hancock	completed	completed	NA	completed	Jun 2011
<b>2012</b>					
Hillsborough County Lakes					
Hanna	June 2012	Aug 2012	NA	TBD	Dec 2012
Keene	June 2012	Aug 2012	NA	TBD	Dec 2012
Kell	June 2012	Aug 2012	NA	TBD	Dec 2012
Polk County Lakes					
Amoret	June 2012	Aug 2012	NA	TBD	Dec 2012
Aurora	June 2012	Aug 2012	NA	TBD	Dec 2012
Bonnet	June 2012	Aug 2012	NA	TBD	Dec 2012
Easy	June 2012	Aug 2012	NA	TBD	Dec 2012
Effie	June 2012	Aug 2012	NA	TBD	Dec 2012
Little Aurora	June 2012	Aug 2012	NA	TBD	Dec 2012
Josephine	June 2012	Aug 2012	NA	TBD	Dec 2012
<b>2013</b>					
Hernando County Lakes					
Tooke	June 2013	Aug 2013	NA	TBD	Dec 2013
Whitehurst	June 2013	Aug 2013	NA	TBD	Dec 2013
Highland County Lakes					
Damon	June 2013	Aug 2013	NA	TBD	Dec 2013
Pioneer	June 2013	Aug 2013	NA	TBD	Dec 2013
Pythias	June 2013	Aug 2013	NA	TBD	Dec 2013
Viola	June 2013	Aug 2013	NA	TBD	Dec 2013
Polk County Lake					
Trout	June 2013	Aug 2013	NA	TBD	Dec 2013
<b>2015</b>					
Polk County Lake					
Eva	June 2014	Aug 2014	NA	TBD	Dec 2014

\* NN = not needed TBD = to be determined

\*\* Waterbodies completed through Phase 5 will be removed from this list and added to the *Minimum Flows and Levels Established to Date* list when the priority list is updated each year.

Updated December 28, 2010

**Minimum Flows and Levels Already Adopted**

- Alafia River (upper freshwater segment)
- Alafia River Estuary (includes Lithia and Buckhorn Springs)
- Anclote River (estuarine and freshwater segments)
- Braden River (freshwater segment)
- Citrus County Lakes – Ft. Cooper, Tsala Apopka – Floral City, Inverness and Hernando Pools
- Dona Bay/Shakett Creek System
- Hernando County Lakes – Hunters, Lindsey, Mountain, Neff, Spring and Weekiwachee Prairie
- Highland County Lakes – Angelo, Anoka, Denton, Jackson, Little Lake Jackson, June-in-Winter, Letta, Lotela, Placid, Tulane, and Verona
- Hillsborough County Lakes – Alice, Allen, Barbara, Bird, Brant, Calm, Charles, Church, Crenshaw, Crescent, Crystal, Cypress, Dan, Deer, Dosson, Echo, Ellen, Fairy [Maurine], Garden, Halfmoon, Harvey, Helen, Hobbs, Horse, Jackson, Juanita, Little Moon, Merrywater, Mound, Platt, Pretty, Rainbow, Reinheimer, Round, Saddleback, Sapphire, Stemper, Strawberry, Sunset, Sunshine, Taylor and Virginia.
- Hillsborough River (lower segment)
- Hillsborough River – upper segment (including Crystal Springs)
- Levy County Lake – Marion
- Peace River (middle segment)
- Peace River (three upper segments – "low" minimum flows)
- Lower Peace River
- Northern Tampa Bay –41 Wetland sites
- Northern Tampa Bay – 7 Wells – Floridan Aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish, Bird, Buddy, Camp, Clear, Green, Hancock, Iola, Jessamine, King, King [East], Linda, Middle, Moon, Padgett, Parker aka Ann, Pasadena, Pasco, Pierce, unnamed #22 aka Loyce
- Polk County Lakes – Annie, Bonnie, Clinch, Crooked, Dinner, Eagle, Lee, Mabel, McLeod, Parker, Starr, Venus, and Wales
- Myakka River (upper freshwater segment)
- Sulphur Springs (Hillsborough County)
- Sumter County Lakes – Big Gant, Black, Deaton, Miona, Okahumpka and Panasoffkee
- SWUCA – Floridan Aquifer
- Tampa Bypass Canal
- Weekiwachee River System and Springs (includes Weeki Wachee, Jenkins Creek, Salt, Little Weeki Wachee and Mud River springs)

## Resource Management Committee January 25, 2011

### *Routine Report*

#### Structure Operations

December historically marks the third month of the 8-month dry season and provisional rainfall totals for the month were below-normal in the northern and central regions and within the normal range in the southern region. Analysis of dry-season rainfall, to date, shows October through December totals to be below the historic mean in all regions of the District.

Rainfall was regionally variable during the month and mainly associated with the passage of several cold front systems moving across the District. The cold weather systems brought freezing temperatures to some areas of the District that caused agricultural interests to pump groundwater for crop protection. Groundwater pumping during the cold weather events caused temporary aquifer level declines in the Dover/Plant City area of Hillsborough County that resulted in numerous dry wells complaints and the development of at least one sinkhole. The provisional twelve-month District-wide rainfall deficit worsened during December, ending the month approximately 3.7 inches below the long-term average. The 24- and 36-month cumulative rainfall deficits worsened and are approximately 6.11 and 10.9 inches, respectively, below the long-term average.

The amount of rainfall received during December was not sufficient to improve conditions, and most hydrologic indicators declined throughout the District. Regional lake levels, streamflow and groundwater levels ended the month at below-normal conditions. The US Drought Monitor, as of December 28, indicates that abnormally dry to severe drought conditions exist throughout the District, and that conditions are expected to worsen.

Current NOAA climate forecasts continue to predict below-normal rainfall conditions for the District through May 2011, due to La Niña conditions in the Pacific Ocean. The dry season runs from October through May, and further declines in hydrologic conditions are likely through this period if below-normal rainfall conditions continue through the winter and spring months.

Updated weather forecasts will be available in mid-January. Staff will continue to closely monitor conditions in accordance with the District's updated Water Shortage Plan, including any necessary supplemental analysis of pertinent data.

#### Rainfall

Provisional rainfall totals, as of December 31<sup>st</sup>, were below-normal in the northern and central regions of the District, while they were within the normal range in the southern region. The normal range is defined as rainfall totals that fall on or between the 25<sup>th</sup> to 75<sup>th</sup> percentiles derived from the historical data for each month.

- The northern region received an average of 0.65 inch of rainfall, equivalent to the 14<sup>th</sup> percentile.
- The central region received 0.70 inch of rainfall, equivalent to the 17<sup>th</sup> percentile.
- The southern region recorded an average of 1.05 inches of rain, equivalent to the 36<sup>th</sup> percentile.
- District-wide, average rainfall was 0.81 inch, equivalent to the 23<sup>rd</sup> percentile.

## Item 37

A summary of the operations made in December is as follows:

- Inglis Water Control Structures: The Inglis Bypass Spillway was operated during the month of December in order to maintain water levels in Lake Rousseau and provide flow to the lower Withlacoochee River. The average monthly water level for Lake Rousseau was 27.63' NGVD. The recommended maintenance level for the reservoir is 27.50' NGVD.
- Withlacoochee River Basin: All water conservation structures were closed on the Tsala Apopka Chain of Lakes during the month of December with the exception of the Moccasin Slough Structure. During December, the Wysong-Coogler Water Conservation Structure main gate was fully inflated to 39.00' NGVD aiding in the regulation of Lake Panasoffkee water elevation. The low flow gate was inflated to 35.55' NGVD providing minimum flow requirements to the Withlacoochee River downstream of the structure. The average monthly water level for Lake Panasoffkee was 37.89' NGVD.
- Alafia River Basin: During the month of December all gates were closed as the Medard Reservoir continues the replenishment process. The current water level of the reservoir is 54.26' NGVD. Refilling of the Medard Reservoir (60.00' NGVD) is a gradual process dependent on continuing rainfall.
- Hillsborough River Basin: There were no structures operated during the month of December. The average monthly water level for Lake Thonotosassa was 35.54' NGVD compared to the recommended maintenance level of 36.50' NGVD.
- Pinellas-Anclote River Basin: The Sawgrass Structure was operated during the month of December; maintaining a water level of 3.00' NGVD in order to facilitate the Lake Sawgrass Restoration Project. The average monthly water level for Lake Tarpon was 2.69' NGVD compared to the recommended maintenance level of 3.20' NGVD.
- Peace River Basin: There were no structures operated during the month of December. The average monthly water level for Lake June-in-Winter was 73.42' NGVD compared to the recommended maintenance level of 75.00' NGVD.
- Green Swamp Basin: There were no structures operated during the month of December. The average monthly water level for Lake Gibson was 142.72' NGVD. The recommended maintenance level for the lake is 143.00' NGVD.

Staff Recommendation:

See Exhibit

This item is provided for the Committee's information, and no action is required.

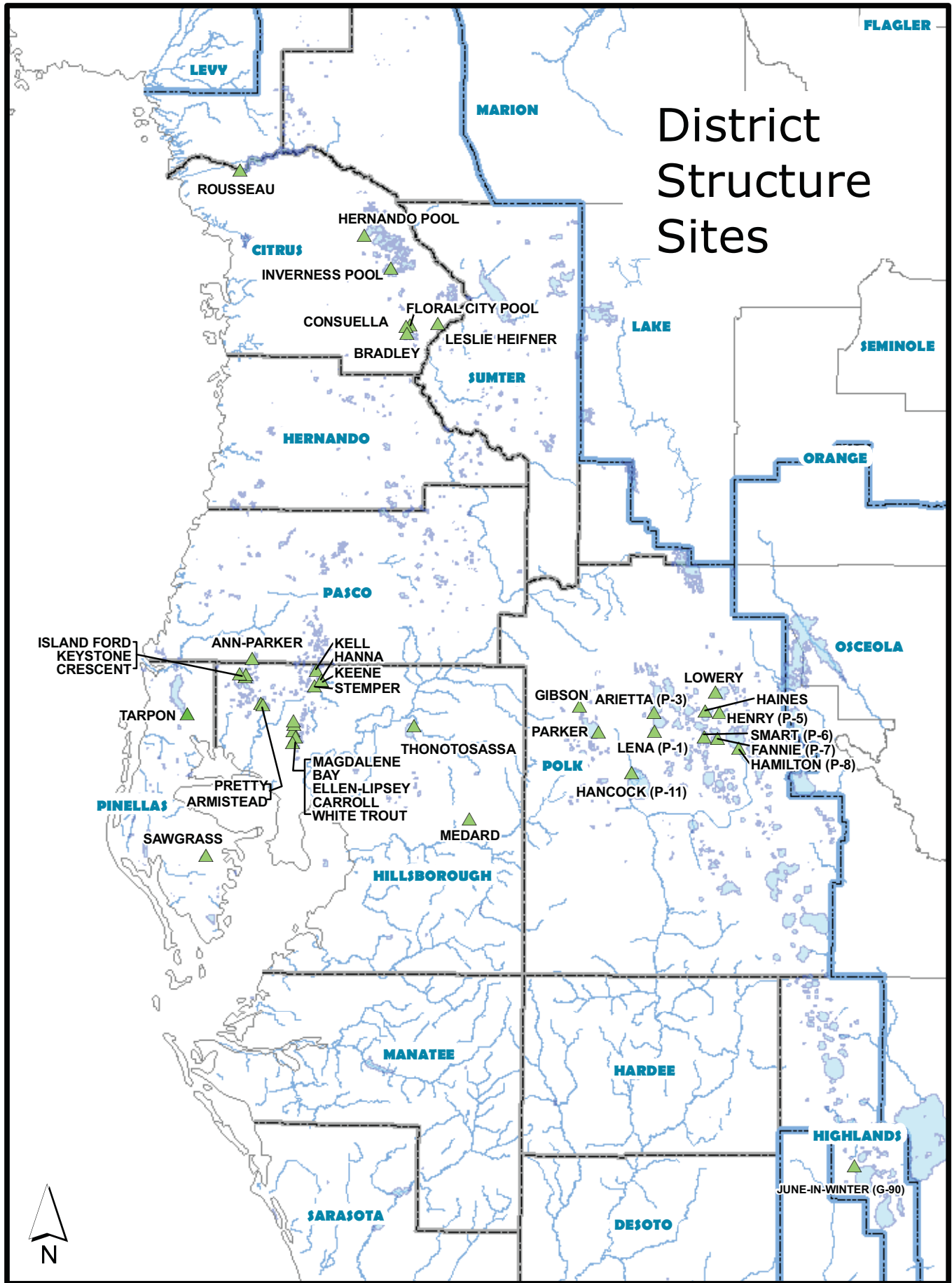
Presenter: David Crane, Manager, Structure Operations Section

# STRUCTURE OPERATIONS SECTION HYDROLOGIC REPORT

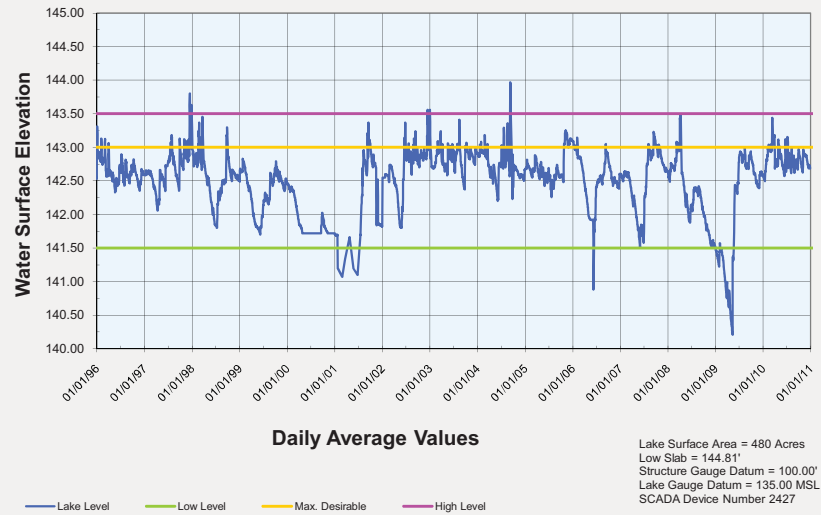
December 28, 2010

STRUCTURE	ELEVATION LEVELS	ELEVATION DIFFERENCE	CURRENT LEVEL	POSITION OF STRUCTURE	STRUCTURE	ELEVATION LEVELS	ELEVATION DIFFERENCE	CURRENT LEVEL	POSITION OF STRUCTURE
<b>FLINT CREEK</b>			<b>35.51</b>	Gate 1 Closed	<b>FLORAL CITY POOL</b>			<b>37.35</b>	
HIGH LEVEL	37.00	-1.49		Gate 2 Closed	HIGH GUIDE LEVEL	41.80	-4.45		Leslie Heifner Closed
MAXIMUM DESIRABLE	36.50	-0.99		All drop gates: 36.00' MSL	HIGH MIN LEVEL	41.20	-3.85		Floral City Fully Closed
LOW LEVEL	34.50	1.01	invert 32.9'		MIN LAKE LEVEL	39.80	-2.45	Golf Course	Golf Course All Gates Closed
<b>KELL</b>			<b>64.97</b>		LOW GUIDE LEVEL	39.60	-2.25	invert 38.0'	Moccasin Slough Open
HIGH LEVEL	66.00	-1.03		Open (No Boards)	<b>INVERNESS POOL</b>			<b>37.66</b>	
MAXIMUM DESIRABLE	65.50	-0.53			HIGH GUIDE LEVEL	40.30	-2.64		Brogden Bridge Closed
LOW LEVEL	63.50	1.47	invert 64.66'		HIGH MIN LEVEL	40.10	-2.44	Brogden Bridge	Brogden Culvert Closed
<b>KEENE</b>			<b>60.75</b>	Keene 1: 12" of Boards	MIN LAKE LEVEL	38.70	-1.04	invert 34.25'	Bryant Slough gates Closed
HIGH LEVEL	63.00	-2.25		Keene 2: 12" of Boards	LOW GUIDE LEVEL	37.80	-0.14		
MAXIMUM DESIRABLE	62.50	-1.75	1-invert 61.6'	Keene 3: Open (No Boards)	<b>HERNANDO POOL (S353)</b>			<b>36.84</b>	
LOW LEVEL	60.50	0.25	2-invert 61.6'	Sherry's Brook: 18" of Boards	HIGH GUIDE LEVEL	39.00	-2.16		
<b>STEMPER</b>			<b>59.40</b>		HIGH MIN LEVEL	38.70	-1.86	S-353	Van Ness Closed
HIGH GUIDE LEVEL	61.20	-1.80		Open (8" of Board Installed)	MIN LAKE LEVEL	37.30	-0.46	invert 36.5'	S-353 Gates Closed
HIGH MIN LEVEL	60.80	-1.40			LOW GUIDE LEVEL	35.90	0.94		
MIN LAKE LEVEL	59.40	0.00	invert 60.25'		Two Mile Prairie (max)	35.00	-11.69	<b>23.31</b>	
LOW GUIDE LEVEL	59.10	0.30			<b>LESLIE HEIFNER</b>			<b>37.26</b>	Upstream (RIVER level)
<b>HANNA</b>			<b>60.02</b>	18" of Board Installed	UPSTREAM	40.04		<b>37.35</b>	Downstream (POOL level)
HIGH LEVEL	62.50	-2.48			DOWNSTREAM	40.03	0.01	invert 35.0'	Gate Fully Closed
MAXIMUM DESIRABLE	61.75	-1.73			<b>WYSONG-COUGLER</b>			<b>36.80</b>	Last data date 12/21/10
LOW LEVEL	59.50	0.52	invert 60.28'		UPSTREAM	39.50	-2.70	<b>35.29</b>	Main Gate At 39.00'
<b>CYPRESS CREEK</b>	Flood Stage		<b>4.35</b>	Drop gate open 3.0'.	DOWNSTREAM				Low Flow Gate at 35.53
WORTHINGTON GARDENS	8.00	-3.65							76 USGS Total cfs flow
<b>SAWGRASS LAKE</b>			<b>2.95</b>	Gate 1 Open	<b>INGLIS</b>			<b>27.71</b>	
HIGH LEVEL	5.00	-2.05		Gate 2 Open 2.00'	HIGH LEVEL	28.00	-0.29		By-pass Gates Open 1.70'
LOW LEVEL	3.80	-0.85		Gate 3 Open 0.20'	MAXIMUM DESIRABLE	27.50	0.21		Main Gates Closed
<b>TARPON (S551)</b>			<b>2.64</b>		LOW LEVEL	26.50	1.21	invert 11.3'	555 Total Bypass cfs flow
HIGH LEVEL	3.80	-1.16		Main Gates 1,2,3,4 Closed	<b>LAKE BRADLEY</b>			<b>38.52</b>	
MAXIMUM DESIRABLE	3.20	-0.56		Drop Gates at 3.40'	MAXIMUM DESIRABLE	42.50	-3.98		Gate Fully Closed
LOW LEVEL	2.20	0.44			<b>LAKE CONSUELLA</b>			<b>35.22</b>	
<b>ANNE PARKER</b>			<b>46.76</b>	36" of Board Installed	MAXIMUM DESIRABLE	41.50	-6.28		All Logs in Closed
HIGH LEVEL	48.75	-1.99			<b>MEDARD RESERVOIR</b>			<b>54.04</b>	
MAXIMUM DESIRABLE	48.25	-1.49			MAXIMUM DESIRABLE	60.00	-5.96		Gate Fully Closed
LOW LEVEL	45.75	1.01	invert 46.40'		<b>HANCOCK (P11)</b>			<b>98.02</b>	Gauge at structure
<b>WHITE TROUT</b>			<b>33.15</b>		HIGH LEVEL	99.00	-0.98	<b>97.92</b>	Gauge on lake
HIGH LEVEL	36.50	-3.35			MAXIMUM DESIRABLE	98.50	-0.48		
MAXIMUM DESIRABLE	36.00	-2.85		18" of Board Installed	LOW LEVEL	96.00	2.02	invert 91.7'	Gates Closed
LOW LEVEL	34.00	-0.85	invert 32.94'		<b>HENRY (P5)</b>			<b>125.14</b>	
<b>KEYSTONE</b>			<b>40.44</b>	Gate 1 Closed	HIGH LEVEL	126.50	-1.36		LRLMD
HIGH LEVEL	42.00	-1.56		Gate 2 Closed	MAXIMUM DESIRABLE	126.00	-0.86		
MAXIMUM DESIRABLE	41.75	-1.31			LOW LEVEL	124.00	1.14	invert 122.0'	
LOW LEVEL	39.75	0.69	invert 37.2'		<b>SMART (P6)</b>			<b>126.32</b>	
<b>CRESCENT</b>			<b>40.86</b>	Gate Closed	HIGH LEVEL	128.75	-2.43		LRLMD
HIGH GUIDE LEVEL	41.90	-1.04			MAXIMUM DESIRABLE	128.50	-2.18		
HIGH MIN LEVEL	41.30	-0.44			LOW LEVEL	126.50	-0.18	invert 127.2'	
MIN LAKE LEVEL	40.30	0.56	invert 38.5'		<b>FANNIE (P7)</b>			<b>120.96</b>	
LOW GUIDE LEVEL	39.80	1.06			HIGH LEVEL	125.75	-4.79		LRLMD
<b>ISLAND FORD</b>			<b>39.66</b>	All Gates Closed	MAXIMUM DESIRABLE	125.50	-4.54		
HIGH LEVEL	41.50	-1.84			LOW LEVEL	123.50	-2.54	invert 119.5'	
MAXIMUM DESIRABLE	41.00	-1.34			<b>HAMILTON (P8)</b>			<b>119.36</b>	
LOW LEVEL	39.00	0.66	invert 35.0' crest 41.25'		HIGH LEVEL	121.50	-2.14		LRLMD
<b>PRETTY</b>			<b>43.80</b>	Lift Gate Closed	MAXIMUM DESIRABLE	121.25	-1.89		
HIGH LEVEL	45.50	-1.70		Drop Closed	LOW LEVEL	119.00	0.36	invert 110.5'	
MAXIMUM DESIRABLE	44.50	-0.70			<b>LENA (P1)</b>			<b>133.55</b>	
MIN LAKE LEVEL	42.75	1.05	invert 38.0'		HIGH LEVEL	137.00	-3.45		Gates closed
LOW GUIDE LEVEL	42.20	1.60			MAXIMUM DESIRABLE	136.75	-3.20		
<b>MAGDALENE</b>			<b>47.39</b>	Lake gauge	LOW MANAGEMENT	134.50	-0.95	invert 134.47'	
HIGH LEVEL	50.00	-2.61	<b>47.41</b>	Structure gauge	<b>JUNE-IN-WINTER (G90)</b>			<b>73.39</b>	
MAXIMUM DESIRABLE	49.50	-2.11			HIGH GUIDE LEVEL	74.70	-1.31		Gates Closed
LOW MANAGEMENT	47.50	-0.11	invert 45.6'	Gates Closed	HIGH MIN LEVEL	74.50	-1.11		Overflow at 75.25' MSL
<b>BAY</b>			<b>44.28</b>	Gates Closed	MIN LAKE LEVEL	74.00	-0.61	invert 65.37'	
HIGH LEVEL	46.75	-2.47			LOW GUIDE LEVEL	73.20	0.19		
MAXIMUM DESIRABLE	46.00	-1.72			<b>ARIETTA (P3)</b>			<b>139.02</b>	
LOW LEVEL	44.00	0.28	invert 44.0'		HIGH LEVEL	144.00	-4.98		Gate closed
<b>ELLEN-LIPSEY</b>			<b>38.87</b>	Structure Gauge	MAXIMUM DESIRABLE	142.50	-3.48		
HIGH LEVEL	41.50	-2.63	<b>38.88</b>	Lake Gauge	LOW LEVEL	141.00	-1.98	invert 137.4'	
MAXIMUM DESIRABLE	41.00	-2.13		Both Gate Closed	<b>GIBSON</b>			<b>142.68</b>	
LOW LEVEL	39.00	-0.13	invert 37.6'	Drops: At 41.00'	HIGH LEVEL	143.50	-0.82		Gate Closed
<b>CARROLL</b>			<b>33.99</b>	24" of Board Installed	MAXIMUM DESIRABLE	143.00	-0.32		Stop log bays at 142.64' crest
HIGH LEVEL	37.00	-3.01			Low Level	141.50	1.18	invert 141.4'	
MAXIMUM DESIRABLE	36.50	-2.51			<b>PARKER</b>			<b>129.75</b>	
LOW LEVEL	34.50	-0.51	invert 34.17'		HIGH LEVEL	131.00	-1.25		Gate Closed
<b>ARMISTEAD</b>			<b>40.33</b>	Gate Closed	MAXIMUM DESIRABLE	130.75	-1.00		
HIGH LEVEL	44.00	-3.67			LOW LEVEL	128.75	1.00	invert 129.15'	
MAXIMUM DESIRABLE	43.00	-2.67			<b>PEACE RIVER</b>	Flood Stage		<b>4.00</b>	
LOW LEVEL	40.50	-0.17			BARTOW	8.00	-4.00		
<b>HILLSBOROUGH RIVER</b>	Flood Stage		<b>24.06</b>	S-155 is open	ZOLFO SPRINGS	16.00	-9.85	<b>6.15</b>	
MORRIS BRIDGE	32.00	-7.94			ARCADIA	11.00	-8.32	<b>2.68</b>	
FOWLER	29.00	-8.36	<b>20.64</b>		<b>LITTLE MANATEE RIVER</b>	Flood Stage		<b>3.90</b>	
<b>WITHLACOCOCHEE R.</b>	Flood Stage		<b>49.56</b>		WIMAUMA	11.00	-7.10		
TRILBY	61.27	-11.71	<b>39.63</b>		<b>ALAFIA RIVER</b>	Flood Stage		<b>3.88</b>	
CROOM	47.94	-8.31	<b>37.23</b>		LITHIA	13.00	-9.12		
HIGHWAY. 48			<b>37.85</b>		<b>MYAKKA RIVER</b>	Flood Stage		<b>3.98</b>	
LAKE PANASOFFKEE	40.70	-2.85	<b>28.07</b>		MYAKKA STATE PARK	7.00	-3.02		
HOLDER	35.52	-7.45			<b>MANATEE RIVER</b>	Flood Stage		<b>3.16</b>	
<b>ANCLOTE RIVER</b>	Flood Stage		<b>10.05</b>		MYAKKA HEAD	11.00	-7.84		
ELFERS	20.00	-9.95							

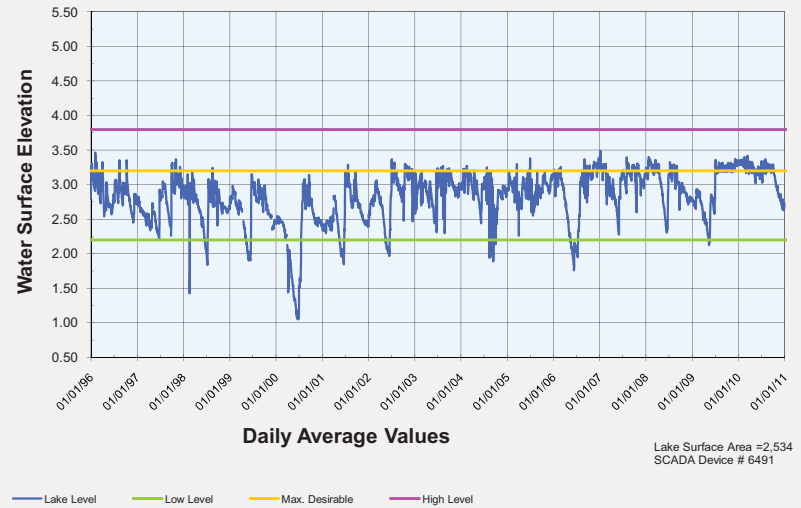




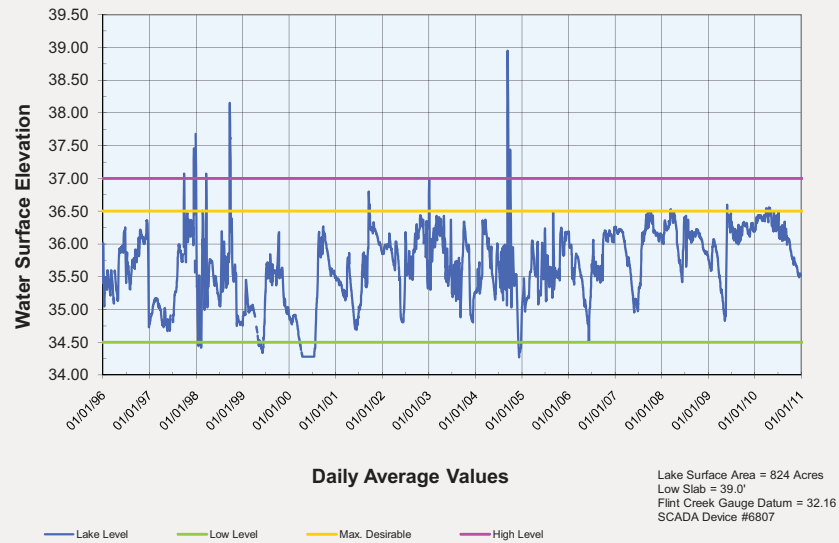
### Lake Gibson



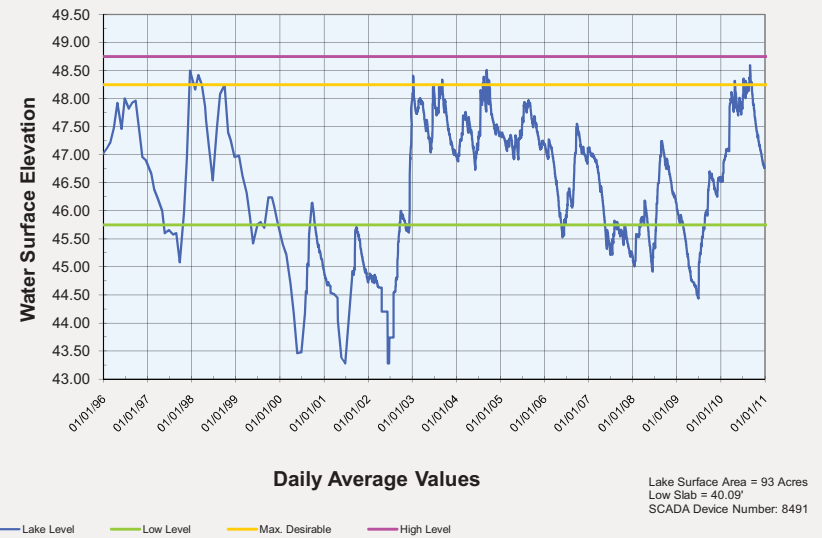
### Lake Tarpon, S-551



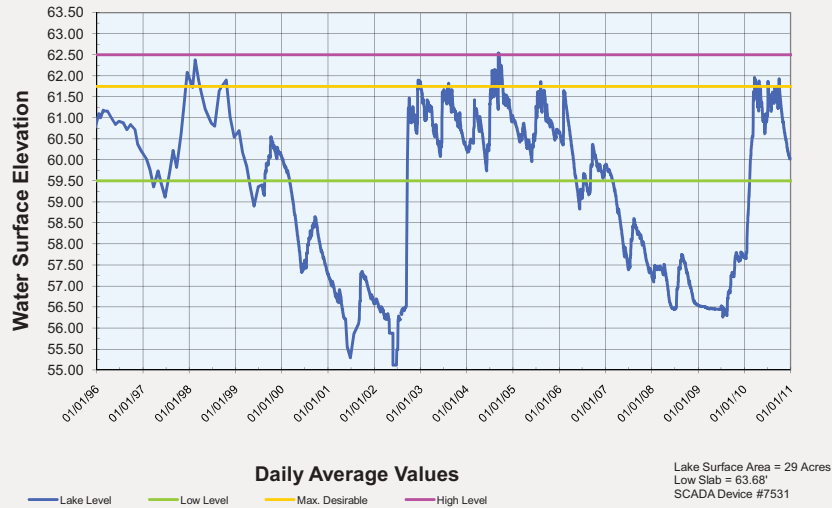
### Lake Thonotosassa



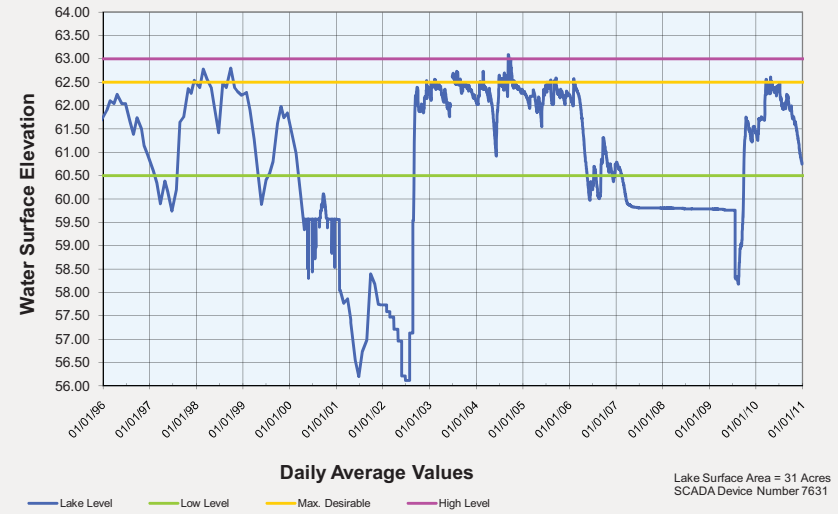
### Lake Anne Parker



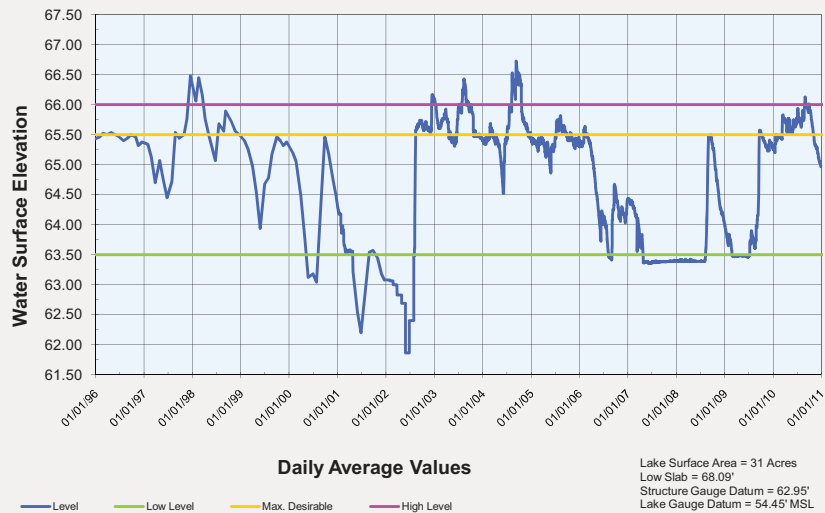
## Lake Hanna



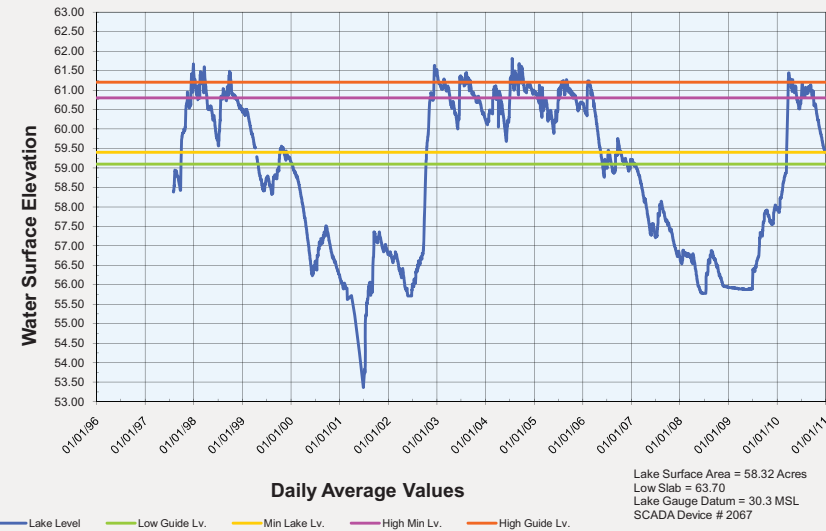
## Lake Keene



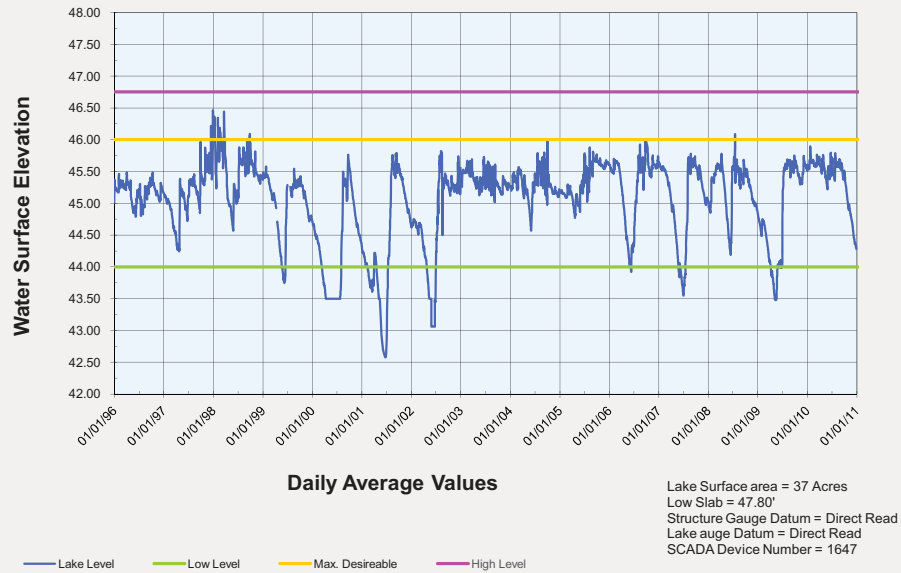
## Lake Kell



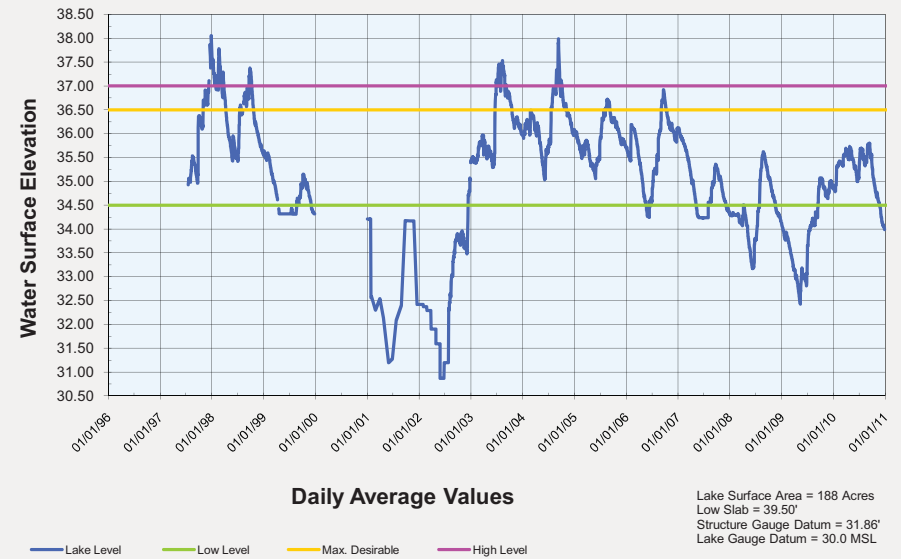
## Lake Stemper



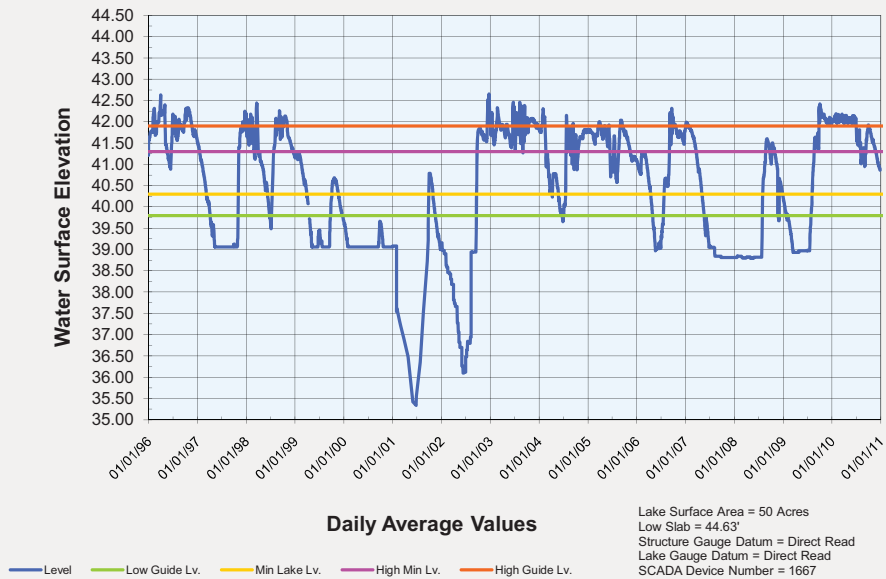
## Bay Lake



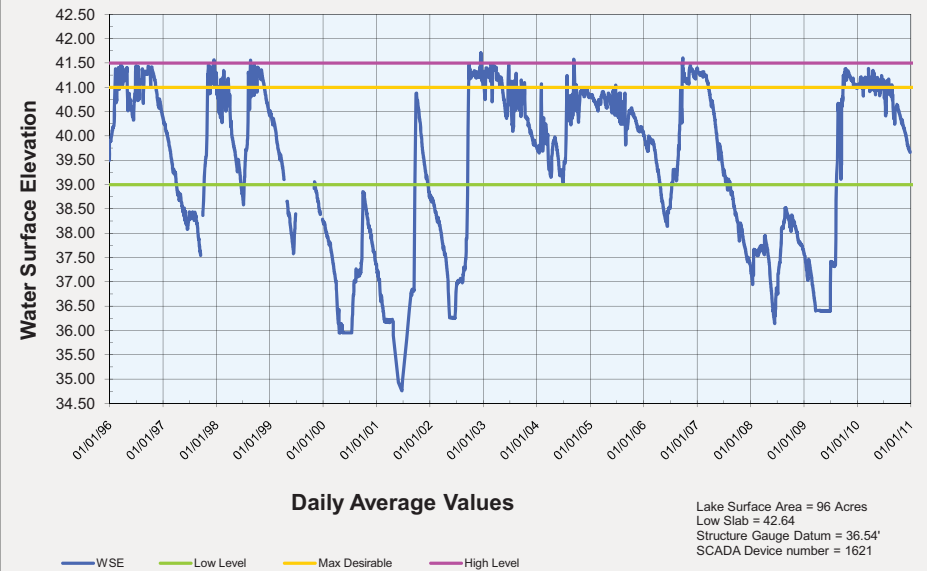
## Lake Carroll

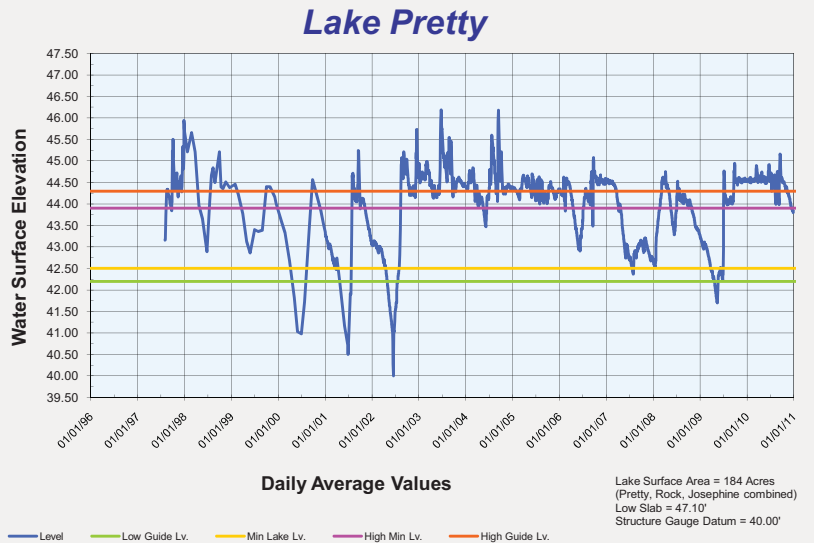
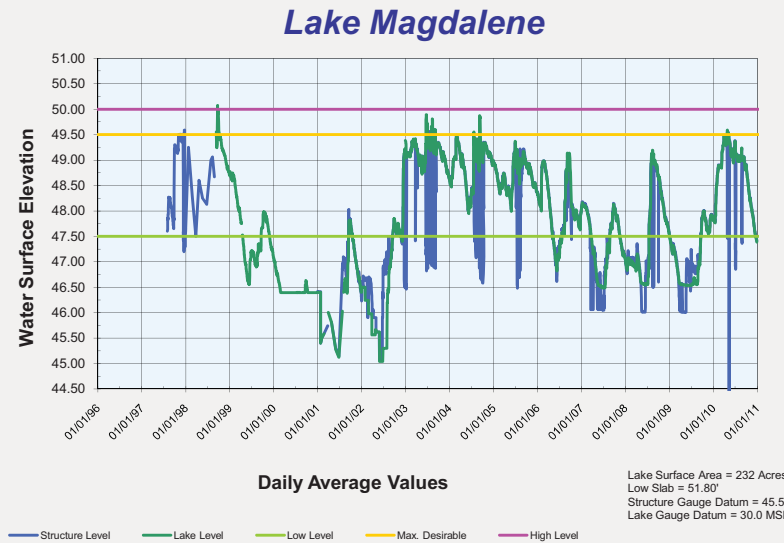
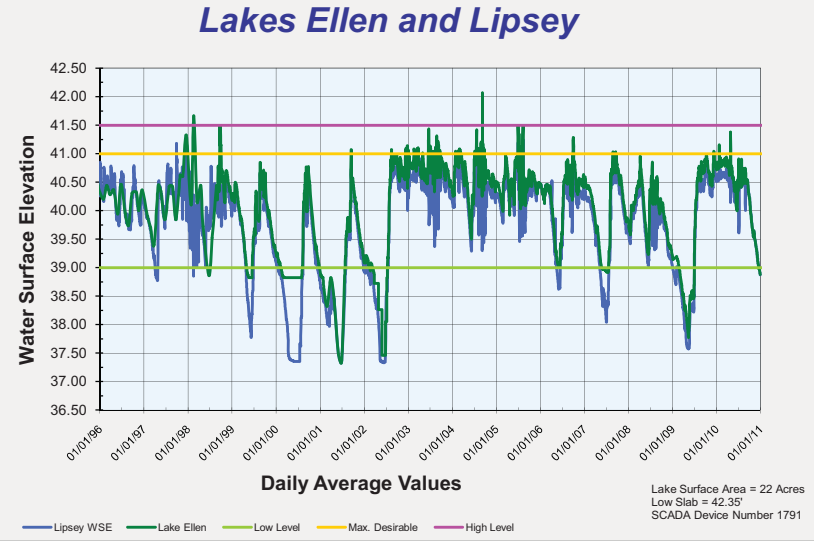
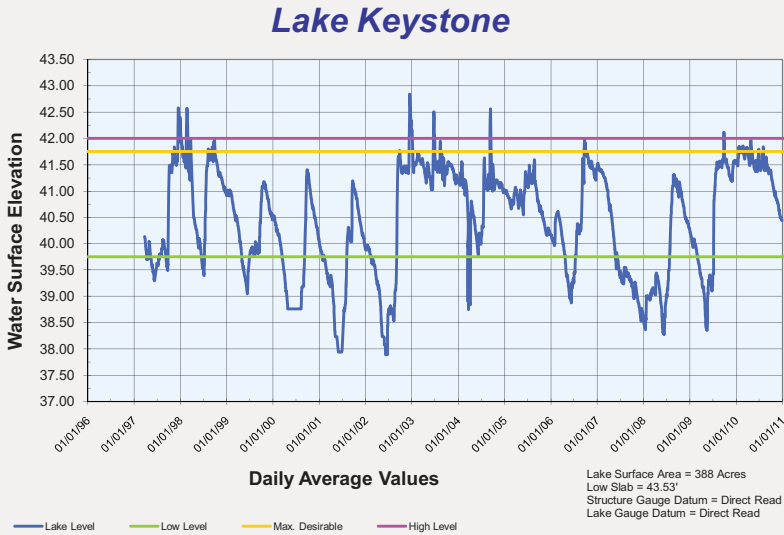


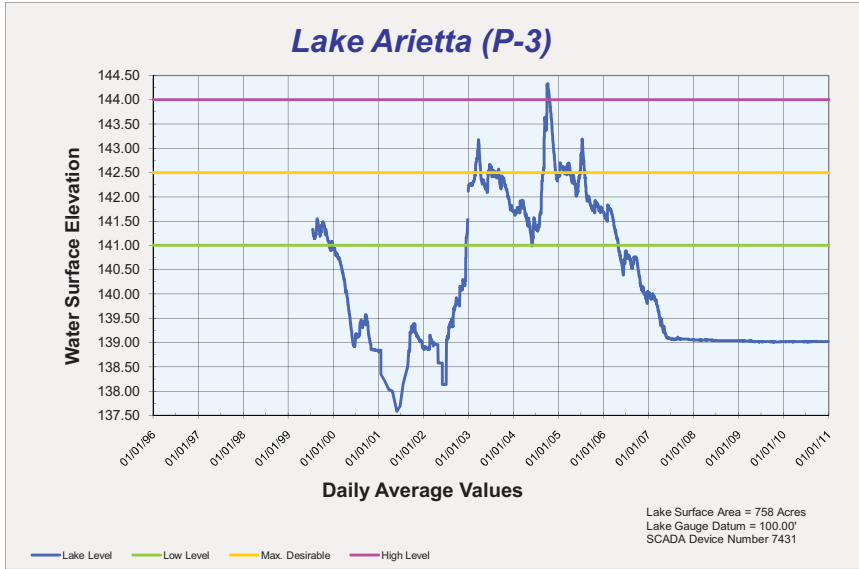
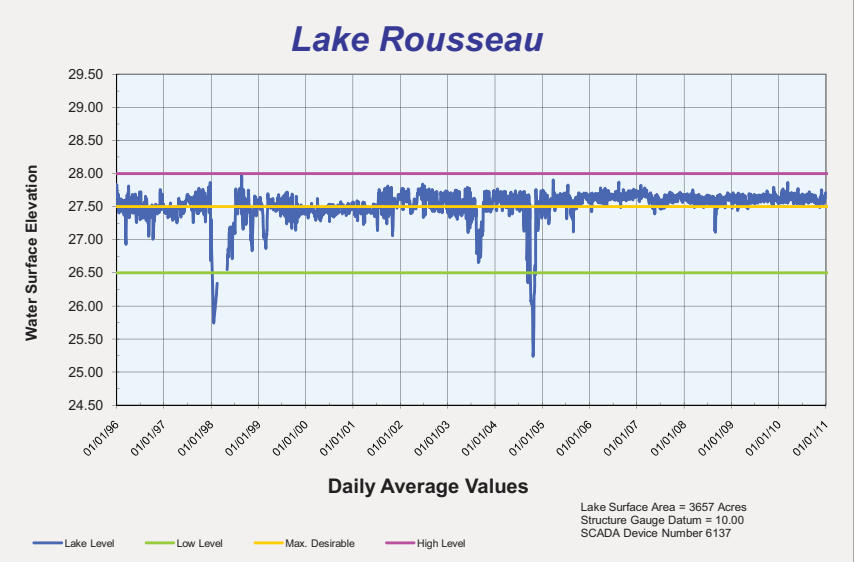
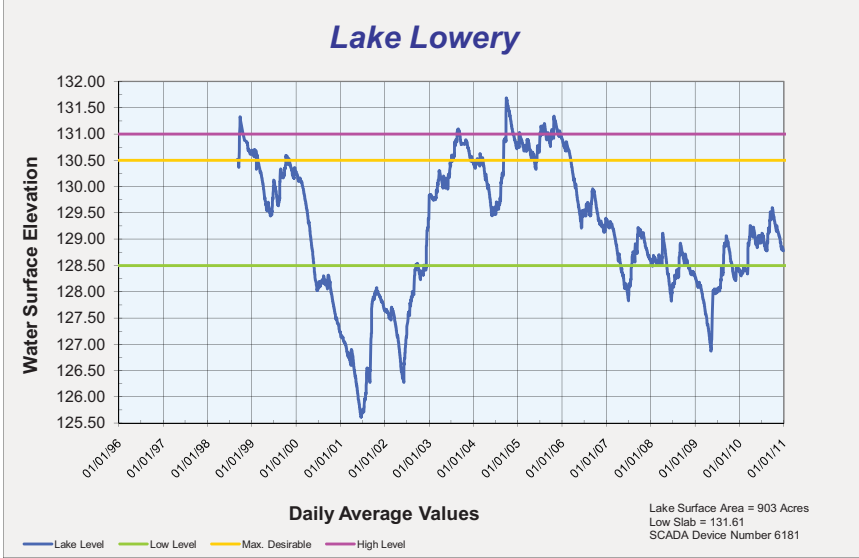
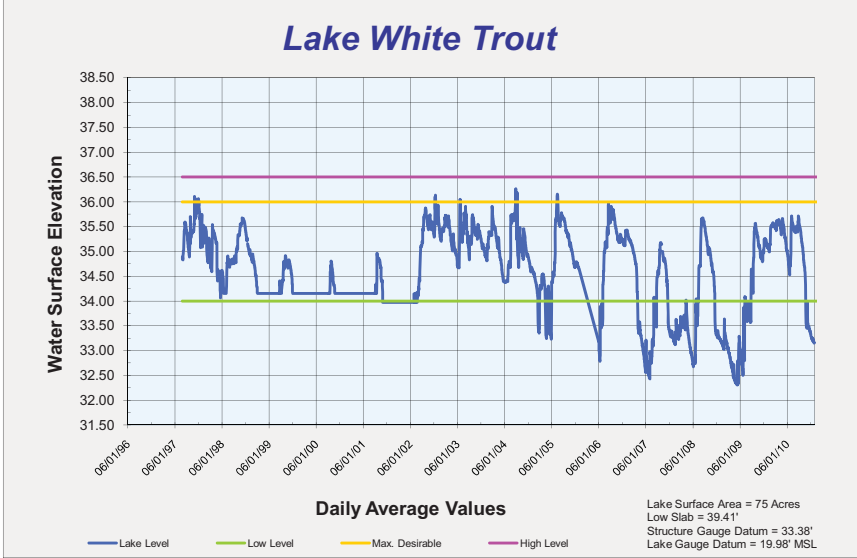
## Crescent Lake



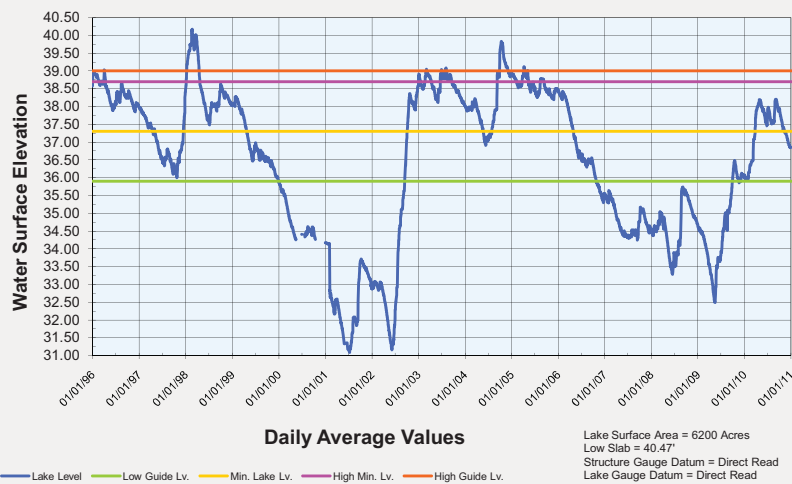
## Lake Island Ford



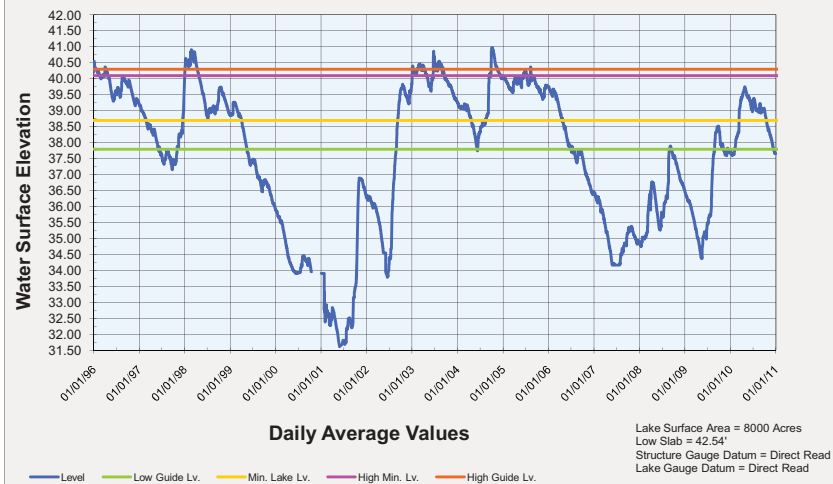




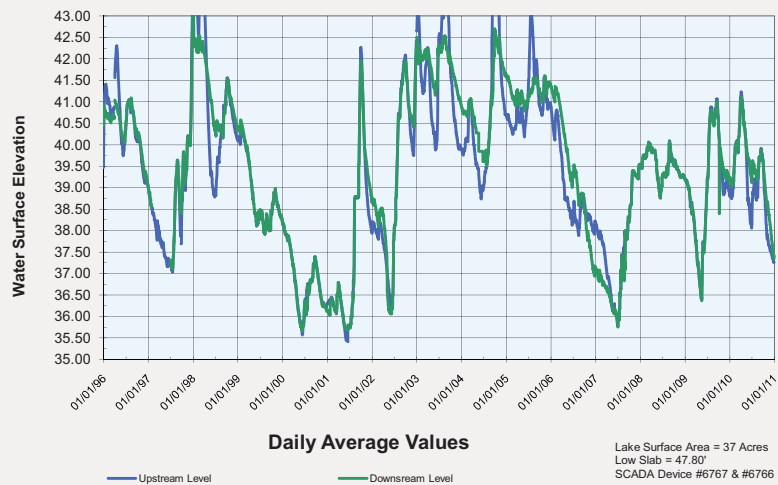
### Hernando Pool



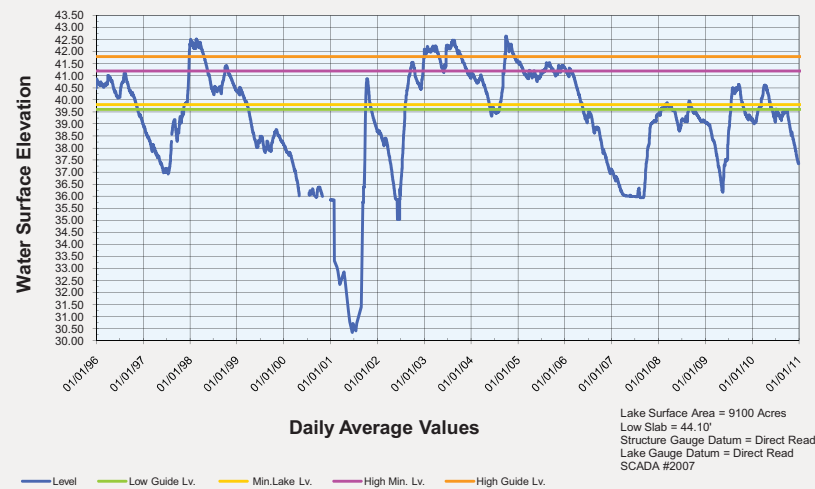
### Inverness Pool



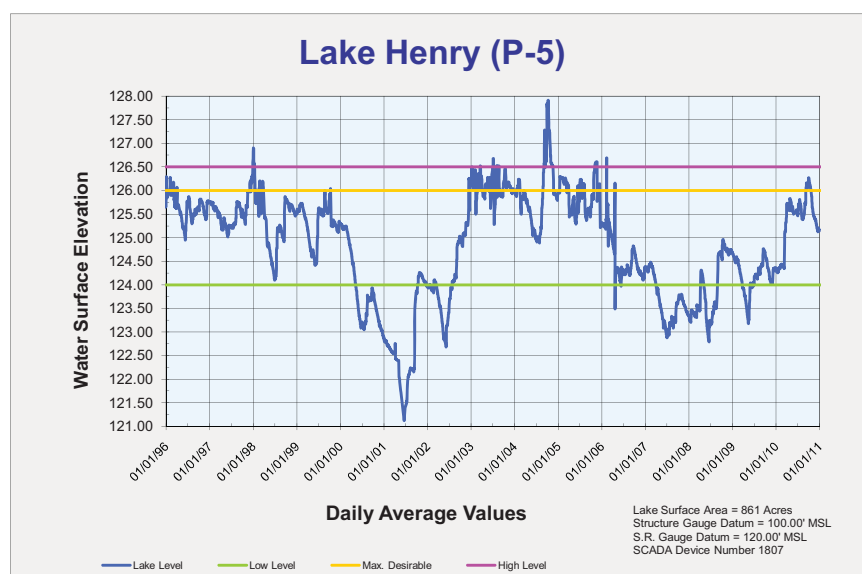
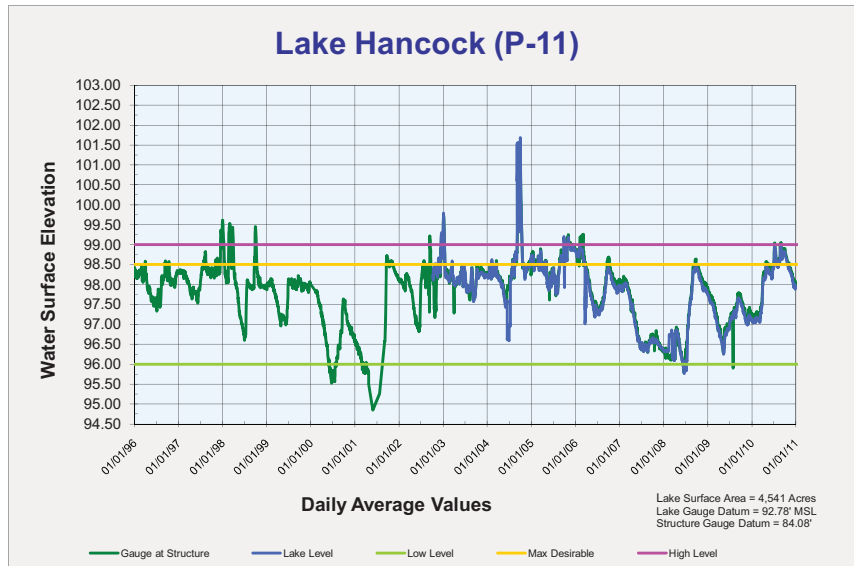
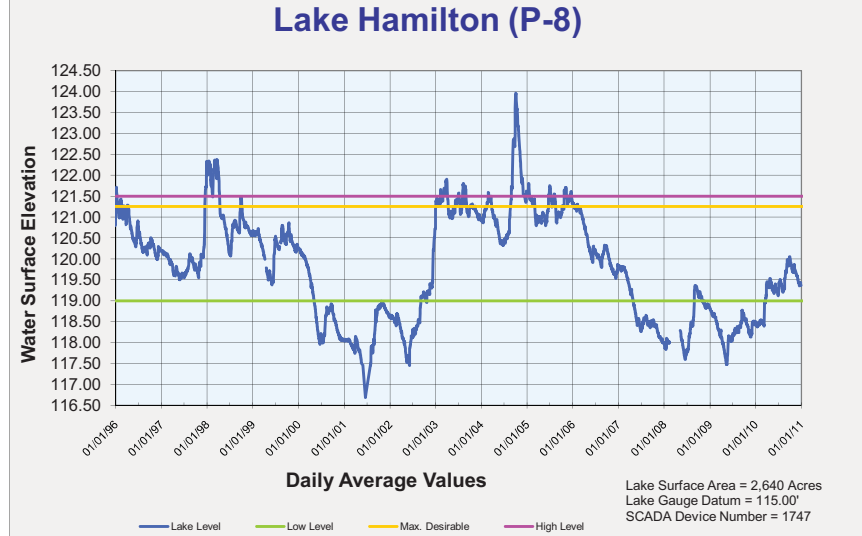
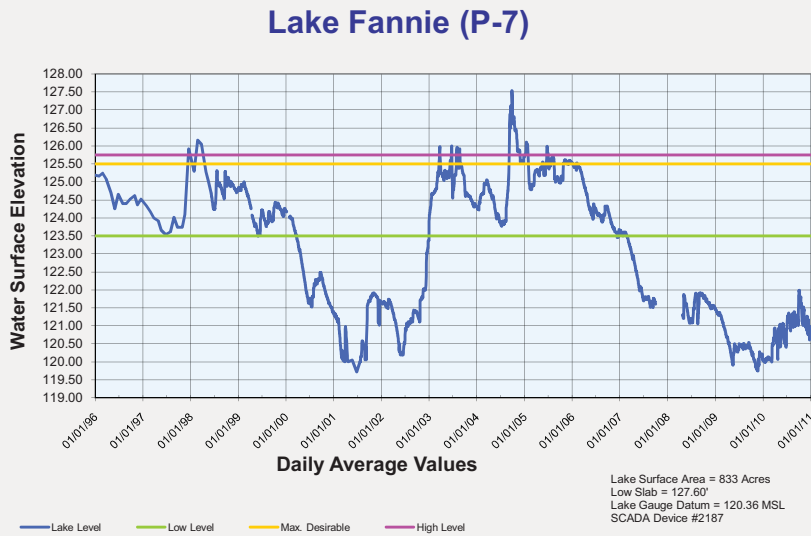
### Leslie Heifner



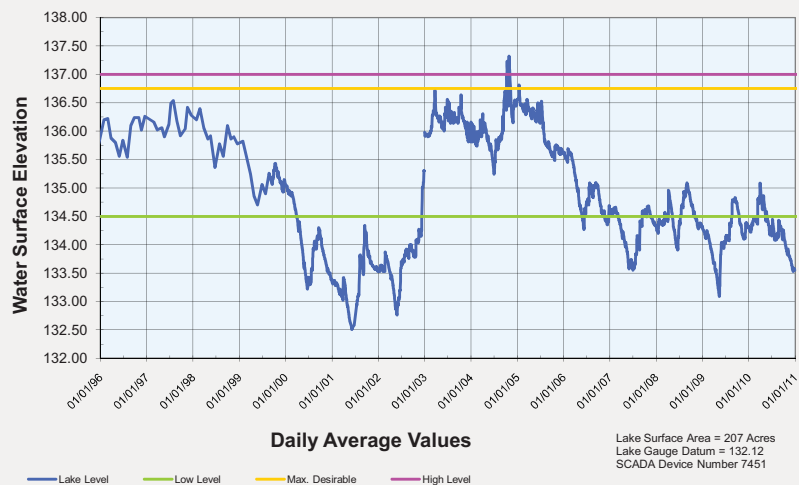
### Floral City Pool



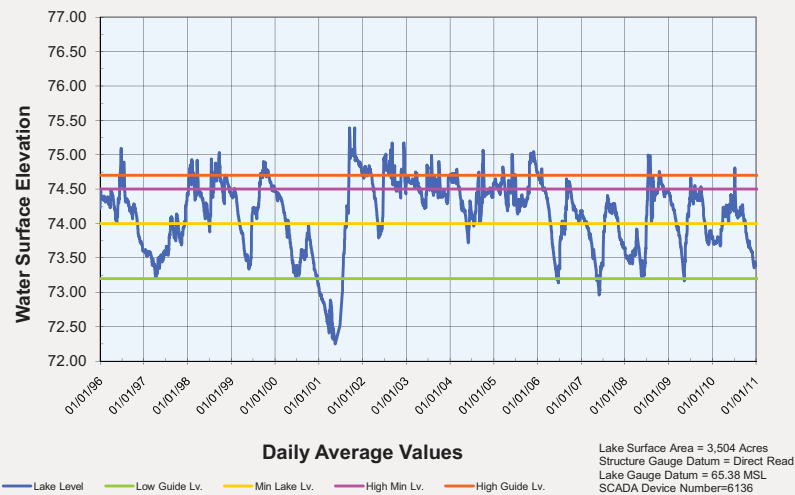




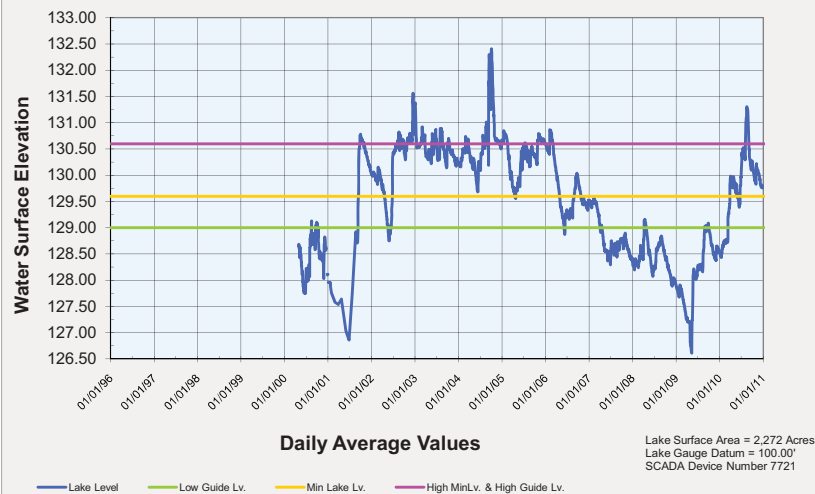
### Lake Lena (P-1)



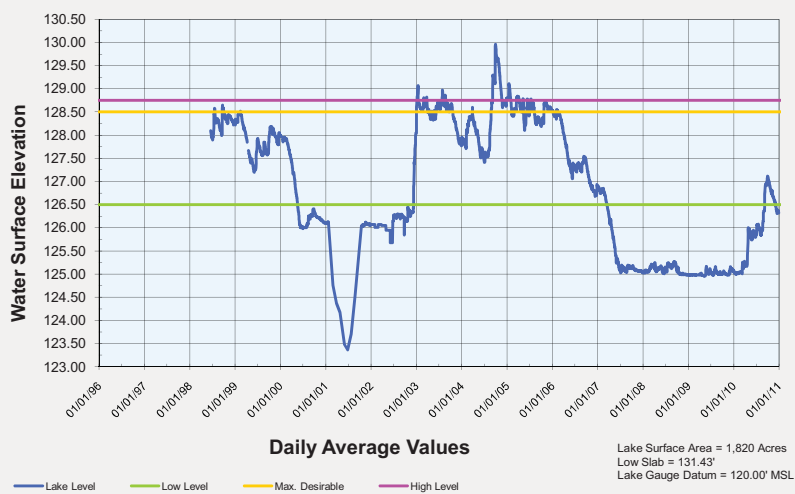
### Lake June-in-Winter (G-90)



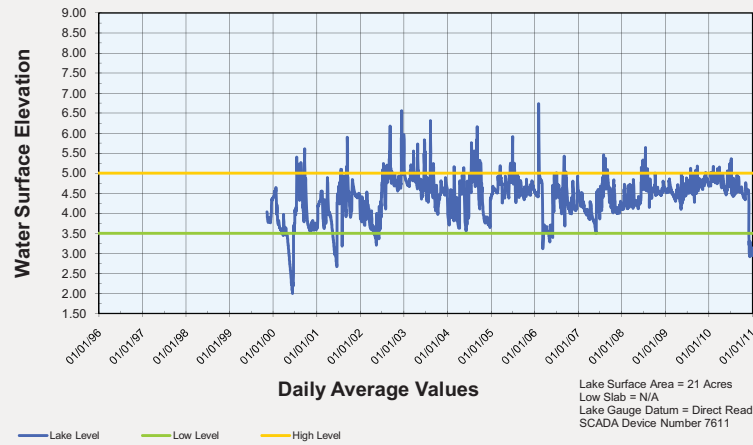
### Lake Parker



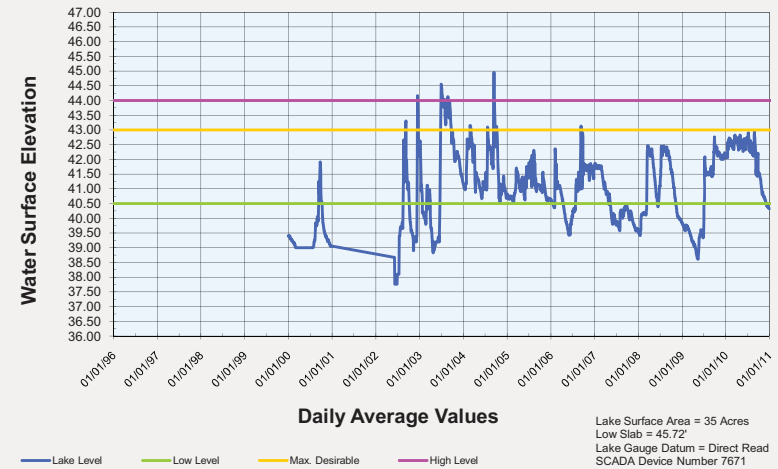
### Lake Smart (P-6)



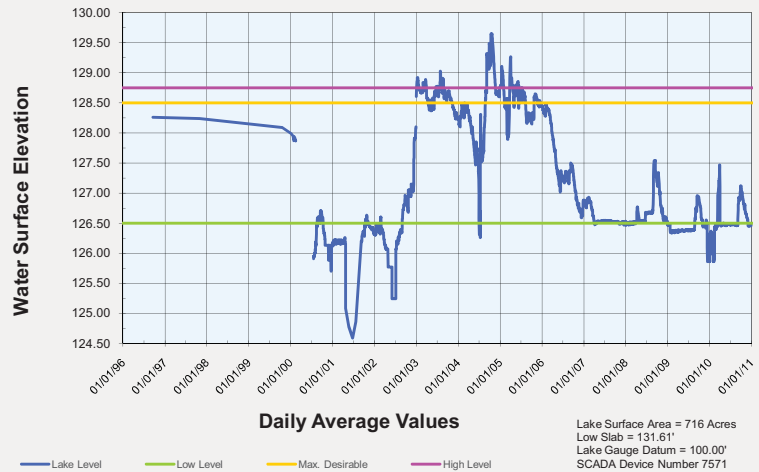
### Sawgrass Lake



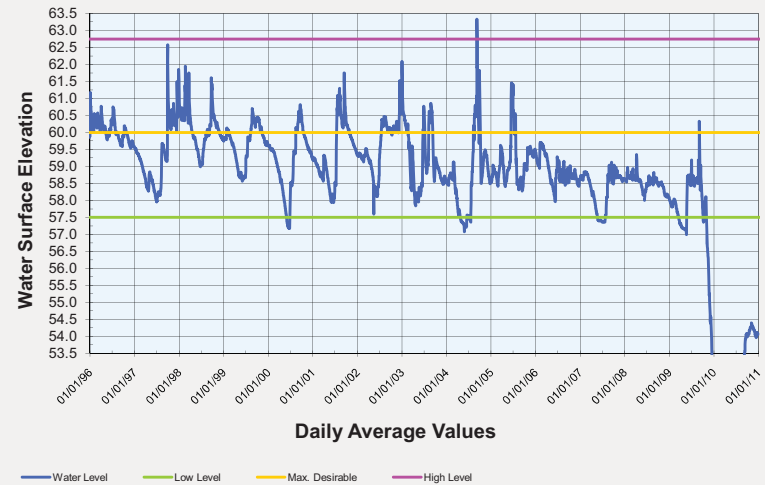
### Lake Armistead

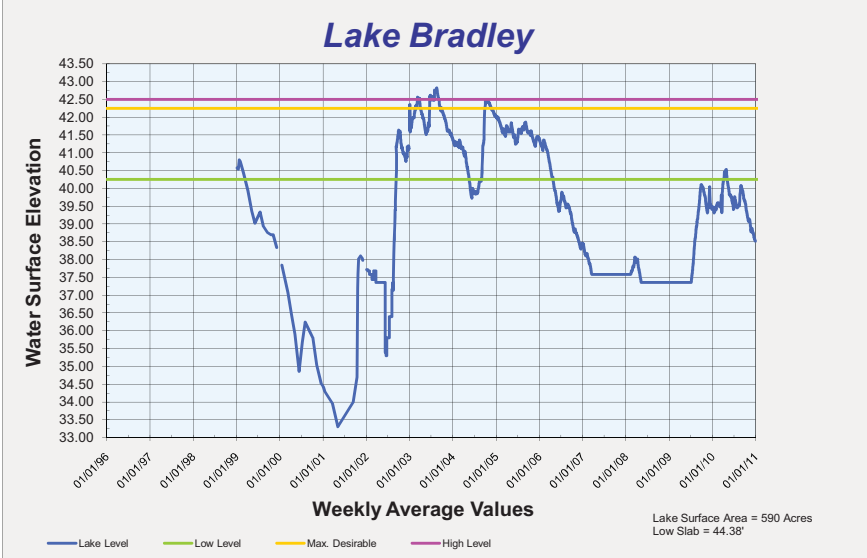
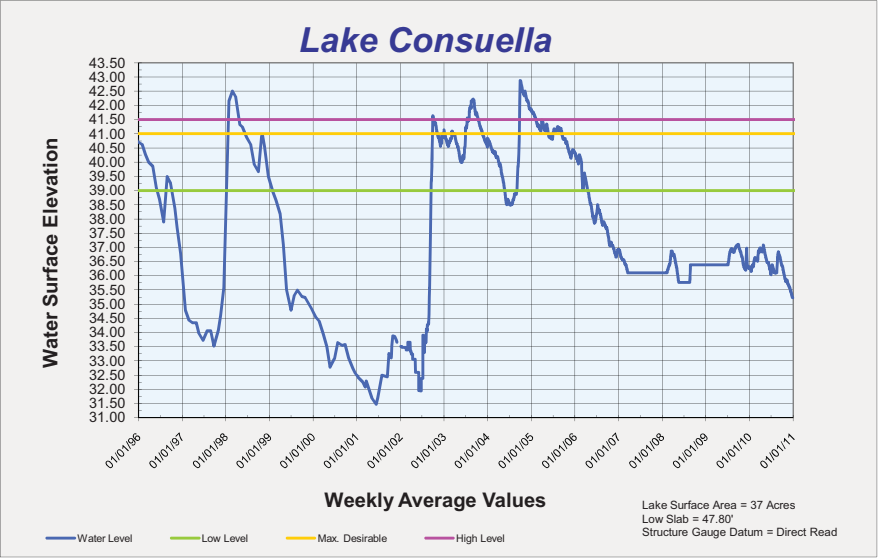


### Lake Haines



### Medard





**Resource Management Committee  
January 25, 2011**

***Routine Report***

**Watershed Management Program and Federal Emergency Management Agency Map Modernization Status Report**

District staff continues to work on various steps of the District's Watershed Management Program and Federal Emergency Management Agency Map Modernization. Attached for the Board's information is the current schedule that identifies the status of each watershed for the topographic information, watershed evaluation, watershed management plan, and Flood Insurance Rate Maps (FIRMs). The list also indicates whether the updated FIRMs will be a redelineation of the existing FIRMs or based on a detailed study.

**Staff Recommendation:**

**See Exhibit**

This item is provided for the Committee's information, and no action is required.

**Presenter:** Mark A. Hammond, Director, Resource Projects Department

**Exhibit – Watershed Management Program and FEMA Map Modernization Schedule  
January 2011**

<b>Year</b>	<b>County</b>	<b>Watershed</b>	<b>Topographic Information</b>	<b>Watershed Model</b>	<b>Public Meetings</b>	<b>Present to Board</b>	<b>Submit Preliminary DFIRMs to FEMA</b>
<b>2009</b>	<b>Hernando</b>	Blue Sink	complete	complete	complete	complete	complete
		Bystre Lake	complete	complete	complete	complete	complete
		Centralia	complete	complete	complete	complete	complete
		Chassahowitzka River	complete	complete	complete	complete	complete
		Croom	complete	complete	complete	complete	complete
		Little Withlacoochee	complete	complete	complete	complete	complete
		Lizzie Hart Sink	complete	complete	complete	complete	complete
		McKethan	complete	complete	complete	complete	complete
		Oman Quarry/Indian Creek	complete	complete	complete	complete	complete
		Powell	complete	complete	complete	complete	complete
		Spring Hill Lakes/Aripeka	complete	complete	complete	complete	complete
		Toachodka	complete	complete	complete	complete	complete
		Tooke	complete	complete	complete	complete	complete
		Weeki Wachee Prairie	complete	complete	complete	complete	complete
		Willow Sink	complete	complete	complete	complete	complete
		Wiscon	complete	complete	complete	complete	complete
		Withlacoochee River	complete	complete	complete	complete	complete
	<b>Pasco</b>	Anclote - E. of Suncoast	complete	complete	complete	Jan 2011	Apr 2011
		Cypress Creek	complete	complete	complete	complete	Apr 2011
		South Lakes	complete	complete	complete	complete	Apr 2011
		Upper E. Cypress Creek	complete	complete	complete	complete	Apr 2011
		East Zephyrhills	complete	complete	complete	complete	Apr 2011
		Lake Zephyr	complete	complete	complete	complete	Apr 2011
		Trout Creek	complete	complete	complete	complete	Apr 2011
	<b>Sarasota</b>	Island Of Venice	complete	complete	complete	May 2011	Aug 2011
		Whitaker Bayou	complete	complete	complete	May 2011	Aug 2011
		Hudson Bayou	complete	complete	complete	May 2011	Aug 2011
		Curry Creek	complete	complete	complete	May 2011	Aug 2011
		Hatchett Creek	complete	complete	complete	May 2011	Aug 2011
		Alligator Creek	complete	complete	complete	May 2011	Aug 2011
		Big Slough - Northport	complete	complete	Mar 2011	Jul 2011	Aug 2011

Note: FEMA will start their formal appeals period for adoption after the District submits the preliminary DFIRMS to FEMA.

**Exhibit – Watershed Management Program and FEMA Map Modernization Schedule  
January 2011**

<b>Year</b>	<b>County</b>	<b>Watershed</b>	<b>Topographic Information</b>	<b>Watershed Model</b>	<b>Public Meetings</b>	<b>Present to Board</b>	<b>Submit Preliminary DFIRMs to FEMA</b>
<b>2010</b>	<b>Polk</b>	Itchepackesassa Creek	complete	complete	Mar 2011	Jul 2011	Dec 2011
		Christina	complete	complete	complete	complete	Dec 2011
		Peace CreekCanal	complete	complete	Mar 2011	Jul 2011	Dec 2011
		Polk City	complete	complete	Mar 2011	Jul 2011	Dec 2011
	<b>DeSoto</b>	Thornton Branch	complete	complete	Jan 2011	Mar 2011	May 2011
		Deep Creek Gully	complete	complete	complete	complete	May 2011
	<b>Hardee</b>	City of Wauchula	complete	complete	complete	complete	Apr 2011
		Horse Creek	complete	complete	complete	complete	Apr 2011
		Alligator Branch	complete	complete	complete	complete	Apr 2011
		Thompson Branch	complete	complete	complete	complete	Apr 2011
	<b>Highlands</b>	Limited Detailed Studies	complete	Dec 2010	Mar 2011	May 2011	Jun 2011
	<b>Citrus</b>	Withlacoochee River	complete	Dec 2010	May 2011	Jul 2011	Nov 2011
		Crystal River	complete	complete	complete	complete	Nov 2011
		Tsala Apopka Outlet	complete	Dec 2010	May 2011	Jul 2011	Nov 2011
		Shinn Ditch	complete	Dec 2010	May 2011	Jul 2011	Nov 2011
		Homosassa South Fork	Jan 2011	Mar 2011	Jul 2011	Sep 2011	Nov 2011
		Leslie Heifner Canal	complete	Dec 2010	Jan 2011	Jul 2011	Nov 2011
		Cardinal Lane	complete	complete	Mar 2011	May 2011	Nov 2011
		Lake Bradley	complete	Dec 2010	May 2011	Jul 2011	Nov 2011
		Floral City	complete	Dec 2010	May 2011	Jul 2011	Nov 2011
		Inverness	complete	Dec 2010	May 2011	Jul 2011	Nov 2011
		Center Ridge	complete	complete	complete	Jan 2011	Nov 2011
		Homosassa River - South	complete	Mar 2011	Jul 2011	Sep 2011	Nov 2011
		Homosassa River - North	complete	Mar 2011	Jul 2011	Sep 2011	Nov 2011
	<b>Manatee</b>	Buffalo Canal/Frog Creek	complete	complete	completed	complete	complete
		Gamble Creek	complete	complete	Mar 2011	May 2011	Aug 2011
		Braden River	complete	complete	May 2011	Jul 2011	Sep 2011

Note: FEMA will start their formal appeals period for adoption after the District submits the preliminary DFIRMS to FEMA.



**Resource Management Committee  
January 25, 2011*****Routine Report*****Significant Water Supply and Resource Development Projects**

This report provides information on significant Resource Management projects and programs in which the Governing Board is participating in funding. The report provides a brief description and status of significant activities associated with the project that have recently occurred or are about to happen. For greater detail, refer to the Project Information Management System (PIMS) write-ups or request information directly from the project manager identified with the project

**Lake Hancock Lake Level Modification Project**

This project is being implemented as part of the adopted Southern Water Use Caution Area (SWUCA) Recovery Plan for restoring minimum flows in the upper Peace River. The project began in 2002 with preliminary feasibility and development of a scope of work to raise the water level in the lake. The District received the Conceptual Environmental Resource Permit (CERP) for the project from the Florida Department of Environmental Protection (FDEP) in June 2007 with an operating level of up to 100 feet (currently the District operates the P11 structure at an elevation of 98.7 feet). In response, the Governing Board in September 2007 authorized the project to go forward with final design, permitting, and construction; adopted the Resolution Authorizing Proceedings in Eminent Domain, including a Declaration of Taking; amended the 2007 Update to the Florida Forever Work Plan to include all lands identified as necessary for the project, designating \$41 million in Florida Forever Trust Funds; and designated and encumbered \$79 million in General Fund Water Supply and Resource Development Reserves for the project. Seventy-three parcels were identified as necessary to acquire in fee (40 parcels) or a lesser interest (33 easement parcels). At the September 2007 meeting, the Governing Board instructed staff to exhaust all negotiations prior to filing eminent domain proceedings. All property owners have been contacted and offers made. On June 12, 2009, FDEP approved the District's request to extend the CERP commence construction deadline to June 14, 2011. ***New Activities Since Last Meeting:*** The District received eight bids from construction companies on September 17, 2010, for construction of the new P11 structure. The District decided to reject all bids and issue a new request for bid (RFB) based upon ambiguities in the bid documents. The District's consultant, BCI Engineers and Scientists, Inc., and District staff attended a pre-app meeting for the Oakhill Cemetery project on November 30, 2010, in the Bartow Service Office. District staff also met with BCI to review 60 percent design plans for the Jacques Lee Lane/540 mitigation project. ***Acquisition Status:*** Of the 73 parcels necessary for the project, 66 parcels (8,315 acres including 35 homes) have been acquired. The remaining acquisitions include a total of seven parcels (143 acres) comprised of partial easement acquisitions. District staff has made offers on all acquisitions necessary for the project. Currently, all remaining acquisitions are being handled through the District's special counsel who has proceeded with offers made in accordance with Florida Statutes. The District's special counsel initiated litigation on several parcels and the court has granted the District's order of taking for the project. Legal action related to the easement parcels is proceeding. The District's special counsel and staff continue to evaluate opportunities for settlement that would avoid litigation. The District recently mediated and reached a settlement for the Sutton parcel, which is the last fee simple acquisition in the project. The proposed settlement will be brought to the Governing Board at its January meeting. ***Old Florida Plantation DRI Status:*** In order to prepare for those portions of the Old Florida Plantation Development of Regional Impact (DRI) not needed for its projects, the District submitted its application for a Notice of Proposed Change (NOPC) and Comprehensive Plan Amendment through the City of Bartow, Central Florida Regional Planning Council (CFRPC), and the Department of Community Affairs (DCA). The changes to the DRI will allow the proposed development to accommodate the District's Lake Hancock minimum flows and levels

(MFL) and land use projects. The NOPC and Amended Development Order were approved with conditions by the CFRPC on August 11, 2010. The City of Bartow approved the first reading of the Amended Development Order as part of the NOPC, pending resolution of minor transportation issues. Through coordination with the CFRPC, the City of Bartow, and Polk County the transportation issues were resolved. On October 4, 2010, the Bartow City Commission held the final hearing on the ordinances and approved both the Comprehensive Plan Amendment and the NOPC. The City will send the adopted ordinances to the DCA for a statutorily required 45-day appeal period. If no appeal is filed, the Comprehensive Plan Amendment and NOPC will be complete. *Project Managers: Scott Letasi/Michael Peck/Steve Blaschka*

### **Lake Hancock Outfall Treatment Project**

At the February 2006 Governing Board meeting, the Board approved the staff recommendation to adopt a 27 percent nitrogen load reduction goal and to utilize wetlands as the primary treatment component. The selection of wetlands as the treatment option was based on a comprehensive consultant investigation into alternative treatment technologies. The request for bid (RFB) will allow bidders to include alternate bid proposals (ABP) in addition to a base bid quote; if an ABP is submitted which requires review by the engineering design team, the consultant agreement will be amended to add funds for this task. In addition, following the receipt of bids, construction engineering and inspection (CEI) services will be negotiated with the District's consultant (Parsons) based on the accepted low bid. If negotiations with Parsons are unsuccessful, staff will solicit a third-party consultant under the CCNA process to perform construction inspection services. The Environmental Resource Permit was issued by the Florida Department of Environmental Protection (DEP) on November 17, 2010. The sovereign submerged land easement request was transmitted to DEP on December 14, 2010. A grant application and Environmental Information Document (EID) to secure the U.S. Environmental Protection Agency (EPA) special appropriation awarded to the project was submitted in June 2010. The EID must be approved before EPA will enter into an agreement for the funding. In an effort to accelerate the process, design plans and specifications were submitted to the EPA grant manager in November 2010. ***New Activities Since Last Meeting:*** Final design was completed on January 7, 2011. The RFB was finalized and advertised. Bid opening is scheduled for mid-March. Results will be reported to the Governing Board at either the March or April 2011 meeting. In response to the permit application to the U.S. Army Corps of Engineers (USACE), the U.S. Fish and Wildlife Services requested additional information regarding wildlife usage. This information was submitted and follow-up with the federal agencies indicates the Nationwide Permit approval should be forthcoming. With regard to the EPA grant, EPA reviewed the EID and indicated the EID could not be approved until the USACE Nationwide Permit was approved. Once the EID is approved, EPA will issue a "Finding of No Significant Impact" (FONSI) and initiate the agreement for the grant funding. To date the EPA grant manager has not reviewed the plans and specifications. District staff continues to follow up with EPA to facilitate the process. The sovereign submerged land easement is being processed by DEP. It is anticipated the easement will be approved prior to the bid opening in March 2011. *Project Manager: Janie Hagberg*

### **Watershed Management Program/Federal Emergency Management Agency Map Modernization**

The District initiated a partnership with the Federal Emergency Management Agency (FEMA) to modernize Flood Insurance Rate Maps (FIRMs) as part of its Watershed Management Program (WMP). Flood protection and floodplain information has been a priority at the District since the inception of the organization, and that priority was renewed following the El Niño weather event in 1997-1998. In addition to studies conducted by the District (primarily through the Basin Boards) and others, information on floodplains (elevations) is available through the FEMA FIRMs. However, many of the existing maps do not accurately represent the flood-prone areas, either because the initial studies were technically limited or the maps are outdated due to significant land use changes since completion. Accurate floodplain information is vital to local government planning and zoning, and to the District's regulatory program and the land owners. To improve the floodplain information, develop regional scale flood routing models for alternative analysis, and improve local governments' understanding of their flood protection

level of service, the District reached out to local governments and initiated the WMP in the late 1990s. Additionally, the District and FEMA executed a Cooperating Technical Partners (CTP) Memorandum of Agreement on September 14, 2001, to formalize the relationship and to improve the existing FIRMs to better identify risks of flooding within the District. As a CTP, the District is eligible for federal funds to act as FEMA's partner in modernization of the FIRMs. Federal funds have allowed the District and local governments to accomplish significantly more than would have otherwise been possible. To date, the District has received \$12.1 million in federal funds from FEMA for countywide map modernization projects for Pasco, Sarasota, Hernando, Marion, Polk, Hardee, Desoto, Citrus, Sumter, Levy, and Highlands counties. The Map Modernization Program also includes federal funding for management support. FEMA began FIRM updates for Hillsborough and Marion counties before the District became a CTP. FEMA issued its letter of determination finalizing the FIRMs for Hillsborough and Marion counties, and the FIRMs became effective on August 28, 2008. ***New Activities Since Last Meeting:*** Hernando County: The "90-Day Appeal and Protest Period," in which objections to information shown on the digital map or in the accompanying Flood Insurance Study (FIS) report may be reported, commenced with the second notice in local papers on December 3, 2010. Appeals and protests will be submitted through the communities, then to the District, and finally to FEMA for final consideration. Pasco County: The Anclote River watershed is undergoing review for presentation to the Board at a future date. The consultant is continuing to address District comments for the Pithlachascotte River/Bear Creek watersheds. Sarasota County: Intensive analysis continues for the Island of Venice, Roberts Bay, Alligator Creek, and Big Slough watershed model updates and for seven certified watershed models provided by Sarasota County. There will be a peer review presentation to local government officials in the City of Northport (Big Slough) in January. Polk County: Work continues in the County; Peace Creek, Polk City, Upper Peace River/Homeland, and Itchepackesassa Creek watersheds are currently being reviewed and refined. The Christina Watershed was presented to the Governing Board on December 14, 2010, for authorization to submit the preliminary FIRMs to FEMA. Hardee County: The Alligator Branch, Buzzard's Roost, Thompson Branch, City of Wauchula, and Horse Creek watersheds were presented to the Governing Board in December. DeSoto County: Preparations are being made for the Thornton Branch watershed open house on January 11, 2011, at Nocatee Elementary School. Sumter County: A scoping meeting was conducted on December 8, 2010. Representatives from the county, each of the cities, and interested parties attended. Project approach and federal requirements were discussed. Citrus County: Watershed models are being developed by consultants; Crystal River was already approved by the Board and provided to the DFIRM Mapping Consultant, several others are being reviewed by District staff. Levy County: Post-preliminary processing continues and notification of approval of the Levy County Base Flood Elevation is awaiting publication in the Federal Register. Marion County: FIRMs were adopted in August 2008 prior to updating the watershed models to account for infiltration in deep sandy soils. The Flemington, Hog Prairie, NW Ocala, Blichton, Cotton Plant 1, Martel, SR 200, Cotton Plant 2, and Cotton Plant 3 watersheds are currently under peer review. The Withlacoochee River, Withlacoochee Region, and Withlacoochee River 2 watersheds were presented to the Governing Board in December. Manatee County: Gamble Creek and Braden River watershed models are being reviewed by District staff, and peer reviewers have been assigned. FEMA will manage the production of the FIRMs and the map adoption process. Highlands County: Limited detailed studies are being performed on ten lakes the previous effective FIRMs depicted as "Areas not Included." The District's consultant is revising the historical delineated and re-delineation based on the District's comments. *Project Manager: Gordon McClung*

### **Myakka River Watershed Initiative and Flatford Swamp Hydrologic Restoration**

The Myakka River Watershed Initiative (MRWI) is a comprehensive project that will illustrate the effects of land use conversions and alterations and evaluate best management practices (BMPs) for environmental restoration alternatives. A primary focus of the initiative is the Flatford Swamp area. The overall objective of this initiative is to restore historic water quantity regimes, improve water quality, natural system, and reduce floodplain impacts in the watershed in ways that can also provide a benefit to water supplies in the SWUCA. In February 2006, the Governing Board allocated \$500,000 to hire a consultant team to perform elements of the

Watershed Management Program and for the collection of topographic information in eastern Manatee County using Light Detection and Ranging (LiDAR) mapping technologies. Several outreach meetings were held to solicit stakeholder input and gather data. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. This information was provided to the Peace River Manasota Regional Water Supply Authority (Authority) for use in its latest water supply master plan. Several preliminary scenarios for removal of excess water from the swamp have been evaluated and presented. The Memorandum of Understanding that outlines the development of a scope of work for a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp received Governing Board approval at the November 16, 2010, meeting. **New Activities Since Last Meeting:** A meeting with Mosaic to review a scope of work for the feasibility study was held on December 13, 2010. Staff is working on development of the two final work orders for the MRWI that will address survey, hydraulic event modeling (such as the 100-year storm), and propose best management practices to address major alterations such as Blackburn Canal in Sarasota County. *Project Manager: Lisann Morris*

### **Tampa Bay Water**

- **System Configuration II Project:** The Governing Board approved the agreement with Tampa Bay Water (TBW) for the System Configuration II project at its February 2007 meeting; the cooperative agreement was executed May 1, 2007. The project, when completed in December 2011, is expected to provide up to 25 million gallons per day (mgd) of alternative water to the regional system. The estimated total project cost is \$247,694,339 with the District committing to half of eligible costs of \$232 million, which is \$116 million. The project seeks to increase TBW's overall system capacity by drawing more water from the Hillsborough River during high flows via the Tampa Bypass Canal (TBC), in combination with increasing the allowable percentage of withdrawals from the TBC. The project components are primarily associated with improvements to the regional systems treatment, transmission, and storage infrastructure. Specifically, this project includes six surface water pumping projects and four system interconnects that will allow TBW to deliver the new alternative water supply to their member governments. The Surface Water Treatment Plant (SWTP) Expansion, TBC Pump Station Expansion, TBW Regional High Service Pump Station Expansion, SWTP Repump Station Expansion, South Central Hillsborough Intertie (SCHI) Booster Pumping Station, and Off-stream Reservoir Pump Station are all project components that contribute to the downstream enhancements. The South Central Hillsborough Infrastructure Project (SCHIP) Phases IB and II, Northwest Hillsborough Pipeline, Morris Bridge Booster Station Expansion, and Cypress Creek Pump Station Expansion are part of the system interconnects. **New Activities Since Last Meeting:** The project is currently on schedule, with completion expected by the end of 2011. The SCHIP Phases IB and II and Morris Bridge Booster Station Expansion are complete. The Surface Water Treatment Plant Expansion was also recently completed. The remaining seven components are under construction. *Project Manager: Alison Ramoy*
- **Surface Water Expansion Project:** This is a four-year feasibility study to determine the availability of surface water withdrawals from surface water supply sources (including the Alafia River and Bullfrog Creek) and the expansion of TBW's current reservoir, as well as a cost analyses. **New Activities Since Last Meeting:** District staff attended a status meeting with TBW in January to review project progress and modeling results. The project is currently on schedule. Ongoing activities include performing modeling runs and assessments of water supply expansion options. *Project Manager: Sandie Will*

### **Peace River Manasota Regional Water Supply Authority**

- **Regional Integrated Loop System Project:** The Integrated Loop System Feasibility and Routing Study recommended four main phases to interconnect the water supply and distribution systems of Authority members and non-member customers. **Phases 1 and 1A** connect the Peace River Water Treatment Plant (WTP) to the City of Punta Gorda's Shell Creek WTP. **Phase 1** would extend the Authority's existing transmission line along US 17 southward. Design was completed in 2007, but the project has been indefinitely postponed in



favor of constructing Phase 1A. **Phase 1A** will provide additional service to developed portions of Charlotte County near I-75 and includes approximately 12 miles of pipeline with a capacity of six mgd and a subaqueous crossing of the Peace River. A cooperative funding agreement between the District and Authority for Phase 1A was executed in September 2008. Design is complete. The Authority awarded a construction contract on June 2, 2010; and construction is scheduled for completion by the end of FY2011. Total cost is estimated at \$19,015,000 with the District providing up to \$12,007,500, which includes \$5 million in West-Central Florida Water Restoration Action Plan (WRAP) funding. The Authority approved a Phase 1A construction services work order to DMK Associates on July 21, 2010. A construction contract was awarded to Garney Companies on August 9, 2010. The **Phase 2** interconnect will run from the Peace River WTP to a connection with the City of North Port near Serris Boulevard. Future sub-phases may extend to the City of North Port's WTP, then branch westward to the Englewood Water District and northward to establish a rotational link with the Carlton WTP. The first 7-mile segment is being developed by the Authority to deliver North Port's allocated share from the Peace River WTP. North Port and the Authority executed an Interlocal Agreement for the development of Phase 2 on June 3, 2009. The District received the final basis of design report for Phase 2 on April 23, 2010. The cooperative funding agreement for Phase 2 was executed on May 11, 2010. Construction is expected to commence by April 2011. **Phases 3 and 4** will eventually interconnect the Carlton WTP to water supply systems in Manatee County. Preliminary engineering for Phase 3 was completed in March 2008. The first portion of this pipeline, Phase 3A, will extend the Authority's existing regional transmission line that currently terminates at the Carlton WTP. Phase 3A will provide an additional water delivery point to Sarasota County and create a potential intertie to the City of Venice. A cooperative funding agreement for Phase 3A was executed on November 10, 2008. Phase 3A construction commenced on February 19, 2010. This project includes 8.4 miles of 48-inch diameter pipeline with a design capacity of 37 mgd and includes a subaqueous crossing of the Myakka River. The total project cost is estimated to be \$31,879,240. The District's share of eligible costs is \$13,825,135 and includes \$166,031 in Water Protection and Sustainability Trust Funds. The future expansion of Phase 3B northward will join long-term components of Phase 4 in Manatee County and will connect to the surface water treatment facility on Lake Manatee and a WTP on University Parkway. **New Activities Since Last Meeting:** The Authority successfully negotiated cost saving measures for Phase 1A, which will allow the project to move forward within the original budget. A variety of measures were found including owner-direct purchase of materials for tax savings, increased use of directional drilling at complex intersection crossings to replace elbow pipe fittings, use of a shallower trench depth on the river crossing to reduce construction time, and a reduction of the owner's allowance and mobilization charges. The Authority approved the construction change order and owner direct purchase program on December 16, 2010. Phase 2 final design and permitting is nearly complete; and eight construction contractors were prequalified by the Authority on December 16, 2010. Construction bidding is expected to occur in spring 2011. The Authority submitted a FY2012 funding request showing a Phase 2 total project cost re-estimated at \$19.2 million, which would increase the District's cooperative funding share by \$1.9 million. Phase 3A is under construction and on budget, several miles of pipe have been installed, and a tunnel casing underneath the Myakka River has been successfully installed.

*Project Manager: John Ferguson*

- **Aquifer Storage and Recovery – Arsenic Research**

This project is investigating methods for controlling the mobilization of arsenic occurring during Aquifer Storage and Recovery (ASR) activities. Beginning in 2008, the District initiated a pilot project with the City of Bradenton for the design, permitting, and construction of a degasification system to remove dissolved oxygen (DO) from water prior to injection and storage in the aquifer. The project is co-funded by the District, South Florida Water Management District (SFWMD), St. Johns River Water Management District (SJRWMD), the Peace River Manasota Regional Water Supply Authority, and the City of Bradenton. The pilot project is being performed at the City of Bradenton's ASR site and is capable of processing water at 700 gallons per minute with 99.96 percent removal of DO. Construction of the degasification system was completed in June 2008 at a cost of \$700,000. Preliminary operation cost is estimated at about ten cents per thousand gallons. The first attempt at

running a full cycle test with deoxygenated water began on December 2, 2008. The system, however, was shut down on December 17, 2008, due to equipment failure. Repairs to the degasification system were made in January 2009, and the test was restarted in August 2009. The recharge portion of the test was completed in May 2010 with an optimal storage volume of 160 million gallons (mg) of treated water having been injected, exceeding the minimum goal of 140 mg. Recovery of the stored water started on September 7, 2010. **New Activities Since Last Meeting:** As of December 20, approximately 110 mg of the 160 mg of water in storage have been recovered. Arsenic concentrations continue to be well within the drinking water standard of 10 micrograms per liter. The test continues to show promising results. Full recovery of the stored water should be completed by the end of January 2011. The beneficial use of the recovered water issue has been resolved, and the City started beneficial use of the water on December 2, 2010. The District is continuing to work with the City to determine how to implement solutions to the contactor fouling problem before the next cycle test begins. *Project Manager: Don Ellison*

### **Lower Hillsborough River MFL Recovery Strategy – Implementation**

At the August 2007 meeting, the Governing Board established the minimum flow for the lower Hillsborough River (LHR). As required by statute, if the actual flow of a water course is below the proposed minimum flow or is projected to fall below the proposed minimum flow over the next 20 years, a "recovery strategy" must be developed as part of the minimum flow development process. In the case of the LHR, a recovery strategy was needed. The proposed recovery strategy was approved by the Governing Board at the August 2007 meeting. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flow. Projects that are planned under the recovery strategy include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. Per the recovery strategy, 75 percent of the 11 cubic feet per second (cfs) (8.2 cfs or 5.3 mgd) transferred to the reservoir from the TBC is being pumped to the base of the dam. This amount of fresh water, in combination with 10 cfs supplied from Sulphur Springs to the base of the dam by the City of Tampa (COT), indicates an actual minimum flow of 18.2 cfs (11.8 mgd) or 70 to 80 percent of the adopted minimum flow is now being supplied to the LHR, depending on season. **New Activities Since Last Meeting:** Design by the consultant continues on the permanent pump station at Morris Bridge Sink. While the District continues to divert water from the lower pool of the TBC to help meet the MFL, the COT has ceased diverting water from Sulphur Springs, due to recent cold temperatures, in order to protect the thermal refuge for manatees. The District received a request for variance from the COT requesting that the deadline for completion dates for upper and lower weir projects on Sulphur Springs and the Blue Sink project be changed to October 1, 2013. The COT has responded to staff's request for additional information; however, staff will be asking for clarification regarding projected project timelines. The COT notified the District that it received the required permit from the U.S. Army Corps of Engineers for the Sulphur Spring upper weir and pump-house modifications. SWIM staff initiated discussions with FDEP, Hillsborough County, and the COT to explore the feasibility of introducing reclaimed water into MacKay Bay to create a freshwater discharge habitat. *Project Managers: Marty Kelly/David Crane*

### **Southwest Polk County/Tampa Electric Reclaimed Water Project TECO/Lakeland/Polk/Mulberry**

- **Reuse Project:** This project, consisting of transmission pipelines and a deep injection well, will provide reclaimed water from several domestic wastewater treatment facilities to TECO's power facility in southeast Polk County. TECO will be expanding the power generation capacity at its Polk Power Station with the addition of Unit 6. Phase I of the project will provide approximately six mgd of reclaimed water from the City of Lakeland and Polk County for the first TECO expansion. Additional quantities are also available from the City of Mulberry. Phase I of the project was expected to use six mgd of reclaimed water by 2013. Due to the economic downturn and reduced demands, TECO has delayed the addition of Unit 6. However, TECO intends to replace, to the greatest extent possible, existing groundwater uses with reclaimed water before the expansion is complete, as required by the cooperative funding agreement. While the reclaimed water infrastructure and deep injection well are still

expected to be complete by 2013, the project will not use the full six mgd until Unit 6 is operational. In order to utilize the reclaimed water, additional treatment is necessary, consisting of filtering and possible reverse osmosis to reduce dissolved solids to an acceptable level. The reverse osmosis reject water (concentrate by-product) will be mixed with other facility discharge water and pumped to one of two proposed deep injection wells for final disposal. While the wells are being drilled as part of this project, only one will be eligible for cooperative funding. Phase I is estimated to cost \$68,186,800 which includes the portion of the project that will provide TECO with reclaimed water from the Polk County Southwest Regional Utility Service Area Wastewater Treatment Facility. Plans for Phase II, originally estimated to be underway by 2012, have also been delayed. Initial estimates indicate that six mgd of reclaimed water will be needed for TECO's second phase of expansion, although the source has not been identified. **New Activities Since Last Meeting:** Since drilling at the new site commenced on May 3, 2010, the contractor has collected five cores starting at 3,502 feet, with the last one completed at approximately 3,900 feet. The pilot hole was back-plugged to 1,400 feet, and the 40-inch borehole was reamed to 3,286 feet to accommodate installation of the 28-inch diameter intermediate steel casing. After completing the casing installation, the contractor continued to drill to a depth of 3,900 feet so an off bottom packer test could be completed in order to gain a better understanding of the aquifer characteristics. A report characterizing the water quality, flow, and storage is forthcoming. The reclaimed water treatment pilot test at the Lakeland Wetland Treatment System will run until March 2011. TECO issued the Request for Qualifications for the pipeline and pump station engineering in December; responses were due mid-January. TECO is continuing to work with Polk County on a Reclaimed Water Supply Agreement. TECO is also working with the City of Mulberry on a separate Reclaimed Water Supply Agreement, which is currently on track to be signed in the next few months. *Project Manager: Alison Ramoy*

- **Aquifer Recharge Projects:** In 2009, the District funded a study (H076) as part of the Regional Reclaimed Water Partnership Initiative to assess the feasibility of using highly treated reclaimed water to recharge the Upper Floridan aquifer (UFA) in the southern Hillsborough and Polk County areas. Findings from the study indicate that it is possible to develop direct and indirect aquifer recharge projects to improve UFA water levels and provide opportunities for additional groundwater withdrawals. The costs associated with developing these projects were found to be comparable to costs of other planned alternative water supply projects. Since completing the study, several local governments have expressed interest in assessing the applicability of aquifer recharge in their areas. District staff is working with these entities to develop and implement project plans to assess the site specific feasibilities of implementing aquifer recharge projects to address their individual needs. Prior to initiating work, District staff also reviews project tasks to avoid as much duplicative efforts as possible between cooperators.
- **Currently-Funded Aquifer Recharge Projects – FY2010/2011 Cooperative Funding**
  - **City of Clearwater - Groundwater Replenishment Project**  
This is a one-year study to assess the feasibility of using three mgd of highly treated reclaimed water for direct aquifer recharge to the UFA at the City's Northeast Advanced Pollution Control Facility. If feasible, the City will move forward with well installations, pilot testing and facility construction. **New Activities Since Last Meeting:** The project is currently on schedule. Ongoing activities include groundwater modeling, regulatory reviews, water treatment evaluations, and public outreach planning. District staff is currently reviewing the draft feasibility report submitted by the City in mid-January. *Project Manager: Sandie Will*
  - **City of Winter Haven - Reclaimed Water for Recharge Feasibility Study**  
This is a desktop study to evaluate the feasibility of using four mgd of highly treated excess reclaimed water for indirect aquifer recharge to benefit water levels in the area. **New Activities Since Last Meeting:** District staff is currently working with the City to develop the project plan and agreement. *Project Manager: Sandie Will*
  - **Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project**  
This is an eight-month feasibility study to assess using ten mgd of highly treated reclaimed water to indirectly recharge the UFA via constructed wetlands and/or rapid infiltration basins



## Item 39

in the Crews Lake and central Pasco areas. **New Activities Since Last Meeting:** District staff received the draft feasibility report and provided comments to the County in December. It is anticipated that the final report will be submitted to the District in January. *Project Manager: Mike Hancock*

- **Polk County - Groundwater Recharge Investigation**

This is an indirect aquifer recharge pilot study to evaluate improvements to UFA water levels from applying approximately 300,000 gallons per day of treated excess reclaimed water into an existing rapid infiltration basin (RIB) system at the Northeast Regional Wastewater Treatment Facility in the County's Northeast Regional Utilities Service Area. **New Activities Since Last Meeting:** District staff is currently working with the County to develop the project plan and agreement. *Project Manager: Sandie Will*

- **South Hillsborough County Aquifer Recharge Program (SHARP)**

This is a direct aquifer recharge project to install a recharge test well within the non-potable zone of the UFA and monitoring wells near Apollo Beach in southern Hillsborough County, and to recharge the aquifer with up to two mgd of highly treated reclaimed water. Monitoring will include changes in aquifer water levels and water quality, including arsenic mobilization. **New Activities Since Last Meeting:** District staff is currently working with the County to develop the project plan and agreement. District staff also attended an evaluation committee meeting with Hillsborough County in January to review consultant presentations and assist final selection of the consultant. *Project Manager: Sandie Will*

### **Land Resources**

In December 2010, the Land Resources Department participated in or hosted the following events:

- Staff was interviewed on the radio show *Reel Animals* and discussed the *Get Outside!* campaign and coastal restoration projects.
- Two disabled hunts were conducted at the Panasoffkee-Outlet Tract in Sumter County and the Serenova Tract within the Starkey Wilderness Preserve in Pasco County. Nineteen disabled individuals participated in the hunts.
- The annual Christmas bird count was held at the Weekiwachee Preserve. Seven volunteers participated.
- Resource management hog hunts were conducted at the Hampton Tract within the Green Swamp Wilderness Preserve in Polk County. A total of 18 hogs were removed from the property.

### **Fire Activity**

The long-term forecast calls for a mild, drier-than-normal winter and spring. No appreciable rain was recorded in October; November and December cold fronts brought nominal amounts of precipitation, overall, with unseasonably cold, dry air. Approximately 1,365 acres have been burned by prescription since October 2010. One wildfire totaling 350 acres occurred in the Green Swamp Wilderness Preserve in December.

### **Staff Recommendation:**

This item is provided for the Committee's information, and no action is required.

**Presenter:** Bruce C. Wirth, Deputy Executive Director, Resource Management



# Governing Board Meeting

## January 25, 2011

### FINANCE & ADMINISTRATION COMMITTEE

#### ***Discussion Items***

- 40. Consent Item(s) Moved for Discussion
- 41. Request for Proposals for Workload and Staffing  
Analysis – Approve Short List ..... (10 minutes) ..... 2  
(Strategic Plan: Mission Support)
- 42. Inter-District Coordination on Request for Proposal  
for Salary and Benefit Study Update ..... (15 minutes) ..... 3  
(Strategic Plan: Mission Support)
- 43. Fiscal Year 2012 Budget Development Process –  
Acceptance of Assumptions ..... (20 minutes) ..... 4  
(Strategic Plan: Mission Support)
- 44. Fiscal Year 2011 Grants Budget Overview ..... (15 minutes) ..... 17  
(Strategic Plan: Mission Support)
- 45. Board Travel ..... (5 minutes) ..... 18

#### ***Submit & File Reports***

- 46. Fiscal Year 2011 First Quarter Financial Report ..... 19

#### ***Routine Reports***

- 47. Treasurer's Report, Payment Register, and Contingency Reserves Report ..... 39
- 48. Management Services Significant Activities ..... 45

## Finance and Administration Committee January 25, 2011

### *Discussion Item*

#### **Request for Proposals for Workload and Staffing Analysis Status – Approve Short List**

##### *Purpose*

The purpose of this item is to provide the Governing Board with a status report on the Request for Proposals (RFP) for Workload and Staffing Analysis that was issued by the District in November 2010, and to provide options and seek input from the Board with respect to future action.

##### *Background*

During the October 26, 2010 Governing Board meeting, the Board approved a RFP for a workload and staffing analysis, consistent with the timeline established by the Governing Board; and authorized staff to evaluate and rank the proposals and provide the rankings to the Finance and Administration Screening Committee to develop a short list of three or more respondents for oral presentations to the Governing Board for the Board's selection of the successful respondent.

A report on the RFP for the Workload and Staffing Analysis (#00111) was provided to the Governing Board on December 14, 2010. The report included a list of the three respondents and the dollar value range of submitted proposals.

The District's Finance Department, Contracts Administration Section, the Office of General Counsel, the Human Resources Department and Executive subsequently reviewed the three proposals and determined that none of the three proposals were properly responsive to the District's RFP; this matter and the reasons for rejection of the proposals were discussed with the Governing Board Chair and the Finance Committee Chair. Subsequently, staff was directed to review the timeline to formally reject the proposals and all three of the proposals were rejected as non-responsive.

Staff was directed to contact potential vendors that have already been qualified under State Contract for performance of the type of management consulting work that will meet the District's needs for a comprehensive review of workloads and staffing levels. A Request for Quotes was submitted to 66 management consulting vendors on the state contract on December 30, 2010. Quotes are to be delivered to the District and opened no later than January 19, 2011. The staff review team will review the quotes received by the end of business on January 24, 2011 and provide an update to the Governing Board at the January 25, 2011 meeting.

A Governing Board Review Committee meeting has been scheduled for January 27, 2011 to review the vendor proposals and staff recommendations, receive vendor presentations if requested and move forward with selection of a vendor.

##### **Staff Recommendation:**

Approve short list to provide oral presentations at the Governing Board Ad Hoc Committee meeting on January 27, 2011.

**Presenters:** Kurt P. Fritsch, Inspector General  
Elaine M. Kuligofski, Director, Human Resources & Risk Management Dept.  
Steven M. Long, Contracts Manager, Finance Department

## Finance and Administration Committee January 25, 2011

### *Discussion Item*

#### **Inter-District Coordination on Request for Proposal for Salary and Benefit Study Update**

##### *Purpose*

This discussion item is to assess options for coordinating with the other Water Management Districts on a joint Request for Proposals (RFP) to select an external management consultant to perform a comprehensive market review of Water Management District compensation and benefits.

##### *Background/Status*

During the December 14, 2010 Governing Board meeting, the Board instructed staff to investigate the possibility of coordinating with the other four water management districts to develop a draft RFP for a salary and benefit study. The purpose of this review would be to evaluate whether District compensation practices, including pay plan, salaries and benefits, are aligned with the other water management districts and with other public and private sector markets in view of current economic conditions and trends.

Executive Director Dave Moore subsequently spoke with the Executive Directors of the other four Water Management Districts. South Florida Water Management District indicated that it reviews approximately one-third of its positions each year; St. Johns River Water Management District indicated that they conducted a study three years ago and recently verified the data, which shows little change in the market. These two Districts have indicated that they do not wish to participate in an external study at this time. Northwest and Suwannee River Water Management Districts are considerably smaller and their local labor markets are substantially different than those on the southwest coast of Florida and therefore the ability to conduct a meaningful collaborative study is limited. Based upon this feedback, it is not feasible at this time to conduct a meaningful inter-District study.

##### Staff Recommendation:

Move forward with an RFP for an external consultant to perform a salary and benefits study independent of the other water management districts.

Presenters: Kurt P. Fritsch, Inspector General  
Elaine M. Kuligofski, Director, Human Resources & Risk Management Dept.  
Steven M. Long, Contracts Manager, Finance Department

**Finance and Administration Committee  
January 25, 2011**

***Discussion Item***

**Fiscal Year 2012 Budget Development Process – Acceptance of Assumptions**

***Purpose***

Review and acceptance of the fiscal year (FY) 2012 Budget Development Process establishing strategic priorities and general preparation assumptions.

***Background***

A memorandum with attachments has been prepared for Governing Board review that provides an overview of the planned budget development process. Upon acceptance of this process, District staff will begin FY2012 budget development.

***Benefits***

The Budget Development Process memorandum with attachments provides staff with guidance from the Governing Board for the development of the next fiscal year budget.

**Staff Recommendation:**

**See Exhibit**

Accept the planned FY2012 Budget Development Process as described in the memorandum and attachments.

**Presenters:** Kurt Fritsch, Acting Deputy Executive Director, Management Services  
Linda R. Pilcher, Assistant Finance Director

## MEMORANDUM

TO: Governing Board Members

THROUGH: David L. Moore, Executive Director

FROM: Kurt P. Fritsch, Acting Deputy Executive Director, Management Services  
Daryl F. Pokrana, Finance Director  
Linda R. Pilcher, Assistant Finance Director

SUBJECT: **Fiscal Year 2012** Budget Development Process

---

This memorandum and attachments provide an overview of the District's planned fiscal year (FY) 2012 budget development process. The following are provided for your review and acceptance to enable staff to proceed with development of the draft budget:

**Budget Calendar:** The calendar illustrates the District's budget development process for FY2012, including the statutory notice and hearing requirements of the Truth-In-Millage (TRIM) laws and the Executive Office of the Governor's (EOG) standard reporting process for water management districts. The process starts in late January 2011 with the distribution of the approved budget preparation guidelines to the departments.

**Strategic Initiatives:** The strategic initiatives for FY2012 have been excerpted from the District's Strategic Plan approved by the Governing Board on November 16, 2010. The strategic initiatives provide focus for departments to identify the budgetary requirements necessary to carry out District programs. These initiatives are consistent with the Governor's budget approval letter dated September 16, 2010, which is attached for reference.

**General Budget Preparation Assumptions:** The general budget preparation assumptions needed to start the development of the FY2012 budget are outlined. Staff will continue to monitor activities in Tallahassee and nationally. As updated information becomes available that may impact these assumptions, staff will report back to the Governing Board for consideration.

**Program and Activity Allocations Report:** The Program and Activity Allocations report, which is a standard format required by the EOG as part of the August 1 tentative budget submission by the water management districts, is provided for reference. This report displays the District's FY2011 budget according to the six statutorily defined program areas and the underlying program activities. The program budgets are then allocated into the District's four statutorily established areas of responsibility: Water Supply, Water Quality, Flood Protection, and Natural Systems.

LRP:jl  
Attachments (5)  
cc: Doug Tharp, Treasurer  
Senior Staff  
Budget Staff  
Department Budget Contacts



**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Fiscal Year 2012 Budget Calendar**

Rev. 01/12/11

<u>DATES</u>	<u>ACTIVITY</u>	<u>RESPONSIBILITY</u>
October 2010	Annual Basin Board Planning Workshops	Basin Boards
	Formal Update Water Supply & Water Resource Development (WS&WRD) Funding Plan Over Planning Horizon of 2030	
October	Cooperative Funding Meetings	Staff/Prospective Cooperators/Public
December 1-31	Develop FY2012 Budget Preparation Guidelines	Executive/Budget
December 3	FY2012 Cooperative Funding Applications Due	Prospective Cooperators
January 1-31, 2011	Review FY2012 Cooperative Funding Applications	Staff
January 4	FY2011 First Quarter Financial Report & Planning Forecast	Directors/Budget
<b>January 25</b>	<b>Governing Board Review FY2012 Budget Development Process</b>	<b>Executive/Budget/Governing Board</b>
Beginning	Performance Budgeting Training	Budget/Financial Systems/Staff
January 27	Distribute FY2012 Budget Preparation Guidelines	Budget
February	Basin Boards Review Cooperative Funding Applications	Basin Boards
February	Identify New or Continuing FY2012 Major Alternative WS&WRD Projects from Cooperative Funding Submittals	Staff
February 7	Rank FY2012 Cooperative Funding Applications	Staff
February 18	Recurring Budget Requests and Staff Resource Allocations Due	Directors
February 25	New and Non-Recurring Budget Requests Due	Directors
March 4	Capital Improvements Plan Requirements Due	Directors
March 4	General Services and Information Resources Departments New and Non-Recurring Budget Requests Due	Directors
March 7	Preliminary Budget Summary	Executive/Budget
March 9-25	Executive Review of Budget Submissions	Executive/Budget/Directors
March 28-April 1	Departmental Follow-up Review (Executive Adjustments)	Executive/Budget/Directors
March 29	Present FY2012 WS&WRD Projects; Update Existing Project Costs and Schedule/Budget Update	Governing Board
March 29	FY2012 Budget Update – Update Ad Valorem Revenue Estimates following State's Revenue Estimating Conference	Executive/Budget/Governing Board
April	Basin Boards Review Preliminary Budgets	Basin Boards
April	Present FY2012 Basin WS&WRD Projects; Update Existing Project Costs and Schedule/Budget Update	Basin Boards
April 1	FY2011 Second Quarter Financial Report & Planning Forecast and Comprehensive Review of Project Budgets and Encumbrances	Directors/Budget
April 4	Executive Budget Summary (All Funds)	Executive/Budget
April 26	FY2012 Budget Update	Executive/Budget/Governing Board
May 24	FY2012 Budget Update – Update Revenue Estimates following 2011 Legislative Session	Executive/Budget/Governing Board
June	Basin Boards Review Proposed Budgets & Adopt Proposed Millage Rates	Basin Boards
June	Review Elements of WS&WRD Funding Plan Relative to Costs & Schedule of Proposed Projects and Planned Funding	Basin Boards
June 1	Estimates of Taxable Value from County Property Appraisers	Property Appraisers/Budget
June 2	Completion of Executive Review of FY2012 Recommended Annual Service Budget	Executive/Budget
June 9	Picture-In-Time for FY2012 Recommended Annual Service Budget	Budget
June 28	Presentation of FY2012 Recommended Annual Service Budget Including Draft Information Resources Department Five-Year Technology Plan and Draft Five-Year Capital Improvements Plan	Executive/Budget/Governing Board Executive/IRD/Budget/ Governing Board

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Fiscal Year 2012 Budget Calendar** (continued)

Rev. 01/12/11

<u>DATES</u>	<u>ACTIVITY</u>	<u>RESPONSIBILITY</u>
July 1-15	Certifications of Taxable Value from County Property Appraisers	Property Appraisers/Budget
July 5	FY2011 Third Quarter Financial Report & Planning Forecast	Directors/Budget
July 26	FY2012 Budget Update & Adopt Proposed Millage Rates for District and Watershed Basins	Executive/Budget/Governing Board
August	Basin Boards Review Final Budgets & Adopt Final Millage Rates and Budgets	Basin Boards
August	Update WS&WRD Funding Plan Revenue Assumptions with Final FY2012 Ad Valorem Revenue Estimates & Make Necessary Adjustments to Budget	Basin Boards/Governing Board
August 1	Submit Standard Format Tentative Budget to Governor, President of the Senate, Speaker of the House, Legislative Committee Chairs, Secretary of the Department of Environmental Protection, and each County Commission	Budget
August	Executive Office of the Governor (EOG) Budget Review	EOG/Legislature/DEP/ Executive/Budget
August 4	Submit Proposed Millage Rates & Preliminary Disclosure of Maximum Millage Levies to County Property Appraisers	Budget
August 30	FY2012 Budget Update	Executive/Budget/Governing Board
September 5	House and Senate Appropriations and Appropriate Substantive Committee Chairs Comments Due	Legislature
September 13	Public Hearing (Tentative Budget) – Tampa Service Office	Governing Board
September 20	EOG Budget Review Comments and Approval Due	EOG
September 22-25	Advertise Millage Rates and Budget	Budget
September 27	Public Hearing (Final Budget) – Tampa Service Office	Governing Board
October 1	Forward Resolution to County Property Appraisers, County Tax Collectors & Department of Revenue	Budget
October 7	Issue FY2012 Budget in Brief Report	Budget
October 27	Certify Compliance to Department of Revenue Including the DR-487, DR-420s, DR-422s, DR-420 MMs & DR-487V	Budget
December 15	EOG Report on Review of Water Management District Budgets for FY2012	EOG
December 31	Certify Compliance to Department of Financial Services	Budget
March 1, 2012	Submit Consolidated Water Management District Annual Report (including the Five-Year Capital Improvements Plan) to Governor, President of the Senate, Speaker of the House, Legislative Committee Chairs, Secretary of the Department of Environmental Protection, and each County Commission	Planning/Budget

## **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

### **Fiscal Year 2012 Strategic Initiatives**

The following FY2012 strategic initiatives, by Area of Responsibility (AOR), are included in the District's Strategic Plan submitted to and approved by the Governing Board on November 16, 2010.

Florida Statutes, especially Chapter 373, authorize the District to direct a wide range of initiatives, programs, and actions. These responsibilities can be grouped under four general areas: water supply, water quality, natural systems, and flood protection. In developing the Strategic Plan, the District has established a goal statement for each of these areas, along with strategic initiatives designed to meet those goals. The strategic initiatives provide focus for departments to identify budgetary requirements necessary to carry out District programs, and serve as the foundation for developing the annual service budget.

#### **Water Supply**

**Regional Water Supply Planning:** Identify, communicate and promote consensus on the strategies and resources necessary to meet future reasonable and beneficial water supply needs.

**Alternative Water Supplies:** Increase development of alternative sources of water to ensure groundwater and surface water sustainability.

**Reclaimed Water:** Maximize beneficial use of reclaimed water to offset potable-quality water supplies.

**Conservation:** Enhance efficiencies in all water use sectors to reduce demands on all water supplies.

#### **Water Quality**

**Water Quality Assessment and Planning:** Collect and analyze data to determine local and regional water quality status and trends in order to support resource management decisions and restoration initiatives.

**Water Quality Maintenance and Improvement:** Develop and implement programs, projects and regulations to maintain and improve water quality.

#### **Natural Systems**

**Minimum Flows and Levels (MFLs) Establishment and Recovery:** To prevent significant harm and re-establish the natural ecosystem, determine MFLs and, where necessary, develop and implement recovery plans.

**Conservation and Restoration:** Identify critical environmentally sensitive ecosystems and implement plans for protection or restoration.

#### **Flood Protection**

**Floodplain Management:** Develop better floodplain information and apply in the implementation of floodplain management programs to maintain storage and conveyance and to minimize flood damage.

**Emergency Flood Response:** Operate District flood control and water conservation structures, providing effective and efficient assistance to state and local governments and the public to minimize flood damage during and after major storm events.

## **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

### **Fiscal Year 2012 Strategic Initiatives** (continued)

All the various functions of the District have been evaluated and categorized into seven core business processes. To successfully achieve the strategic initiatives, the District must excel in each of the following processes. Consistent with this, budgets will be established for these processes in support of the strategic initiatives.

**Water Resources Planning** oversees watershed and basin management planning for inter- and intra-District water and related resources (including the development of minimum flows and levels) and other comprehensive water resource planning in partnership with local, state, regional, federal and other stakeholders. This process also includes identifying, collecting, analyzing and timely disseminating relevant and accurate data to interested parties.

**Innovative Projects: Public Works, Restoration and Land Acquisition** initiates and supports creative, collaborative projects to produce measurable benefits to the environment, water resources, critical knowledge and the regional community. The process includes capital projects for water resource development and water supply development assistance, water control and conservation, land acquisition, restoration of lands and water resources, administrative facilities construction and internal projects.

**Outreach/Education** provides citizens, visitors, media, elected officials, educators and other stakeholders with essential water resource information and ombudsman support to foster behaviors, secure funding and assist in developing laws that conserve, protect and sustain Florida's precious water and related natural resources.

**Regulation** involves multiple permit activities that promote a fair allocation of the water resources, protect wetlands, enforce well construction standards and ensure that new development does not increase the risk of flooding or degrade water quality. The permitting process also monitors subsequent operational performance of permitted systems to protect the region's citizens and water resources.

**Land and Structure Operations** operates and maintains District lands and water control and conservation structures to restore and sustain natural systems, minimize flood damage and provide opportunities for education and recreation.

**Long-Range Financial Plan** provides financial incentives on a pay-as-you-go basis to encourage and align partnership efforts for the purpose of conserving water and developing alternative water supplies, enhancing natural systems and water quality, and promoting flood management activities.

**Knowledge Management** is the process of systematically and actively managing and leveraging an organization's information. As the region's knowledge leader for water resources information, the District collects a variety of scientific and socio-economic data to support its strategic initiatives. An internal committee of the key data stewards, the Scientific and Regulatory Data Authority, works closely with project managers and Information Technology staff to ensure that data are collected, managed and used in a way that effectively supports the strategic initiatives in a cost-efficient manner. While the focus of knowledge management activities is on meeting and supporting the District's strategic initiatives, it is recognized that many public and private stakeholders also rely on this information to meet their business needs.

## **SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

### **Fiscal Year 2012 Strategic Initiatives** (continued)

Since the adoption of the FY2012 Strategic Plan, the following five emerging issues have been discussed with the Governing Board Outreach and Planning Committee at its strategic planning meeting on January 11, 2011. Staff recommends the Board include these strategic initiatives as part of the FY2012 budget development.

**Fiscal Accountability:** The District is currently reviewing all programs and projects to ensure maximum value to the public and to determine opportunities for additional millage reductions. This also includes a comprehensive staffing analysis to ensure current staffing levels are in line with permitting trends.

**Regulatory Accountability:** The District will be conducting a comprehensive review of all District rules to eliminate any rules no longer needed or streamline existing rules where appropriate.

**E-Permitting and Data Submittal:** The District now has the ability to accept all permit applications online. Focus on completion of IT modernization to enable the District to reach our goal of obtaining an 80% utilization rate for water use permits and environmental resource permits. We already have an 85% utilization rate for well construction permits.

**Central Florida Coordination Area (CFCA):** The District is continuing to coordinate efforts with the St. Johns River and South Florida water management districts to identify and ensure the development of alternative supplies to meet the growing public supply demands in central Florida. The majority of the CFCA area within this District is already included in the Southern Water Use Caution Area (SWUCA), which is on track to meet its 2025 recovery goals.

**Springs Initiative:** The District's Springs Protection Initiative was established to promote protection of springs through conservation, restoration and public education, and to identify resource management concerns within our spring basins. Elements of the Springs Initiative focus on tracking nutrient trends in spring recharge areas to determine the success of management actions and public outreach efforts in effectively managing sources of nutrients that can impact groundwater in springsheds. These data are also used by District staff to determine pollutant load reduction goals, plan for restoration and land acquisition initiatives, and support Cooperative Funding Initiative projects.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Fiscal Year 2012 General Budget Preparation Assumptions**

**Revenues**

- Taxable property values – initial planning assumptions for estimation of ad valorem revenue, by Fund, reflected as a percentage reduction below fiscal year (FY) 2011 taxable property values: General Fund -5 percent, Alafia River Basin -5 percent, Hillsborough River Basin -5 percent, Coastal Rivers Basin -5 percent, Pinellas-Anclote River Basin -5 percent, Withlacoochee River Basin -5 percent, Peace River Basin -5 percent, and Manasota Basin -5 percent. Planning estimates will be reviewed and updated as new information becomes available. Final ad valorem revenue projections will be determined following receipt of the Certifications of Taxable Value from the county property appraisers, due July 1, 2011.
- Millage rate assumptions – Governing and Basin Boards to consider further opportunities for reductions in millage rates for FY2012. For the Governing Board, staff recommends assessing the feasibility of achieving a target of ten percent further reduction in the millage rate from 0.3770 to 0.3400 mill.
- Comprehensive review of project budgets and encumbrances to be initiated in March 2011, to ensure that all project funds including encumbered funds continue to be needed for the authorized purposes. Any project funds including encumbrances not needed as authorized will be liquidated and recognized as source of funding for budget development (i.e., Balances from Prior Years) and to facilitate reduction in millage rates.
- No increase in permit fees, projected at \$1.9 million.
- Interest earnings based on 1.0 percent rate of return on investments.
- Balance forward of \$23 million in the General Fund for FY2012 budget requirements.
- State's Florida Forever Trust Fund – Anticipate no new funding for FY2012 (to be determined following 2011 legislative session). All prior year trust funds are currently allocated to projects.
- State's Water Management Lands Trust Fund (WMLTF) – Anticipate no new funding for FY2012 (to be determined following 2011 legislative session). All prior year trust funds are currently allocated to projects.
- State's Water Protection and Sustainability Trust Fund – Anticipate no new funding for FY2012 (to be determined following 2011 legislative session). All prior year trust funds are currently allocated to projects.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Fiscal Year 2012 General Budget Preparation Assumptions (continued)**

**Expenditures**

- All budget requests will be linked to the District's Strategic Plan through the District's Program Budget.
- Water Supply and Resource Development (WSRD) program funding to continue consistent with the Long-Range Water Supply and Water Resource Development Funding Plan (Long-Range Funding Plan) of the Regional Water Supply Plan through 2030, and estimated long-term funding requirements for projects.
- All recurring and non-recurring expenditures (excluding salaries and benefits) will be targeted for planning purposes, subject to reduction or reallocation, at 5 percent below FY2011 levels, including contracts, computer hardware and software, and other capital outlay. This 5 percent target applies to the General Fund, as well as the Basins, and is consistent with the anticipated reduction in ad valorem revenue. Further reductions may be necessary to balance the budget while staying the course and focusing dollars available on highest priorities including water supply and resource development.
- The following non-recurring accounts will be zero-based and each budget item must be separately justified:
  - Contracted Temporary Labor (temporary full and part-time positions)
  - Contracted Services
  - Contracted Construction
  - Computer Hardware and Software
  - Capital Outlay
- District workforce to continue to be reviewed for opportunities to reduce. At the end of FY2010 budget included 891 full-time equivalent (FTE) positions. FY2011 budget includes 850 FTE positions. Initial target for FY2012 is 800 FTE positions.
- District workload and staffing analysis to be completed by July 2011 for consideration by Governing Board as to impacts on final budget development.
- District salary and benefits review to be completed by July 2011 for consideration by Governing Board as to impacts on final budget development. Salary pool for merit increases not budgeted for FY2012.
- Districtwide ongoing land management and use activities to be budgeted in General Fund using ad valorem revenue sources until the state restores funding for the WMLTF. Any new restoration or capital improvement projects on District lands to be budgeted in Basins using ad valorem revenue sources, subject to respective Basin Boards' approval.
- Reserves for Contingencies will be budgeted at 5 percent of ad valorem revenue sources. The Government Finance Officers Association recommends between 5 percent – 15 percent of General Fund revenues. If additional funds are required, they will be taken from WSRD reserves.
- All budget requests will be consistent with the District's Environmental Stewardship initiative to increase energy efficiency and reduce the carbon footprint. Highest priority will be given to projects that can be expedited as a means to stimulate Florida's economy.



**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**Fiscal Year 2012 General Budget Preparation Assumptions** (continued)

- Information technology budget requests will be consistent with the Governing Board draft Information Resources Department Five-Year Technology Plan, FY2012 through FY2016.
- Facilities improvements and associated revenue contribution will be consistent with the Governing Board draft Five-Year Capital Improvements Plan, FY2012 through FY2016.
- Internal service charges for Central Garage will be used for Basins and grant-funded projects to budget the General Fund reimbursement for vehicle and equipment use.
- Special budget instructions for equipment and vehicle requests:
  - New and replacement personal computers, peripherals, and software requests will be entered by the requesting department into a separate section established within the Information Resources Department budget. The computers and software will be evaluated by the Information Resources Department for inclusion in its final budget request, consistent with the draft Information Resources Department Five-Year Technology Plan for FY2012 through FY2016.
  - Facilities requirements will be evaluated and budgeted by the General Services Department, consistent with the draft Five-Year Capital Improvements Plan for FY2012 through FY2016.
  - New and replacement vehicles will generally be budgeted by the General Services Department based on fleet management requirements and departmental requests.
  - New and replacement outside equipment will be budgeted by the requesting department after evaluation by the General Services Department.

# PROGRAM AND ACTIVITY ALLOCATIONS (ADOPTED BUDGET)

For Fiscal Year 2010 - 2011

## SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

PROGRAMS AND ACTIVITIES	FISCAL YEAR 2010 - 2011	Water Supply	Water Quality	Flood Protection	Natural Systems
<b>1.0 Water Resources Planning and Monitoring</b>	<b>\$43,106,004</b>	<b>\$9,636,944</b>	<b>\$9,285,997</b>	<b>\$9,285,997</b>	<b>\$14,897,066</b>
1.1 - District Water Management Planning	18,874,348				
1.1.1 Water Supply Planning	350,947	X			
1.1.2 Minimum Flows and Levels	5,611,068				X
1.1.3 Other Water Resources Planning	12,912,333	X	X	X	X
1.2 - Research, Data Collection, Analysis and Monitoring	22,943,186	X	X	X	X
1.3 - Technical Assistance	1,288,470	X	X	X	X
1.4 - Other Water Resources Planning and Monitoring Activities	-	X	X	X	X
<b>2.0 Acquisition, Restoration and Public Works</b>	<b>\$139,109,909</b>	<b>\$64,842,136</b>	<b>\$27,034,661</b>	<b>\$20,117,361</b>	<b>\$27,115,751</b>
2.1 - Land Acquisition <sup>(1)</sup>	19,938,172	X	X	X	X
2.2 - Water Source Development	72,637,312				
2.2.1 Water Resource Development Projects	26,243,958	X	X		X
2.2.2 Water Supply Development Assistance	45,680,731	X			
2.2.3 Other Water Source Development Activities	712,623	X	X		
2.3 - Surface Water Projects	43,740,140		X	X	X
2.4 - Other Cooperative Projects	-	X	X	X	X
2.5 - Facilities Construction and Major Renovations	2,794,285	X	X	X	X
2.6 - Other Acquisition and Restoration Activities	-	X	X		
<b>3.0 Operation and Maintenance of Lands and Works</b>	<b>\$18,402,970</b>	<b>\$3,106,271</b>	<b>\$3,967,656</b>	<b>\$7,069,037</b>	<b>\$4,260,006</b>
3.1 - Land Management	7,486,554	X	X	X	X
3.2 - Works	4,533,337		X	X	X
3.3 - Facilities	4,938,528	X	X	X	X
3.4 - Invasive Plant Control	877,398		X	X	X
3.5 - Other Operation and Maintenance Activities	567,153			X	X
<b>4.0 Regulation</b>	<b>\$19,673,975</b>	<b>\$3,413,871</b>	<b>\$6,468,217</b>	<b>\$3,886,432</b>	<b>\$5,905,455</b>
4.1 - Consumptive Use Permitting	6,404,605	X	X		X
4.2 - Water Well Construction Permitting and Contractor Licensing	1,125,524	X	X		
4.3 - Environmental Resource and Surface Water Permitting	9,449,674		X	X	X
4.4 - Other Regulatory and Enforcement Activities	2,694,172	X	X	X	X
<b>5.0 Outreach</b>	<b>\$6,273,675</b>	<b>\$1,568,418</b>	<b>\$1,568,419</b>	<b>\$1,568,419</b>	<b>\$1,568,419</b>
5.1 - Water Resource Education	4,873,867	X	X	X	X
5.2 - Public Information	1,213,279	X	X	X	X
5.3 - Public Relations	-	X	X	X	X
5.4 - Lobbying / Legislative Affairs / Cabinet Affairs	186,529	X	X	X	X
5.5 - Other Outreach Activities	-	X	X	X	X
<i>SUBTOTAL - Major Programs (excluding Management and Administration)</i>	<i>\$226,566,533</i>	<b>\$82,567,640</b>	<b>\$48,324,950</b>	<b>\$41,927,246</b>	<b>\$53,746,697</b>
<b>6.0 District Management and Administration</b>	<b>\$53,240,830</b>				
6.1 - Administrative and Operations Support	20,082,965				
6.2 - Computers / Computer Support	16,987,130				
6.3 - Reserves	10,850,000				
6.4 - Other (Tax Collector / Property Appraiser Fees)	5,320,735				
<b>TOTAL</b>	<b>\$279,807,363</b>				

<sup>(1)</sup> Land Acquisition does not include land acquisition components of Water Source Development, Surface Water Projects, or Other Cooperative Projects.



**CHARLIE CRIST**  
GOVERNOR

September 16, 2010

Mr. Ronald Oakley  
Chair, Governing Board  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, Florida 34604-6899

Dear Mr. Oakley:

In accordance with Section 373.536, Florida Statutes, I have reviewed and hereby approve the Southwest Florida Water Management District's annual budget for Fiscal Year 2010-11. During the past year, water management districts have continued to work diligently to reduce spending where possible and to use taxpayer dollars efficiently. As you know, this is an ongoing process, and as the state continues to address budget shortfalls, we will continue to work with you to identify potential savings in your programs that could reduce current or future state appropriations.

I again applaud efforts by your Governing Board to hold property taxes constant for three years in a row, even though this has resulted in a decrease in district revenues. Additionally, I commend the Governing Board's support of the tax rate reduction recommendations by the Hillsborough River and Pinellas-Anclote River Basins and for reducing its district-wide millage. This means property taxes levied by the Southwest Florida Water Management District have been maintained or reduced for four consecutive years.

In the last few budget cycles, your district has experienced significant reductions in revenue from many sources. Ad valorem sources, state and federal appropriations, and contributions from local government partners have all fallen. Despite this, the district continues to manage employee compensation at current levels, and to find ways to trim costs even in the face of many of the same program challenges.

As the Southwest Florida Water Management District continues to meet the water resource protection, ecosystem restoration and water management goals of its residents, the district has demonstrated a strong commitment to fiscal responsibility. I commend you and the Governing Board for continuing to fund water supply and resource protection projects leveraged with local cooperators. I thank you for your leadership during such challenging times and I also congratulate your staff for its continued implementation of the district's pay-as-you-go business practices.

Additionally, I applaud you for maintaining prior-year program priorities. Continued implementation of the District's Long-Range Water Supply and Water Resource Development Funding Plan provides cost-share assistance to regional and local water supply utilities for reuse and conservation projects and strategies to relieve stressed ground water supply sources

Mr. Ronald Oakley  
September 16, 2010  
Page Two

through 2030. Funding for the District's Surface Water Improvement and Management (SWIM) program continues stormwater projects for improved water quality in Old Tampa Bay. Collection of necessary water resource data supports the establishment and maintenance of minimum flows and levels and other water resource restoration activities. Further, the district's educational and cooperative funding programs actively engage communities in water conservation practices.

As a Floridian, I appreciate the great work and accomplishments achieved by the Southwest Florida Water Management District in its efforts to protect Florida's wonderful natural resources for the benefit of our visitors, businesses, residents, and the environment. I look forward to working with you in the future as water management districts continue to provide critical services to the people of Florida.

Sincerely,



Charlie Crist

Cc: David L. Moore, Executive Director  
Secretary Mimi Drew, Department of Environmental Protection

**Finance and Administration Committee  
January 25, 2011*****Discussion Item*****Fiscal Year 2011 Grants Budget Overview*****Purpose***

Provide an overview of the District's fiscal year (FY) 2011 budget by program and by expenditure category. This month's budget overview will highlight cooperative funding grants of \$61 million and reserves held for cooperative funding grants of \$18 million, for a total of \$79 million of the total \$280 million budget. The overview will provide a status as to portion of the cooperative funding grants budget that has been reviewed to-date through the overviews of the District's initiatives and programs being provided concurrently to the Governing Board each month.

***Background***

In preparation for FY2012 budget development, District staff is providing the Governing Board a comprehensive overview of the District's budget. This comprehensive overview is being presented concurrently in two parts: (1) overview of budget by program and expenditure category (covered by this presentation), and (2) overviews of individual District initiatives and programs.

The first part of the overview focuses on the District's FY2011 expenditure budget by program and by expenditure category. This month, the overview will highlight the budget for cooperative funding grants. Last month, the overview focused on the budget for contracted services. Next month, this overview will be completed with a discussion of operating expenses and capital outlay.

The second part of the overview consists of separate presentations of individual District initiatives and programs, including a brief discussion of budget and staffing requirements. Through January 2011, the following individual program overviews have been or are scheduled to be provided to the Governing Board:

- **October 2010**
  - Facilitating Agricultural Resource Management Systems (FARMS) program
- **November 2010**
  - Surface Water Improvement and Management (SWIM) program
  - District-funded Agricultural and Urban Landscape Research program
  - Florida Department of Transportation Mitigation program
- **December 2010**
  - Youth and Public Education programs
  - Aquatic Plant Management program
- **January 2011 (scheduled)**
  - Reclaimed Water program
  - Utility Outreach program
  - Water Quality Monitoring program

Over the next few months, the District's remaining major initiatives and programs will be presented to assist the Governing Board in understanding the District's major statutory budget categories.

**Staff Recommendation:**

See Exhibit (will be provided at meeting)

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

**Presenter:** Kurt P. Fritsch, Acting Deputy Executive Director, Management Services

**Finance and Administration Committee  
January 25, 2011**

***Discussion Item***

**Board Travel**

District policy states that in accordance with Chapters 112 and 373, Florida Statutes, travel expenses may be incurred for official District business or for a public purpose beneficial to the District. Travel to any conference or convention requires prior approval.

Within the geographic boundaries of the District, Governing Board members may incur travel expenses to attend Governing and Basin Board meetings or for other purposes beneficial to the District, excluding conferences and conventions. Scheduled travel for Governing Board members outside the District or to attend conferences or conventions requires prior approval through the consent agenda of a regular monthly Governing Board meeting. Non-scheduled travel outside the District or to attend any conference or convention requires prior approval of the Governing Board Chair, or in his absence, the Vice Chair.

As of January 13, 2010, the following travel outside the geographic boundaries of the District is scheduled:

<i><b>Name(s)</b></i>	<i><b>Purpose</b></i>	<i><b>Estimated Cost</b></i>	
Jennifer Closshey Doug Tharp	27 <sup>th</sup> Annual Growth Management, Energy, Climate Change and the Environment Short Course  Orlando  February 22-24, 2011	Registration	\$495
		Hotel (\$89 x 2)	178
		Per Diem	60
		Parking Fee	0
		Total per person	\$733

**Staff Recommendation:**

Approve Governing Board travel as designated above.

**Presenter:** Lou Kavouras, Deputy Executive Director, Outreach, Planning, Board Services  
and Ombudsman

**Finance and Administration Committee  
January 25, 2011**

***Submit & File Report***

**Fiscal Year 2011 First Quarter Financial Report**

*Purpose*

The purpose of the Fiscal Year 2011 First Quarter Financial Report is to identify and forecast major trends, conditions or variances that may need management's attention. Based on the financial activities for the first three months of the fiscal year, the financial condition of the District is positive and budget variances are favorable.

*Background*

The first quarter report covers the financial activities for the first three months of fiscal year (FY) 2011 which ended December 31, 2010. It provides a summary of the financial activities on an All Funds basis and for each separate Fund that compares Revenues to Expenditures/Encumbrances. In preparation of this report, all departments were asked to review their financial activities and provide an estimate of budgeted funds that would not be expended or encumbered this fiscal year and identify any outside revenue that would not be received this fiscal year due to an associated reduction in program expenditures. Since it is early in the fiscal year, staff were asked to identify only those budgeted expenditures and outside revenues they expect to end the year with at least \$25,000 or more unspent/unencumbered on the expenditure side or \$25,000 or more unearned on the revenue side. This information was then compiled and projections were made based on the overall financial activities for the first three months of the fiscal year. Staff will continue to monitor and report on all financial activities throughout FY2011, to ensure the District's continued financial success.

Staff Recommendation:

See Exhibit

This item is submitted for the Committee's information, and no action is required.

Presenter: Linda R. Pilcher, Assistant Director, Finance Department



# **FISCAL YEAR 2011 QUARTERLY FINANCIAL REPORT**



## **FIRST QUARTER FINANCIAL REPORT**

**Three Months Ended  
December 31, 2010**

**JANUARY 2011**

Prepared By: Finance Department  
For additional copies, please call extension 4103.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
FISCAL YEAR 2011 QUARTERLY FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**TABLE OF CONTENTS**

	<u>PAGE</u>
<b>Introduction</b> .....	22
Revenues	
Expenditures / Encumbrances	
Conclusion	
<b>Definitions and Acronyms</b> .....	23
<b>Financial Reports</b>	
District All Funds .....	25
General Fund (Districtwide).....	26
Alafia River Basin .....	27
Hillsborough River Basin .....	28
Coastal Rivers Basin .....	29
Pinellas-Anclote River Basin .....	30
Withlacoochee River Basin .....	31
Peace River Basin .....	32
Manasota Basin .....	33
Surface Water Improvement and Management (SWIM) Program <sup>1</sup> .....	34
FDOT Mitigation Program .....	35
Partnership Trust Fund .....	36
Florida Forever.....	37
Facilities Fund .....	38

<sup>1</sup> Financial Report is provided for the Surface Water Improvement and Management (SWIM) Program for **FY2010 Actual** only reflecting the residual equity in the SWIM Fund that was distributed to the Basins. Effective October 1, 2009, the SWIM projects were included as part of the Basin Funds.

## INTRODUCTION

The first quarter report covers the financial activities for the first three months of fiscal year (FY) 2011. The purpose of the report is to identify and forecast major trends, conditions or variances that may need management's attention. To accomplish this, a financial report has been prepared on an All Funds basis and for each separate Fund that compares Revenues to Expenditures / Encumbrances.

### Revenues

Through the first quarter, the District collected \$117.7 million in ad valorem taxes. This represents 73 percent of the annual budget which compares favorably with 67 percent collected by this same time last year (FY2010) and with 56 percent collected for FY2009. For FY2010, the District collected 96.6 percent of the ad valorem tax levy, or 0.6 percent above the 96 percent historically budgeted. For FY2009, the District collected 96.2 percent of the ad valorem levy, or 0.2 percent above the 96 percent budgeted. Based on this, collection of ad valorem taxes appears to be on track with the budget.

The FY2011 interest earnings budget was based on a 0.75 percent rate of return; the District's investment portfolio was generating 0.83 percent at December 31, 2010. Based on the portfolio's current rate of return and projected cash balances, projections for FY2011 indicate interest earnings should achieve the budgeted amounts within the individual Funds.

### Expenditures / Encumbrances

First quarter information indicates that most major projects will be accomplished or encumbered during this fiscal year except as noted in the financial reports.

### Cash Position

District's cash position at December 31, 2010 was \$744 million, compared to \$674 million at September 30, 2010. The increase in cash during the first quarter of FY2011 relates to ad valorem tax collections (73 percent of total collected) to be expended in future quarters. In August 2010, staff projected the following year-end balances at September 30, 2010: Cash - \$654 million (actual - \$674 million) and Fund Balance - \$592 million (actual - \$590 million). The difference between cash and fund balance relates to the timing of receivables and payables and \$40 million in advanced state funding that has not been recognized as revenue. Fund balance (including associated cash) is projected to decline to \$539 million at September 30, 2011, to \$424 million at September 30, 2012, to \$393 million at September 30, 2013, and to \$313 million at September 30, 2014.

### Conclusion

Based on the financial activities for the first three months of the fiscal year and the projections as of the end of the quarter, December 31, 2010, the financial condition of the Southwest Florida Water Management District, including the individual Basins, is positive and budget variances are generally favorable. There are no reported or identified major trends, conditions or variances that warrant additional management attention. We will continue to monitor and report on all financial activities throughout FY2011 as a means to ensure the District's continued financial success.

## DEFINITIONS AND ACRONYMS

The following definitions are provided as a tool when reviewing this report:

**Fund Accounting:** The accounts of the District are organized and operated on the basis of funds. A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Governmental accounting information is organized into funds, each with separate revenues, expenditures, and fund balances. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions.

**General Fund:** The general fund is the District's general operating fund. It accounts for all financial resources of the District, except those required to be accounted for in another fund.

**Special Revenue Funds:** Special revenue funds account for specific revenue sources (other than capital revenue sources) that are legally restricted to expenditures for specified purposes. For FY2011, the seven Basins and the Florida Department of Transportation (FDOT) Mitigation program are accounted for as special revenue funds.

**Capital Projects Funds:** Capital projects funds account for financial resources that are used for the acquisition of major capital projects associated with the Florida Forever land acquisition program, and the District's Facilities projects.

**Balance From Prior Years:** This represents funds carried over from prior years that are allocated for expenditure in the FY2011 budget.

**Interfund Transfer:** Interfund transfers represent the transfer of money from one fund to another within a governmental unit. With the elimination of the separate fund for the SWIM Program, no interfund transfers are budgeted for FY2011. However, the remaining equity in the SWIM Fund as of October 1, 2009, was distributed to the Basins in FY2010, and is reflected as Equity Transfer – SWIM in the financial reports.

**FY2010 Actual:** This represents actual revenues and expenditures for the prior fiscal year. The annual audit of the District's financial statements as of September 30, 2010 and for the year then ended is in process.

**Adopted FY2011 Budget:** This is the adopted budget for the current fiscal year.

**Prior Year Encumbrances:** This represents the amount of prior year encumbrances and board designations carried forward from FY2010 and re-appropriated for FY2011.

**Budget Amendments / Transfers:** This identifies formal budget amendments and approved transfers of budgeted funds from one budget line to another during the fiscal year.

**Modified FY2011 Budget:** This is the modified budget which is the adopted budget increased by the amount of prior year encumbrances and board designations carried forward from FY2010 and re-appropriated for FY2011, and adjusted for budget amendments / transfers.

**Encumbered at Month-End:** This represents valid encumbrances and board designations outstanding at December 31, 2010.

**FY2011 Actuals YTD:** This represents actual funds expended through the end of the first quarter of FY2011, or fiscal year-to-date (YTD).

**FY2011 Forecast:** The forecast is a projection of revenues and expenditures / encumbrances and board designations for the current fiscal year and is based on actual operating results, and current information, activities, trends, and conditions.

**Variance:** This calculated field is the difference between the Modified FY2011 Budget and the FY2011 Forecast to show a projected carryover amount.

**Fund Balance Restricted for Encumbrances:** This represents the portion of Fund Balance that was reserved or designated as of September 30, 2010, the end of the prior fiscal year, to fund outstanding encumbrances or board designations that were re-appropriated for expenditure in FY2011. Outside revenue associated with outstanding encumbrances or board designations is reflected as revenue in the **Prior Year Encumbrances** column.

**Projected Carryover for FY2012:** The first quarter projection represents an initial estimate of funds that will be available at the end of the fiscal year for carryover as a funding source for next year's budget.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**DISTRICT ALL FUNDS**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$189,111,242	\$160,880,206	\$0	\$0	\$160,880,206	\$0	\$117,660,492	\$160,880,206	\$0
Balance From Prior Years	0	75,807,220	0	0	75,807,220	0	0	75,807,220	0
Local Funding / County / City	1,871,730	3,229,975	9,235,889	0	12,465,864	0	18,594	12,465,864	0
State Funding	49,228,218	31,958,689	70,316,679	0	102,275,368	0	224,253	102,059,118	(216,250) (1)
Federal Funding	2,636,025	390,000	5,299,376	0	5,689,376	0	301	5,689,376	0
Permit Fees	1,865,778	1,700,000	0	0	1,700,000	0	486,665	1,700,000	0
Interest on Investments - District	8,199,031	4,630,000	0	0	4,630,000	0	1,455,590	4,630,000	0
Other	2,193,925	1,211,273	0	0	1,211,273	0	303,794	1,223,181	11,908 (1)
<b>Total Revenues and Balances</b>	<b>\$255,105,949</b>	<b>\$279,807,363</b>	<b>\$84,851,944</b>	<b>\$0</b>	<b>\$364,659,307</b>	<b>\$0</b>	<b>\$120,149,689</b>	<b>\$364,454,965</b>	<b>(\$204,342)</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$473,682,663	\$0	\$473,682,663	\$0	\$0	\$473,682,663	\$0
Interfund Transfers - SWIM	913,423	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$256,019,372</b>	<b>\$279,807,363</b>	<b>\$558,534,607</b>	<b>\$0</b>	<b>\$838,341,970</b>	<b>\$0</b>	<b>\$120,149,689</b>	<b>\$838,137,628</b>	<b>(\$204,342)</b>

**EXPENDITURES / ENCUMBRANCES**

Salaries and Benefits	\$60,138,521	\$62,433,308	\$12,000	\$0	\$62,445,308	\$30,850	\$12,601,662	\$62,445,308	\$0
Contracted Services	42,834,852	78,977,368 (2)	128,702,298	1,390,948	209,070,614	119,862,292	4,148,951	209,070,614	0
Operating Expenses	20,815,722	25,221,262	2,092,824	(734,730)	26,579,356	3,103,473	7,547,161	26,579,356	0
Operating Capital Outlay	8,664,487	3,773,288	4,235,966	1,119,018	9,128,272	4,764,706	1,652,924	9,128,272	0
Fixed Capital Outlay	33,067,251	18,976,250	661,555	184,875	19,822,680	667,155	721,026	19,822,680	0
Cooperative Funding Initiative Grants	104,497,640	61,100,216	239,912,628	(812,236)	300,200,608	258,348,988	3,807,636	299,670,173	(530,435) (1)
Reserves for Water Supply & Resource Dev	0	17,459,647	181,274,338	(1,147,875)	197,586,110	197,586,110	0	197,586,110	0
Reserves for Watershed Management	0	668,293	1,642,998	0	2,311,291	1,642,998	0	2,311,291	0
Reserves Restricted for Land Purchases	0	308,446	0	0	308,446	308,446	0	308,446	0
Reserves for Contingencies	0	10,889,285	0	0	10,889,285	0	0	10,889,285	0
<b>Total Expenditures / Encumbrances</b>	<b>\$270,018,473</b>	<b>\$279,807,363</b>	<b>\$558,534,607</b>	<b>\$0</b>	<b>\$838,341,970</b>	<b>\$586,315,018</b>	<b>\$30,479,360</b>	<b>\$837,811,535</b>	<b>(\$530,435)</b>
Interfund Transfers - SWIM	\$913,423	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$270,931,896 (3)</b>	<b>\$279,807,363</b>	<b>\$558,534,607</b>	<b>\$0</b>	<b>\$838,341,970</b>	<b>\$586,315,018</b>	<b>\$30,479,360</b>	<b>\$837,811,535</b>	<b>(\$530,435)</b>

**Projected Carryover for FY2012**

\$326,093

(1) Refer to individual fund reports on the following pages for explanation of variances.

(2) Includes \$5,170,589 budgeted in FY2011 for 75 full time equivalent (FTEs) temporary contracted positions. Active number of positions at 1/25/11 is 69 FTEs.

(3) FY2010 expenditures in excess of revenues are funded by existing Fund Balance as planned and budgeted.

Note: District's cash position at December 31, 2010 was \$744 million, compared to \$674 million at September 30, 2010. The increase in cash during the first quarter of FY2011 relates to ad valorem tax collections (73 percent of total collected) to be expended in future quarters.

In August 2010, staff projected the following year-end balances at September 30, 2010: Cash - \$654 million (actual - \$674 million) and Fund Balance - \$592 million (actual - \$590 million). The difference between cash and fund balance relates to the timing of receivables and payables and \$40 million in advanced state funding that has not been recognized as revenue. Fund balance (including associated cash) is projected to decline to \$539 million at September 30, 2011, to \$424 million at September 30, 2012, to \$393 million at September 30, 2013, and to \$313 million at September 30, 2014.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**GENERAL FUND (DISTRICTWIDE)**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$119,228,507	\$102,683,568	\$0	\$0	\$102,683,568	\$0	\$74,864,724	\$102,683,568	\$0
Balance From Prior Years	0	19,420,217	0	0	19,420,217	0	0	19,420,217	0
Local Funding / County / City	125,224	322,439	177,022	0	499,461	0	840	499,461	0
State Funding	5,793,129	3,924,666	17,389,072	0	21,313,738	0	123,761	21,313,738	0
Federal Funding	1,327,405	390,000	4,635,524	0	5,025,524	0	301	5,025,524	0
Permit Fees	1,865,778	1,700,000	0	0	1,700,000	0	486,665	1,700,000	0
Interest on Investments	4,116,027	2,200,000	0	0	2,200,000	0	682,779	2,200,000	0
Other	1,924,475	1,211,273	0	0	1,211,273	0	298,939	1,218,326	7,053 (1)
<b>Total Revenues and Balances</b>	<b>\$134,380,545</b>	<b>\$131,852,163</b>	<b>\$22,201,618</b>	<b>\$0</b>	<b>\$154,053,781</b>	<b>\$0</b>	<b>\$76,458,009</b>	<b>\$154,060,834</b>	<b>\$7,053</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$232,771,868	\$0	\$232,771,868	\$0	\$0	\$232,771,868	\$0
<b>Total Revenues, Balances and Transfers</b>	<b>\$134,380,545</b>	<b>\$131,852,163</b>	<b>\$254,973,486</b>	<b>\$0</b>	<b>\$386,825,649</b>	<b>\$0</b>	<b>\$76,458,009</b>	<b>\$386,832,702</b>	<b>\$7,053</b>

<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$52,852,499	\$54,527,650	\$12,000	\$0	\$54,539,650	\$30,850	\$11,364,567	\$54,539,650	\$0
Contracted Services	22,280,408	29,608,323	35,179,182	(232,188)	64,555,317	46,874,238	1,736,945	64,555,317	0
Operating Expenses	16,494,165	20,225,301	1,910,594	(840,280)	21,295,615	2,749,371	5,891,971	21,295,615	0
Operating Capital Outlay	8,603,598	3,720,288	4,192,466	1,119,018	9,031,772	4,744,706	1,627,497	9,031,772	0
Fixed Capital Outlay	4,128,451	159,250	213,155	184,875	557,280	214,555	586,258	557,280	0
Cooperative Funding Initiative Grants	26,158,551	18,611,351	59,485,470	(46,550)	78,050,271	66,197,411	1,722,736	78,050,271	0
Reserves for Water Supply & Resource Dev	0	0	153,980,619	(184,875)	153,795,744	153,795,744	0	153,795,744	0
Reserves for Contingencies	0	5,000,000	0	0	5,000,000	0	0	5,000,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$130,517,672</b>	<b>\$131,852,163</b>	<b>\$254,973,486</b>	<b>\$0</b>	<b>\$386,825,649</b>	<b>\$274,606,875</b>	<b>\$22,929,974</b>	<b>\$386,825,649</b>	<b>\$0</b>

**Projected Carryover for FY2012**

\$7,053

(1) Other revenue due to \$6,648 in excess fees returned to District by Property Appraisers and Tax Collectors; and \$405 in interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

ALAFIA RIVER BASIN

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$4,401,132	\$3,938,352	\$0	\$0	\$3,938,352	\$0	\$3,141,867	\$3,938,352	\$0
Balance From Prior Years	0	1,760,378	0	0	1,760,378	0	0	1,760,378	0
Local Funding / County / City	18,672	0	139,379	0	139,379	0	0	139,379	0
State Funding	460,799	496,255	7,641,662	0	8,137,917	0	1,242	8,137,917	0
Interest on Investments	198,997	120,000	0	0	120,000	0	36,874	120,000	0
Other	1,034	0	0	0	0	0	33	33	33 (1)
<b>Total Revenues and Balances</b>	<b>\$5,080,634</b>	<b>\$6,314,985</b>	<b>\$7,781,041</b>	<b>\$0</b>	<b>\$14,096,026</b>	<b>\$0</b>	<b>\$3,180,016</b>	<b>\$14,096,059</b>	<b>\$33</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$12,382,072	\$0	\$12,382,072	\$0	\$0	\$12,382,072	\$0
Interfund Transfers - SWIM	39,460	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$5,120,094</b>	<b>\$6,314,985</b>	<b>\$20,163,113</b>	<b>\$0</b>	<b>\$26,478,098</b>	<b>\$0</b>	<b>\$3,180,016</b>	<b>\$26,478,131</b>	<b>\$33</b>

**EXPENDITURES / ENCUMBRANCES**

Salaries and Benefits	\$707,711	\$570,718	\$0	\$0	\$570,718	\$0	\$100,485	\$570,718	\$0
Contracted Services	2,861,708	1,131,474	7,861,624	0	8,993,098	7,901,271	37,302	8,993,098	0
Operating Expenses	251,533	241,331	7,786	0	249,117	15,377	118,802	249,117	0
Operating Capital Outlay	237	0	136	0	136	0	136	136	0
Cooperative Funding Initiative Grants	3,135,395	4,071,462	11,850,375	0	15,921,837	13,262,107	165,810	15,855,102	(66,735) (2)
Reserves for Water Supply & Resource Dev	0		443,192	0	443,192	443,192	0	443,192	0
Reserves for Contingencies	0	300,000	0	0	300,000	0	0	300,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$6,956,584</b>	<b>\$6,314,985</b>	<b>\$20,163,113</b>	<b>\$0</b>	<b>\$26,478,098</b>	<b>\$21,621,947</b>	<b>\$422,535</b>	<b>\$26,411,363</b>	<b>(\$66,735)</b>

**Projected Carryover for FY2012**

\$66,768

(1) Other revenue due to interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.

(2) Project Cancelled: Hillsborough Water Conservation Education Project (\$8,800). Remaining budgeted funds not required: Polk County SWRUSA Carter Rd 1 Billion Gallon Reclaim Storage & Pumping Station Project (\$57,935).

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**HILLSBOROUGH RIVER BASIN**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$15,649,847	\$13,190,868	\$0	\$0	\$13,190,868	\$0	\$10,412,197	\$13,190,868	\$0
Balance From Prior Years	0	31,682,321	0	0	31,682,321	0	0	31,682,321	0
Local Funding / County / City	301,086	918,730	2,687,952	0	3,606,682	0	0	3,606,682	0
State Funding	1,006,720	150,000	5,578,999	0	5,728,999	0	441	5,728,999	0
Federal Funding	0	0	200,000	0	200,000	0	0	200,000	0
Interest on Investments	963,532	600,000	0	0	600,000	0	196,011	600,000	0
Other	228,292	0	0	0	0	0	100	100	100 (1)
<b>Total Revenues and Balances</b>	<b>\$18,149,477</b>	<b>\$46,541,919</b>	<b>\$8,466,951</b>	<b>\$0</b>	<b>\$55,008,870</b>	<b>\$0</b>	<b>\$10,608,749</b>	<b>\$55,008,970</b>	<b>\$100</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$47,502,324	\$0	\$47,502,324	\$0	\$0	47,502,324	\$0
Interfund Transfers - SWIM	181,863	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$18,331,340</b>	<b>\$46,541,919</b>	<b>\$55,969,275</b>	<b>\$0</b>	<b>\$102,511,194</b>	<b>\$0</b>	<b>\$10,608,749</b>	<b>\$102,511,294</b>	<b>\$100</b>

**EXPENDITURES / ENCUMBRANCES**

Salaries and Benefits	\$1,468,048	\$1,565,896	\$0	\$0	\$1,565,896	\$0	\$275,127	\$1,565,896	\$0
Contracted Services	1,765,840	21,275,051	11,184,664	0	32,459,715	12,806,514	47,075	32,459,715	0
Operating Expenses	1,044,624	1,201,187	23,387	0	1,224,574	55,245	441,538	1,224,574	0
Operating Capital Outlay	3,503	1,000	7,170	0	8,170	0	7,170	8,170	0
Fixed Capital Outlay	86,093	0	0	0	0	0	0	0	0
Cooperative Funding Initiative Grants	9,543,715	5,842,861	34,264,316	0	40,107,177	34,019,688	563,855	40,075,977	(31,200) (2)
Reserves for Water Supply & Resource Dev	0	13,847,478	10,489,738	0	24,337,216	24,337,216	0	24,337,216	0
Reserves Restricted for Land Purchases	0	308,446	0	0	308,446	308,446	0	308,446	0
Reserves for Contingencies	0	2,500,000	0	0	2,500,000	0	0	2,500,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$13,911,823</b>	<b>\$46,541,919</b>	<b>\$55,969,275</b>	<b>\$0</b>	<b>\$102,511,194</b>	<b>\$71,527,109</b>	<b>\$1,334,765</b>	<b>\$102,479,994</b>	<b>(\$31,200)</b>

**Projected Carryover for FY2012**

\$31,300

(1) Other revenue due to interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.

(2) Project Cancelled: Hillsborough Water Conservation Education Project (\$31,200).

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**COASTAL RIVERS BASIN**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$4,088,182	\$3,700,520	\$0	\$0	\$3,700,520	\$0	\$2,760,391	\$3,700,520	\$0
Balance From Prior Years	0	1,210,289	0	0	1,210,289	0	0	1,210,289	0
Local Funding / County / City	310,713	563,670	2,272,962	0	2,836,632	0	461	2,836,632	0
State Funding	917,205	614,312	357,318	0	971,630	0	0	971,630	0
Interest on Investments	182,875	100,000	0	0	100,000	0	32,719	100,000	0
Other	459	0	0	0	0	0	5	5	5 (1)
<b>Total Revenues and Balances</b>	<b>\$5,499,434</b>	<b>\$6,188,791</b>	<b>\$2,630,280</b>	<b>\$0</b>	<b>\$8,819,071</b>	<b>\$0</b>	<b>\$2,793,576</b>	<b>\$8,819,076</b>	<b>\$5</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$10,994,449	\$0	\$10,994,449	\$0	\$0	\$10,994,449	\$0
Interfund Transfers - SWIM	66,771	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$5,566,205</b>	<b>\$6,188,791</b>	<b>\$13,624,729</b>	<b>\$0</b>	<b>\$19,813,520</b>	<b>\$0</b>	<b>\$2,793,576</b>	<b>\$19,813,525</b>	<b>\$5</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$727,166	\$775,549	\$0	\$0	\$775,549	\$0	\$119,558	\$775,549	\$0
Contracted Services	2,088,230	2,546,242	4,736,782	0	7,283,024	4,044,712	24,242	7,283,024	0
Operating Expenses	317,244	404,853	10,327	0	415,180	3,634	115,025	415,180	0
Operating Capital Outlay	0	1,000	0	0	1,000	0	0	1,000	0
Fixed Capital Outlay	0	0	448,400	0	448,400	448,400	0	448,400	0
Cooperative Funding Initiative Grants	2,382,472	1,961,147	6,661,486	0	8,622,633	7,120,369	114,617	8,622,633	0
Reserves for Water Supply & Resource Dev	0	0	1,767,734	0	1,767,734	1,767,734	0	1,767,734	0
Reserves for Contingencies	0	500,000	0	0	500,000	0	0	500,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$5,515,112</b>	<b>\$6,188,791</b>	<b>\$13,624,729</b>	<b>\$0</b>	<b>\$19,813,520</b>	<b>\$13,384,849</b>	<b>\$373,442</b>	<b>\$19,813,520</b>	<b>\$0</b>
<b>Projected Carryover for FY2012</b>									<b>\$5</b>

(1) Other revenue due to interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**PINELLAS-ANCLOTE RIVER BASIN**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$21,635,385	\$15,711,275	\$0	\$0	\$15,711,275	\$0	\$10,702,587	\$15,711,275	\$0
Balance From Prior Years	0	10,289,331	0	0	10,289,331	0	0	10,289,331	0
Local Funding / County / City	133,181	548,009	466,300	0	1,014,309	0	0	1,014,309	0
State Funding	2,419,811	0	8,374,084	0	8,374,084	0	57,498	8,157,834	(216,250)
Federal Funding	1,077,785	0	217,852	0	217,852	0	0	217,852	0
Interest on Investments	1,646,478	1,000,000	0	0	1,000,000	0	312,566	1,000,000	0
Other	1,940	0	0	0	0	0	4,628	4,628	4,628 (1)
<b>Total Revenues and Balances</b>	<b>\$26,914,580</b>	<b>\$27,548,615</b>	<b>\$9,058,236</b>	<b>\$0</b>	<b>\$36,606,851</b>	<b>\$0</b>	<b>\$11,077,279</b>	<b>\$36,395,229</b>	<b>(\$211,622)</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$110,712,912	\$0	\$110,712,912	\$0	\$0	\$110,712,912	\$0
Interfund Transfers - SWIM	268,820	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$27,183,400</b>	<b>\$27,548,615</b>	<b>\$119,771,148</b>	<b>\$0</b>	<b>\$147,319,763</b>	<b>\$0</b>	<b>\$11,077,279</b>	<b>\$147,108,141</b>	<b>(\$211,622)</b>

**EXPENDITURES / ENCUMBRANCES**

Salaries and Benefits	\$918,765	\$1,120,218	\$0	\$0	\$1,120,218	\$0	\$149,826	\$1,120,218	\$0
Contracted Services	3,128,925	8,491,899	29,861,631	1,839,136	40,192,666	8,810,356	1,238,834	40,192,666	0
Operating Expenses	749,107	994,015	42,860	11,000	1,047,875	153,610	361,899	1,047,875	0
Operating Capital Outlay	29,948	3,000	373	0	3,373	0	373	3,373	0
Cooperative Funding Initiative Grants	23,382,431	11,827,314	81,327,564	(887,136)	92,267,742	82,959,519	966,240	91,835,242	(432,500) (2)
Reserves for Water Supply & Resource Dev	0	3,612,169	8,538,720	(963,000)	11,187,889	11,187,889	0	11,187,889	0
Reserves for Contingencies	0	1,500,000	0	0	1,500,000	0	0	1,500,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$28,209,176</b>	<b>\$27,548,615</b>	<b>\$119,771,148</b>	<b>\$0</b>	<b>\$147,319,763</b>	<b>\$103,111,374</b>	<b>\$2,717,172</b>	<b>\$146,887,263</b>	<b>(\$432,500)</b>

**Projected Carryover for FY2012**

\$220,878

(1) Other revenue due to \$4,620 in excess fees returned to District by Property Appraisers and Tax Collectors; and \$8 in interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.

(2) Project Withdrawn: Lake Tarpon Water Quality Project, Area 23 (\$182,500), which results in a reduction of revenue of \$65,000 budgeted from the Water Protection & Sustainability Trust Fund and \$26,250 from the Water Management Lands Trust Fund (WMLTF). Remaining budgeted funds not required due to construction costs reimbursable by the Florida Department of Transportation Mitigation Program: Mobbly Bayou Wilderness Preserve Habitat Restoration Project (\$250,000) which results in a reduction of revenue of \$125,000 budgeted from the WMLTF.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

WITHLACOOCHEE RIVER BASIN

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$4,625,138	\$4,247,897	\$0	\$0	\$4,247,897	\$0	\$2,481,563	\$4,247,897	\$0
Balance From Prior Years	0	1,245,712	0	0	1,245,712	0	0	1,245,712	0
Local Funding / County / City	822,699	178,043	2,487,177	0	2,665,220	0	7,221	2,665,220	0
State Funding	1,047,043	1,097,346	656,483	0	1,753,829	0		1,753,829	0
Interest on Investments	147,719	90,000	0	0	90,000	0	28,365	90,000	0
Other	35,302	0	0	0	0	0	72	72	72 (1)
<b>Total Revenues and Balances</b>	<b>\$6,677,901</b>	<b>\$6,858,998</b>	<b>\$3,143,660</b>	<b>\$0</b>	<b>\$10,002,658</b>	<b>\$0</b>	<b>\$2,517,221</b>	<b>\$10,002,730</b>	<b>\$72</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$9,625,413	\$0	\$9,625,413	\$0	\$0	\$9,625,413	\$0
Interfund Transfers - SWIM	34,710	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$6,712,611</b>	<b>\$6,858,998</b>	<b>\$12,769,073</b>	<b>\$0</b>	<b>\$19,628,071</b>	<b>\$0</b>	<b>\$2,517,221</b>	<b>\$19,628,143</b>	<b>\$72</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$1,173,902	\$1,361,587	\$0	\$0	\$1,361,587	\$0	\$220,583	\$1,361,587	\$0
Contracted Services	2,447,088	1,588,895	6,001,272	(108,000)	7,482,167	6,032,532	149,543	7,482,167	0
Operating Expenses	664,281	749,494	29,158	0	778,652	40,079	128,539	778,652	0
Operating Capital Outlay	21,955	48,000	35,651	0	83,651	20,000	17,578	83,651	0
Cooperative Funding Initiative Grants	1,253,092	2,242,729	5,059,994	108,000	7,410,723	7,126,812	14,241	7,410,723	0
Reserves for Watershed Management	0	668,293	1,642,998	0	2,311,291	1,642,998	0	2,311,291	0
Reserves for Contingencies	0	200,000	0	0	200,000	0	0	200,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$5,560,318</b>	<b>\$6,858,998</b>	<b>\$12,769,073</b>	<b>\$0</b>	<b>\$19,628,071</b>	<b>\$14,862,421</b>	<b>\$530,484</b>	<b>\$19,628,071</b>	<b>\$0</b>

Projected Carryover for FY2012

\$72

(1) Other revenue due to interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**PEACE RIVER BASIN**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$7,444,942	\$6,358,645	\$0	\$0	\$6,358,645	\$0	\$4,428,235	\$6,358,645	\$0
Balance From Prior Years	0	4,015,908	0	0	4,015,908	0	0	4,015,908	0
Local Funding / County / City	119,329	499,084	661,735	0	1,160,819	0	10,072	1,160,819	0
State Funding	2,892,062	1,415,640	18,445,570	0	19,861,210	0	12,397	19,861,210	0
Federal Funding	166,734	0	246,000	0	246,000	0	0	246,000	0
Interest on Investments	312,683	170,000	0	0	170,000	0	55,833	170,000	0
Other	986	0	0	0	0	0	17	17	17 (1)
<b>Total Revenues and Balances</b>	<b>\$10,936,736</b>	<b>\$12,459,277</b>	<b>\$19,353,305</b>	<b>\$0</b>	<b>\$31,812,582</b>	<b>\$0</b>	<b>\$4,506,554</b>	<b>\$31,812,599</b>	<b>\$17</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$16,021,402	\$0	\$16,021,402	\$0	\$0	\$16,021,402	\$0
Interfund Transfers - SWIM	141,033	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$11,077,769</b>	<b>\$12,459,277</b>	<b>\$35,374,707</b>	<b>\$0</b>	<b>\$47,833,984</b>	<b>\$0</b>	<b>\$4,506,554</b>	<b>\$47,834,001</b>	<b>\$17</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$1,123,040	\$1,237,799	\$0	\$0	\$1,237,799	\$0	\$209,055	\$1,237,799	\$0
Contracted Services	2,255,947	3,838,771	22,444,367	(48,000)	26,235,138	22,333,330	194,230	26,235,138	0
Operating Expenses	683,372	660,125	53,732	94,550	808,407	67,606	211,726	808,407	0
Operating Capital Outlay	5,246	0	170	0	170	0	170	170	0
Fixed Capital Outlay	0	0	0	0	0	0	10,000	0	0
Cooperative Funding Initiative Grants	5,981,942	6,472,582	12,055,972	(46,550)	18,482,004	15,084,849	25,122	18,482,004	0
Reserves for Water Supply & Resource Dev	0	0	820,466	0	820,466	820,466	0	820,466	0
Reserves for Contingencies	0	250,000	0	0	250,000	0	0	250,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$10,049,547</b>	<b>\$12,459,277</b>	<b>\$35,374,707</b>	<b>\$0</b>	<b>\$47,833,984</b>	<b>\$38,306,251</b>	<b>\$650,303</b>	<b>\$47,833,984</b>	<b>\$0</b>
<b>Projected Carryover for FY2012</b>									<b>\$17</b>

(1) Other revenue due to interest earnings received from Tax Collectors related to delinquent taxes and short-term earnings on tax collections before amounts were distributed to District.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010**

**MANASOTA BASIN**

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Ad Valorem Revenue	\$10,788,109	\$9,549,081	\$0	\$0	\$9,549,081	\$0	\$7,368,928	\$9,549,081	\$0
Balance From Prior Years	0	4,888,779	0	0	4,888,779	0	0	4,888,779	0
Local Funding / County / City	40,826	200,000	343,362	0	543,362	0	0	543,362	0
State Funding	2,423,022	1,259,017	7,351,857	0	8,610,874	0	28,914	8,610,874	0
Federal Funding	25,000	0	0	0	0	0	0	0	0
Interest on Investments	616,599	350,000	0	0	350,000	0	110,443	350,000	0
Other	1,437	0	0	0	0	0	0	0	0
<b>Total Revenues and Balances</b>	<b>\$13,894,993</b>	<b>\$16,246,877</b>	<b>\$7,695,219</b>	<b>\$0</b>	<b>\$23,942,096</b>	<b>\$0</b>	<b>\$7,508,285</b>	<b>\$23,942,096</b>	<b>\$0</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$32,743,155	\$0	\$32,743,155	\$0	\$0	\$32,743,155	\$0
Interfund Transfers - SWIM	180,766	0	0	0	0	0	0	0	0
<b>Total Revenues, Balances and Transfers</b>	<b>\$14,075,759</b>	<b>\$16,246,877</b>	<b>\$40,438,374</b>	<b>\$0</b>	<b>\$56,685,251</b>	<b>\$0</b>	<b>\$7,508,285</b>	<b>\$56,685,251</b>	<b>\$0</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$1,046,506	\$1,116,769	\$0	\$0	\$1,116,769	\$0	\$140,731	\$1,116,769	\$0
Contracted Services	1,928,200	3,904,181	5,982,074	(60,000)	9,826,255	6,719,395	147,995	9,826,255	0
Operating Expenses	403,443	555,157	14,980	0	570,137	18,551	202,797	570,137	0
Operating Capital Outlay	0	0	0	0	0	0	0	0	0
Cooperative Funding Initiative Grants	11,410,042	10,070,770	29,207,451	60,000	39,338,221	32,578,233	235,015	39,338,221	0
Reserves for Water Supply & Resource Dev	0	0	5,233,869	0	5,233,869	5,233,869	0	5,233,869	0
Reserves for Contingencies	0	600,000	0	0	600,000	0	0	600,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$14,788,191</b>	<b>\$16,246,877</b>	<b>\$40,438,374</b>	<b>\$0</b>	<b>\$56,685,251</b>	<b>\$44,550,048</b>	<b>\$726,538</b>	<b>\$56,685,251</b>	<b>\$0</b>
Projected Carryover for FY2012									\$0



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) PROGRAM

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
Local Funding / County / City	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funding	0	0	0	0	0	0	0	0	0
Federal Funding	0	0	0	0	0	0	0	0	0
<b>Total Revenues and Balances</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Interfund Transfers - SWIM	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Revenues, Balances and Transfers</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Contracted Services	0	0	0	0	0	0	0	0	0
Operating Expenses	0	0	0	0	0	0	0	0	0
Cooperative Funding Initiative Grants	0	0	0	0	0	0	0	0	0
<b>Total Expenditures / Encumbrances</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Interfund Transfers - SWIM	\$913,423 (1)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$913,423</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Projected Carryover for FY2012</b>									\$0

(1) Effective October 1, 2009, the use of a separate accounting fund for the SWIM Program was discontinued. SWIM projects are now included as part of the Basin Funds. FY2010 Actual only reflects the residual equity in the SWIM Fund that was distributed to the Basins.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

FDOT MITIGATION PROGRAM

	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
<b>REVENUES</b>									
State Funding	\$1,922,110	\$3,990,685	\$1,639,370	\$0	\$5,630,055	\$0	\$0	\$5,630,055	\$0
Federal Funding	39,101	0	0	0	0	0	0	0	0
Interest on Investments	14,121	0	0	0	0	0	0	0	0
<b>Total Revenues and Balances</b>	<b>\$1,975,332</b>	<b>\$3,990,685</b>	<b>\$1,639,370</b>	<b>\$0</b>	<b>\$5,630,055</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,630,055</b>	<b>\$0</b>
<b>Total Revenues, Balances and Transfers</b>	<b>\$1,975,332</b>	<b>\$3,990,685</b>	<b>\$1,639,370</b>	<b>\$0</b>	<b>\$5,630,055</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,630,055</b>	<b>\$0</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Salaries and Benefits	\$120,884	\$157,122	\$0	\$0	\$157,122	\$0	\$21,730	\$157,122	\$0
Contracted Services	1,819,773	3,822,032	1,639,370	0	5,461,402	1,566,607	72,763	\$5,461,402	0
Operating Expenses	20,554	11,531	0	0	11,531	0	188	\$11,531	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$1,961,211</b>	<b>\$3,990,685</b>	<b>\$1,639,370</b>	<b>\$0</b>	<b>\$5,630,055</b>	<b>\$1,566,607</b>	<b>\$94,681</b>	<b>\$5,630,055</b>	<b>\$0</b>
<b>Projected Carryover for FY2012</b>									\$0

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

PARTNERSHIP TRUST FUND

	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
<b>REVENUES</b>									
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Revenues, Balances and Transfers</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Cooperative Funding Initiative Grants	\$21,250,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$21,250,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Projected Carryover for FY2012</b>									\$0

Note: On March 4, 2010, Tampa Bay Water (TBW) received the remaining 25 percent (\$21.25 million) for the Desal Plant costs. These funds were paid after the plant had operated at 25 mgd for four consecutive months. In addition, TBW also received the interest earnings (\$10.3 million) on the \$85 million (funding set aside for the Desal Plant) after the plant had operated for 12 consecutive months at an annual average rate of 20 mgd of water for distribution to its customers. The trust account was officially closed on March 5, 2010.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

FLORIDA FOREVER

REVENUES	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
State Funding	\$30,346,317	\$19,010,768	\$2,882,264	\$0	\$21,893,032	\$0	\$0	\$21,893,032	\$0
<b>Total Revenues, Balances and Transfers</b>	<b>\$30,346,317</b>	<b>\$19,010,768</b>	<b>\$2,882,264</b>	<b>\$0</b>	<b>\$21,893,032</b>	<b>\$0</b>	<b>\$0</b>	<b>\$21,893,032</b>	<b>\$0</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Contracted Services	\$1,394,394	\$112,500	\$2,882,264	\$0	\$2,994,764	\$2,485,895	\$377,846	\$2,994,764	\$0
Operating Expenses	99,216	81,268	0	0	81,268	0	6,676	81,268	0
Fixed Capital Outlay	28,852,707	18,817,000	0	0	18,817,000	4,200	124,768	18,817,000	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$30,346,317</b>	<b>\$19,010,768</b>	<b>\$2,882,264</b>	<b>\$0</b>	<b>\$21,893,032</b>	<b>\$2,490,095</b>	<b>\$509,290</b>	<b>\$21,893,032</b>	<b>\$0</b>
<b>Projected Carryover for FY2012</b>									\$0 (1)

(1) Florida Forever expenditures are fully funded by the Florida Forever Trust Fund and Water Management Lands Trust Fund. Therefore, there is no projected carryover for FY2012.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
REVENUES AND EXPENDITURES / ENCUMBRANCES FINANCIAL REPORT  
THREE MONTHS ENDED DECEMBER 31, 2010

FACILITIES FUND

	FY2010 ACTUAL	ADOPTED FY2011 BUDGET	PRIOR YEAR ENCUM- BRANCES	BUDGET AMENDMENTS/ TRANSFERS	MODIFIED FY2011 BUDGET	ENCUMBERED AT MONTH-END	FY2011 ACTUALS YTD	FY2011 FORECAST	VARIANCE
<b>REVENUES</b>									
Ad Valorem Revenue	\$1,250,000	\$1,500,000	\$0	\$0	\$1,500,000	\$0	\$1,500,000	\$1,500,000	\$0
Balance From Prior Years	0	1,294,285	0	0	1,294,285	0	0	1,294,285	0
<b>Total Revenues and Balances</b>	<b>\$1,250,000</b>	<b>\$2,794,285</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,794,285</b>	<b>\$0</b>	<b>\$1,500,000</b>	<b>\$2,794,285</b>	<b>\$0</b>
Fund Balance - Restricted for Encumbrances	\$0	\$0	\$929,068	\$0	\$929,068	\$0	\$0	\$929,068	\$0
<b>Total Revenues, Balances and Transfers</b>	<b>\$1,250,000</b>	<b>\$2,794,285</b>	<b>\$929,068</b>	<b>\$0</b>	<b>\$3,723,353</b>	<b>\$0</b>	<b>\$1,500,000</b>	<b>\$3,723,353</b>	<b>\$0</b>
<b>EXPENDITURES / ENCUMBRANCES</b>									
Contracted Services	\$864,339	\$2,658,000	\$929,068	\$0	\$3,587,068	\$287,442	\$122,176	\$3,587,068	\$0
Operating Expenses	88,183	97,000	0	0	97,000	0	68,000	97,000	0
Reserves for Capital Outlay for Facilities	0	39,285	0	0	39,285	0	0	39,285	0
<b>Total Expenditures, Reserves &amp; Transfers</b>	<b>\$952,522</b>	<b>\$2,794,285</b>	<b>\$929,068</b>	<b>\$0</b>	<b>\$3,723,353</b>	<b>\$287,442</b>	<b>\$190,176</b>	<b>\$3,723,353</b>	<b>\$0</b>
Projected Carryover for FY2012									\$0

**Finance and Administration Committee  
January 25, 2011**

***Routine Report***

**Treasurer's Report, Payment Register, and Contingency Reserves**

*Purpose*

Presentation of the Treasurer's Report, Payment Register, and Contingency Reserves.

*Background*

In accordance with Board Policy 130-3, *District Investment Policy*, a monthly report on investments shall be provided to the Governing Board. Attached is a copy of the Treasurer's Report as of December 31, 2010, which reflects total cash and investments at a market value of \$742,323,776.

As reflected on the December 31, 2010, Treasurer's Report, the investment portfolio had \$108.7 million or 14.6 percent invested with the State Board of Administration (SBA) of which \$101.2 million is invested in the Florida PRIME (formerly the Local Government Investment Pool) and \$7.5 million in the Fund B Surplus Funds Trust Fund (Fund B). The District has received \$73.5 thousand of Pool A interest earnings during the first three months of fiscal year (FY) 2011. Fund B is not distributing interest earnings. The District is managing its short-term and daily liquidity needs through the use of the Florida PRIME and two money market funds (Dreyfus Government Cash Management and Federated Government Obligations #5). Consistent with Board Policy 130-3, the maximum percent of the portfolio that will be invested in any one money market fund is 25 percent.

Fund B consists of assets that had defaulted on a payment, paid more slowly than expected, or had any significant credit and liquidity risk. Fund B cash holdings are being distributed to participants as they become available monthly from maturities, sales and received income. The investment objective for Fund B is to maximize the present value of distributions. At December 31, 2010, the District's investment in Fund B was \$7.5 million, down from the initial investment of \$40.7 million. The market value of the Fund B investments is estimated at \$5.5 million or approximately 72.6 percent of cost, reflecting \$2 million at risk. District staff is not aware of any plans by the SBA to liquidate Fund B investments below cost.

On January 6, 2011, the SBA released another \$95.6 thousand from Fund B. Therefore, subsequent to December 31, 2010, the balance of \$7.5 million has been reduced by \$.1 million, leaving the District's balance in Fund B at \$7.4 million, which further reduces the \$2 million at risk.

Staff will continue to monitor the SBA activities to determine how this will impact the District's current investment in the SBA Florida PRIME, and affect the District's investment strategy going forward.

During the first quarter ended December 31, 2010, the District collected \$117.7 million in ad valorem taxes, which is 73 percent of the annual budget. This compares favorably with 67 percent in FY2010 and 56 percent in FY2009, for collections during this same period.

In accordance with Board Policy 130-1, *Disbursement of Funds*, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic funds transfers (EFTs).

## Item 47

The FY2011 Contingency Reserves Report (District only) follows:

ORIGINAL BUDGET AMOUNT:	\$5,000,000	Date of Board Action
Less Approved Transfers		
No transfers have been made to date this fiscal year.		
BALANCE:	\$5,000,000	

Staff Recommendation:

See Exhibit

These items are presented for the Committee's information, and no action is required.

Presenter: Daryl F. Pokrana, Director, Finance Department



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT TO THE GOVERNING BOARD  
December 31, 2010

AGENCY SECURITIES

CUSIP NUMBER	EFFECTIVE INTEREST RATE	CALLABLE/ BULLET	PURCHASE DATE	MATURITY DATE	DURATION (YRS) OF SECURITY	DAYS TO MATURITY	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
-----------------	-------------------------------	---------------------	------------------	------------------	-------------------------------	---------------------	------------------	-----------------	---------------------	-------------------

**FEDERAL FARM CREDIT**

31331yq45	3.88	Bullet	06/13/2008	05/19/2011	2.93	139	\$9,800,000	\$10,111,300	\$36,750	
31331y3n8	3.91	Bullet	07/30/2008	07/15/2011	2.96	196	9,920,000	10,176,700	167,153	
31331jcb7	1.80	Callable	01/25/2010	01/25/2013	3.00	756	14,000,000	14,012,320	109,200	
31331jns8	1.75	Callable	05/21/2010	05/21/2013	3.00	872	10,000,000	10,099,400	19,444	
31331j6e8	1.30	Callable	12/28/2010	06/28/2013	2.50	910	20,000,000	20,000,400	2,167	
31331jzk2	1.05	Callable	08/26/2010	08/26/2013	3.00	969	20,000,000	19,994,000	72,917	
31331jc84	1.04	Callable	09/09/2010	09/09/2013	3.00	983	20,000,000	19,937,600	64,711	
31331jh63	1.15	Callable	09/20/2010	09/20/2013	3.00	994	20,000,000	19,974,400	64,528	
<b>TOTAL FEDERAL FARM CREDIT</b>							<b>\$123,720,000</b>	<b>\$124,306,120</b>	<b>\$536,870</b>	<b>16.67</b>

**FEDERAL HOME LOAN BANK**

3133xpny6	3.10	Bullet	05/01/2008	03/11/2011	2.86	70	\$9,938,300	\$10,049,200	\$87,847	
3133xr4u1	3.44	Bullet	06/10/2008	06/10/2011	3.00	161	9,910,000	10,114,800	18,229	
3133xufu2	1.60	Callable	08/17/2009	02/17/2012	2.50	413	10,000,000	10,015,700	59,556	
3133713d6	1.13	Callable	09/23/2010	09/23/2013	3.00	997	20,000,000	19,937,800	61,250	
313372ab0	1.50	Callable	12/27/2010	12/27/2013	3.00	1092	20,000,000	20,006,600	3,333	
313372at1	1.00	Callable	12/30/2010	12/30/2013	3.00	1095	20,000,000	19,985,000	556	
<b>TOTAL FEDERAL HOME LOAN BANK</b>							<b>\$89,848,300</b>	<b>\$90,109,100</b>	<b>\$230,771</b>	<b>12.10</b>

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT TO THE GOVERNING BOARD  
December 31, 2010

AGENCY SECURITIES (CONTINUED)

CUSIP NUMBER	EFFECTIVE INTEREST RATE	CALLABLE/ BULLET	PURCHASE DATE	MATURITY DATE	DURATION (YRS) OF SECURITY	DAYS TO MATURITY	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
<b>FEDERAL HOME LOAN MORTGAGE CORPORATION</b>										
3134g1q64	1.00	Callable	12/28/2010	12/28/2012	2.00	728	\$20,000,000	\$19,991,200	\$1,667	
3134g1b86	1.13	Callable	12/16/2010	12/16/2013	3.00	1081	20,000,000	19,885,000	9,375	
<b>TOTAL FEDERAL HOME LOAN MORTGAGE CORPORATION</b>							<b>\$40,000,000</b>	<b>\$39,876,200</b>	<b>\$11,042</b>	<b>5.39</b>
<b>FEDERAL NATIONAL MORTGAGE ASSOCIATION</b>										
3136f9hx4	3.13	Bullet	04/21/2008	04/21/2011	3.00	111	\$10,000,000	\$10,084,400	\$60,764	
3136fjm40	1.38	Callable	01/25/2010	01/25/2013	3.00	756	20,000,000	20,008,600	119,167	
3136fmq80	1.13	Callable	07/19/2010	07/19/2013	3.00	931	20,000,000	20,002,400	101,250	
3136fm3l6	0.75	Callable	08/02/2010	08/02/2013	3.00	945	20,000,000	20,001,000	62,083	
31398az62	1.30	Callable	08/09/2010	08/09/2013	3.00	952	20,000,000	20,013,000	102,556	
3136fpkd8	1.10	Callable	09/30/2010	09/30/2013	3.00	1004	18,000,000	17,879,220	50,050	
31398a4s8	1.05	Callable	12/08/2010	10/22/2013	2.87	1026	20,000,000	19,847,400	40,250	
<b>TOTAL FEDERAL NATIONAL MORTGAGE ASSOCIATION</b>							<b>\$128,000,000</b>	<b>\$127,836,020</b>	<b>\$536,120</b>	<b>17.24</b>
<b>TOTAL AGENCY SECURITIES</b>							<b>\$381,568,300</b>	<b>\$382,127,440</b>	<b>\$1,314,803</b>	<b>51.40</b>

CASH EQUIVALENTS

CUSIP NUMBER	EFFECTIVE INTEREST RATE	CALLABLE/ BULLET	PURCHASE DATE	MATURITY DATE	DURATION (YRS) OF SECURITY	DAYS TO MATURITY	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
<b>UNITED STATES TREASURY BILL</b>										
9127952g5	0.17	Bullet	09/16/2010	03/17/2011	0.50	76	\$19,982,811	\$19,982,811	\$10,106	
9127952j9	0.18	Bullet	09/30/2010	03/31/2011	0.50	90	19,982,306	19,982,306	9,042	
912795x22	0.18	Bullet	12/30/2010	06/30/2011	0.50	181	19,981,800	19,981,800	200	
<b>TOTAL UNITED STATES TREASURY BILL</b>							<b>\$59,946,917</b>	<b>\$59,946,917</b>	<b>\$19,348</b>	<b>8.08</b>

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT TO THE GOVERNING BOARD  
December 31, 2010

STATE BOARD OF ADMINISTRATION (SBA) & OTHER INVESTMENT ACCOUNTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
<b>STATE BOARD OF ADMINISTRATION</b>						
<b>Florida PRIME (Formerly Local Government Investment Pool)</b>						
271413	SBA General Investments	0.27	\$52,469,829	\$52,469,829		
271411	SBA Workers' Compensation	0.27	1,416,081	1,416,081		
271412	SBA Benefit Plan	0.27	72,407	72,407		
271414	SBA Land Resources	0.27	7,432,013	7,432,013		
271415	SBA Advanced State Funding (Eco System Trust Fund)	0.27	10,847,741	10,847,741		
271416	SBA Advanced State Funding (FDOT)	0.27	7,862,716	7,862,716		
271417	SBA Advanced State Funding (WRAP)	0.27	13,963,058	13,963,058		
271418	SBA Advanced State Funding (WPSTF AWS)	0.27	7,128,260	7,128,260		
			<b>\$101,192,105</b>	<b>\$101,192,105</b>		
<b>Fund B Surplus Funds Trust Fund (1)</b>						
271413	SBA General Investments	0.00	\$6,868,738	\$4,988,764		
271415	SBA Advanced State Funding (Eco System Trust Fund)	0.00	679,919	493,825		
			<b>\$7,548,657</b>	<b>\$5,482,589</b>		
<b>TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS</b>			<b>\$108,740,762</b>	<b>\$106,674,694</b>		<b>14.64</b>
<b>DREYFUS GOVERNMENT CASH MANAGEMENT ACCOUNT</b>		0.03	<b>92,309,935</b>	<b>92,309,935</b>		<b>12.44</b>
<b>FEDERATED GOVERNMENT OBLIGATIONS #5 ACCOUNT</b>		0.03	<b>99,769,411</b>	<b>99,769,411</b>		<b>13.44</b>
<b>TOTAL INVESTMENTS</b>			<b>\$742,335,325</b>	<b>\$740,828,397</b>		<b>100.00</b>
<b>CASH, SUNTRUST DEMAND ACCOUNT</b>			<b>1,495,379</b>	<b>1,495,379</b>		
<b>TOTAL CASH AND INVESTMENTS</b>			<b>\$743,830,704</b>	<b>\$742,323,776</b>		

Weighted average yield on portfolio at December 31, 2010 is 0.83%.

(1) Fund B commingles investments from participants in a portfolio of securities with the objective to maximize the present value of distributions to participants, to the extent reasonable and prudent, net of fees. This objective emphasizes both the timeliness and extent of the recovery of participants' original principal. This is according to Investment Policy Guidelines, Local Government Investment Fund B, Part III. Investment Objective (effective 12/21/07). The District is not receiving interest earnings distributions from the SBA-Fund B accounts.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT TO THE GOVERNING BOARD  
December 31, 2010**

**EQUITY - CASH AND INVESTMENTS**

***DISTRICT AND BASINS***

District General Fund	358,764,430	48.23%
Alafia River Basin	21,044,894	2.83%
Hillsborough River Basin	93,708,689	12.60%
Coastal Rivers Basin	16,065,879	2.16%
Pinellas-Anclote River Basin	141,443,388	19.02%
Withlacoochee River Basin	13,860,972	1.86%
Peace River Basin	33,761,663	4.54%
Manasota Basin	57,446,145	7.72%
FDOT Mitigation Program	7,734,644	1.04%

***TOTAL EQUITY IN CASH AND INVESTMENTS***

**\$743,830,704      100.00%**

## Finance and Administration Committee January 25, 2011

### *Routine Report*

#### **Management Services Significant Activities**

##### **Water Management Information System (WMIS)**

The vision for WMIS, as defined in the Governing Board approved 2005 Vision Statement and included in the IRD 2006-2010 Five-Year Technology Plan, is that it will enable the District's major resource management and planning activities by storing and retrieving all Scientific and Regulatory data as well as providing critical operational support to the District's Water Use Permitting (WUP), Environmental Resource Permitting (ERP), Well Construction Permitting (WCP), and all regulatory compliance programs. Specifically, it will (1) provide for the entry, maintenance, analysis, and presentation of the District's scientific and regulatory data; (2) be easy to use, robust, nimble, and enable appropriate decision-making through the consistent application of the District's scientific, regulatory, and business processes; (3) reach the Executive performance goal for WMIS is to achieve at least 80% applicant online utilization for each permit type and 99% utilization by staff for processing and review by 2013 or earlier; (4) be a component of the District's Strategic Information Systems architecture and (5) facilitate and allow for comprehensive demonstration of the District's accomplishment of its mission and accountability for its performance in meeting its areas of responsibility. **History:** Because WMIS was planned to be developed over an extended period using the Rational Unified Process, components of the system have been developed and released in sequence. The following are the key release dates for the system since the version 2.0 release in August 2010:

- August 30, 2010 – WMIS 2.0 version was released. It fulfilled the goals of:
  - Completing the functionality identified for completion by September 30, 2010 in the IRD Five Year Technology Plan, FY2006-FY2010.
  - Providing District customers with online Web access to all permit types.
  - Reducing the need for paper storage for files of record.
  - Making new ERP documents immediately available to the public through the website.
  - Reducing review time for WUP staff by incorporating additional automation of condition data and thus reducing manual processing.
  - Improving the functionality of the Permit Information Center (PIC) and the Resource Data module, which will make the PIC easier to negotiate for online users and internal staff, increase search options and provide access to additional resource data to internal and external users.
- October 30, 2010 – Further improvements to the PIC have resulted in an increase of approximately 50% in the speed of data entry for permits with a high number of withdrawals. The ability to "Search by map" has been added to the Compliance record search and the ERP search for internal and external users.
- November 30, 2010 – Fixes and enhancements were put into production, but the focus of the WMIS team is now primarily on developing requested additions and enhancements for the major release in March 2011.

**Current Status:** Progress continues on programming tasks for the March release. The PIC Improvement Team continues to research and implement enhancements to the system. The project schedule for planned operational maintenance and enhancement releases designed to continuously improve well-defined District regulatory and scientific functions is on track for FY 2011.

Following are the performance status indicators of the completed releases. These indicators represent performance metrics through December 2010:

PERMIT	GOAL	DECEMBER 2010	NOVEMBER 2010
WCP – Public on-line use for applications and completion report submission	80%	88%	87%
WCP – District staff use for evaluation and permit issue	99%	99%	99%
WUP – Public on-line use for applications	80%	32%	32%
WUP – District staff use for evaluation and permit issue	99%	99%	99%
PIC – Eligible permit holders who chose to register in PIC	80%	48%	47%
PIC – Eligible permit holders who successfully submit meter data through PIC	80%	37%	33%
ERP – Public on-line use for applications (new report since release of all permit types in August 2010)	80%	6%	5%

**Next Major Milestones:** The next major release for planned WMIS enhancements is scheduled for March 2011. Highlights for that release include:

- Enhanced application process for Environmental Resource Permits allowing applicants to further refine the information provided and reduce the number of paper documents they need to produce and upload.
- Improvements and additions to the Environmental Resource Permit review workflow, with additional functionality and automation for reviewers.
- Transitioning additional documents and functionality into WMIS from legacy systems (Lotus Notes).
- Improvements to WMIS core technology to enhance performance for applicants and staff.
- Additional automation and enhancements to Water Use Permits review.
- Incorporation of map/spatial search capability into ERP and Compliance.
- Design improvements to user screens and navigation.
- PIC improvements identified by the IRD PIC improvement team

WMIS remains on time and within budget.

## **Enterprise Content Management (ECM)**

ECM provides for the centralized management of all content and allows quick access to the information in a structured manner. It is critical to the District's business continuity that this information is safe, secured and easily retrievable on demand. The Information Resources Department (IRD) and Records Management share in this task of managing the District's critical information in this environment. Due to requirements listed in Florida Administrative Code (FAC) 1B-26.003, storage for electronic records is also a major concern addressed with an ECM infrastructure. The District has already implemented some components of content management such as imaging and workflow processing in the Water Management Information System (WMIS). South Florida and St. Johns Water Management Districts are in like stages of their ECM implementations. A Master Service Agreement was signed with Iknow, LLC for ECM services on December 31, 2008 and task orders were being created from this agreement to implement this project. Based on recommendations by Legal and Contracts, the District terminated the contract with IKnow, LLC effective September 7, 2010 based on poor performance and improper subcontractor management. A new ECM contractor, Acuity was hired on September 22, 2010. As seen in next two sections, Acuity has done an excellent job ensuring all project timelines are met. **Current Status:** The email integration components have been delivered and are in the testing phase. The anticipated District-wide deployment is in January 2011. The scanning strategy implementation is complete and is in production. The first phase of the taxonomy implementation began December 1, 2010 and is anticipated to be

completed in March 2011. **Next Major Milestones:** The next focus is on taxonomy and Finance and Contracts process improvements completion. The taxonomy implementation will be done in two phases. Phase one, Collaboration integration, began in December 2010 with a planned completion date of March 2011. Phase two, Records and Document Management integration, will begin in May 2011 with a planned completion date of November 2011. The Financial process improvement project is planned to start in February 2011 and complete in July 2011. The Contract process improvement project is planned to begin in May 2011 and complete in November 2011. The total ECM project is on time and within budget.

### **Project Information Management System/Cooperative Funding Initiative (PIMS/CFI)**

The PIMS project was started in FY 2006 as a replacement for a limited function project management system written in Domino/Lotus Notes. The earlier project management solution was a critical resource used by the Governing Board and Basin Boards to evaluate the progress of existing projects. The PIMS solution provides an easier to use process for project definition, automates the integration with the financial systems and provides integration with other district applications including the WMIS, the Surface Water Improvement Management (SWIM) program and document management. It is designed to reduce the administrative effort to maintain the information, improve the accuracy of the information and provide more flexibility in how the information is reported. It also includes Cooperative Funding Initiative (CFI) online access. **Current Status:** This system is in production. The Office of Inspector General (OIG) performed a planned security audit on the PIMS application. Based on the results of this audit, a security certification was recommended. Achieving this certification required that the application be modified. Ninety percent of these changes were completed as part of the October 15, 2010 release and the remaining changes are planned for a February 4, 2011 software release. Since PIMS is officially in maintenance mode, the PIMS Information Technology Team (PITT) was formed to determine needed enhancements and establish priorities for PIMS and CFI. The team's first meeting was held December 6, 2010. Additional open requirements and performance tuning enhancements were implemented on December 17, 2010. **Next Major Milestones:** Work continues on open requirements and performance tuning, following the direction of the PITT. Other security related server updates are being tested and planned for implementation by February 4, 2011. The project remains on time and within budget.

### **Human Resources Information System (HRIS)**

The purpose of HRIS is to integrate current and planned payroll and human resource software and processes into a usable decision support system. As originally identified in the Information Resources Department Five-Year Technology Plan, FY2008 – FY2012, the District purchased the NuView System in August 2007 via a Request for Proposal (RFP) to replace the existing application, Hewitt CYBORG Human Resource and Payroll system, which was removed from the IBM Mainframe on September 30, 2009. The HRIS consists of the NuView Human Resources (HR) software, the CORT payroll software and Interface Utility (IU) which connects them. **Current Status:** NuView version 4.12, Cort version 8.2 and IU version 2 are the current HRIS production systems for the District. The District installed Cort version 8.2 in December 2010 as planned. **Next Major Milestones:** Based on a NuView recommendation and a joint NuView and District analysis, this is the current status of the NuView version 4.12 to version 4.14 upgrade and the associated software maintenance schedule:

- January 2011 – NuView started integrating and testing version 4.14 at their test facility
- January 2011 – The District is testing IU version 3.
- February 2011 – NuView Version 4.14 will be installed at the District. This planned upgrade is a prerequisite to the customization and installation of the remaining recruitment, performance management and learning management modules.

Based on a thorough review of the HRIS status, the HRIS Sponsors recommended to Executive Staff that NuView's recruitment, performance management and learning management modules



not be implemented at the District. The performance management module will be developed using internal District resources so there is no additional investment required. The recruitment and learning management modules will be acquired from the commercial market. Using this approach will allow the District to use existing NuView module implementation and upgrade funds for the acquisition and implementation of the new modules. No new funding will be required. This approach will also help ensure that all Lotus Notes applications are removed from the District's portfolio by September 2011 as planned.

### **Unified Communication Process Improvement**

As first identified in the *IRD Five-Year Technology Plan, FY2009–FY2013*, the District has identified the need for Unified Communications to improve staff communication during significant storm events, field operations and daily work. Unified Communication includes, but is not limited to, voice, video, data and two-way radio frequency (RF) communications. According to the IRD Technology Plan, the major milestones are communications support consolidation in October 2008 (Completed), Networking Infrastructure and telecommunications upgrades in 2009 (Completed) Voice over IP (Telephony) in 2010 (Started), Unified Messaging (Email and Voice Mail) in 2011, Radio Integration (Radio and Voice) in FY2012, and Unified Communications (Voice/Video/Data/FAX/Web) in 2013. The goals of this project are to:

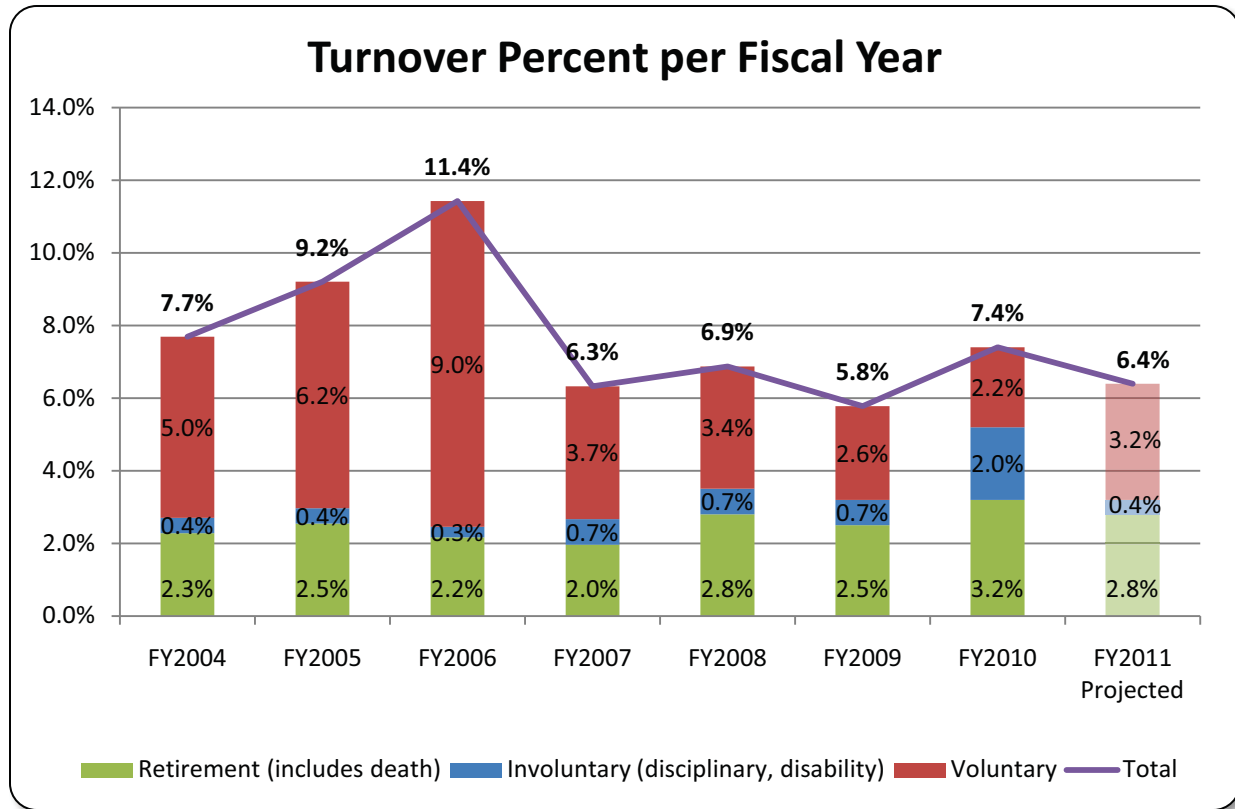
- Create a common understanding of communications interoperability at the District to all business units throughout the organization.
- Integrate existing and future communications systems
- Establish a process for the acquisition, implementation, ongoing support, and maintenance of this communications infrastructure.
- Facilitate training to enhance the efforts of a unified communications strategy.
- Ensure close coordination between Finance, Information Resources, Land Resources, Operations and General Services during all phases of the Unified Communications project.

**Current Status:** The prototype Voice over Internet Protocol (VoIP) equipment is installed and continues to be evaluated for ways to improve the full deployment planned for the 3<sup>rd</sup> quarter of FY2011. IRD and GSD personnel are testing the remote management of radio towers. **Next**

**Major Milestones:** The full deployment of VoIP to District staff is planned for completion during the third quarter of FY2011 rather than the late 2<sup>nd</sup> quarter as originally planned because of contract and bill of material changes. The District continues to negotiate with the vendor concerning these changes to ensure a smooth deployment. As identified in the IRD Five-Year Technology Plan, FY2011-FY2015, the total Unified Communications project remains on time and within budget for completion in FY2013.

### **Employee Turnover**

Employee turnover is widely viewed as a key indicator of an employer's ability to attract and retain the critical talent required to carry out the mission and strategic priorities of the enterprise. As a public sector employer, the District has historically achieved turnover relatively low compared to the private sector and, generally, to other public sector organizations in its geographic area. This continues to be the situation with the economic downturn of the past several months producing a further dampening effect on our turnover experience.



**Current Status:**

- For the first quarter in FY2011, employee turnover (regular, board-authorized positions) was 1.6% (0.8% voluntary, 0.7% retirement and 0.1% involuntary) compared to 1.7% for the same time period in FY2010.
- The number of vacant positions as of December 31, 2010 was 18. The average number of vacancies for the previous 12 months was 26.

Human Resources staff will continue to track and report to management on turnover trends to ensure that we are prepared to respond to any unusual trends that may occur in the future.

**Risk Management and Safety**

The District is committed to providing a safe and healthy environment for employees. This activity includes both internal and extracurricular wellness and safety programs which can benefit both employees and their dependents. Funds to support this initiative are budgeted annually by the Human Resources/Risk Management Department. Wellness and safety programs have been shown to increase workplace productivity, reduce incidents of accident and illness, and improve the overall mental, physical and emotional health and well being of employees and their families and reduce health care and lost time costs to the District.

**Current Status:** The District offered on-site flu vaccination clinics to employees at all locations at the start of the flu season. A total of five clinics were held with 345 employees receiving the vaccine. Through its membership in Wellness Council of America (WELCOA), the District identified a new provider who conducted the clinics at a cost of \$20 per injection. Utilizing this new provider saved the District \$1,500 over the cost proposed by the prior vendor. All Terrain Vehicle (ATV) training was recently provided to eight employees at the Croom property in Hernando County. The ATV Rider Course is a hands-on program with particular emphasis on the safety implications of operating an ATV. The course also covers protective gear, environmental concerns, local laws, and safety techniques. This training was a cooperative interagency event conducted by Florida Division of Forestry at no cost to the District other than

time and equipment utilization. The monetary savings to the District for this program is estimated at \$150 per person/\$1,200 total value.

### **Financial Systems**

The Financial Information Technology team is responsible for supporting the District's software applications critical to the District's financial operations. These software applications currently include the ADVANTAGE Financial software, the BRASS budget software, the Business Objects reporting solution as well as other internally developed applications. The Payroll Section coordinates with Human Resources and Information Resources staff to ensure continuous support to meet mission critical payroll data processing requirements. The primary software applications used to meet these requirements are the NuView Payroll system and the Kronos Workforce Central system. **Current Status:** Financial Systems staff is nearing completion of implementation activities for the new Performance Budgeting software as a replacement for the BRASS budget software. Several new enhancements were added to the software functionality. End user refresher training will be completed by the end of January 2011. Payroll staff will continue to participate in the Human Resources Information System (HRIS) project throughout fiscal year 2011 to support the HRIS upgrade activities. A sub release upgrade for the Payroll system was implemented in production in December 2010, including changes to tax tables required for processing calendar year 2011 payroll. Coordination with the Human Resources Department ensured that open enrollment processing was completed successfully. **Next Major Milestones:** The Performance Budgeting software implementation project will be a major focus of Financial Systems staff with the project expected to be completed by the end of January 2011. Financial Systems staff is also anticipating completion of annual close activities to include testing of 1099 reporting processes by the end of January 2011. Payroll staff is scheduled to complete W-2 reporting processes before the end of January 2011. Payroll staff will then begin testing a new version of the HRIS integration utility and is expected to implement the upgraded product in a production environment by March 2011. All projects are on time and within budget.

### **Bartow Building 1 – Renovation**

Building 1 was built in 1991 to accommodate growth at the Bartow Service Office; and houses the Bartow Regulation Department as well as the Land Management, Facilities and Construction Services, and Resource Conservation Sections. The existing 60-ton air conditioning system is the original system that was installed when the building was built and is nearing the end of its efficient operating lifecycle. Over the years, the building has had ongoing problems with humidity and cooling. A January 27, 2009 heating, ventilation, and air conditioning (HVAC) engineering study found significant issues with the capacity of the system, condensate routing, poorly controlled humidity in the occupied spaces, and size and location of the mechanical mezzanine and the lined ductwork. The study also identified problems with the existing attic insulation. The study recommended a total replacement of the HVAC system as well as the attic insulation. The U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design for Existing Buildings (LEED-EB) guidelines for design, products and construction practices will be used wherever possible and economically viable. This project will involve the temporary relocation of staff and the removal of the ceiling to perform this work. While this project is underway, the break room will be updated; the lighting, carpet, floor tile, ceiling, fire alarm system and furniture will be reused or replaced as necessary. The fire alarm system is required to be replaced to meet current building code.

- August 2010 – Staff met with Anston-Greenlees, Inc. to review the project's scope of work, to do a walkthrough of the building, and to provide it with the as-built building plans. Following the meeting, Anston-Greenlees, Inc. met with its project team, and developed and submitted its proposal for the Architectural/Engineering work.

## Item 48

- September 2010 – Staff reviewed the Anston-Greenlees, Inc. revised proposal; agreement was reached and a contract was drafted. The contract amount (\$194,750) is under the budgeted amount (\$200,000).
- October 2010 – Contract Agreement with Anston-Greenlees, Inc. was reviewed and signed off on by the Executive staff.
- November 2010- Kickoff meeting held with AGI. Plan being developed for staff relocation during the renovation.
- December 2010 – AGI presented the District with the preliminary design. The District met with AGI, provided comments and directed AGI to proceed with design.

**Current Status:** AGI is working on the Design Documents. District staff is working on locating temporary office space for the Bartow staff. **Next Major Milestone:** Design Documents (50%) due January 14, 2011. Currently, the Project schedule is anticipated as follows: Final Design due April 29, 2011; Staff Relocation – May to June 2011; Construction Contract Bid and Award - May to June 2011; and Construction – July 2011 thru June 2012.

Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: Eugene A. Schiller, Deputy Executive Director, Management Services



# Governing Board Meeting

## January 25, 2011

### OUTREACH & PLANNING COMMITTEE

#### ***Discussion Item***

49. Regional Water Supply Plan Update ..... (15 minutes) ..... 2  
(Strategic Plan: Water Supply – Regional Water Supply Planning)
50. Development of Fiscal Year 2013-2018 Strategic Plan ..... (25 minutes) ..... 3  
(Strategic Plan: Mission Support)
51. Selecting 2011 Public Service Advertising Campaign ..... (15 minutes) ..... 4  
(Strategic Plan: Water Supply – Conservation)
52. Legislative Update ..... (15 minutes) ..... 6  
(Strategic Plan: Mission Support)

#### ***Submit & File Reports***

53. Consolidated Annual Report Status ..... 7

#### ***Routine Reports***

54. Comprehensive Plan Amendment and Related Reviews Report ..... 8
55. Development of Regional Impact Activity Report ..... 15
56. Speakers Bureau ..... 19
57. Significant Activities ..... 22

**Outreach and Planning Committee  
January 25, 2011**

***Discussion Item***

**Regional Water Supply Plan Update**

***Purpose***

The purpose of this discussion item is to request of the Governing Board to postpone approval of the Regional Water Supply Plan until December 2011.

***Background***

A Regional Water Supply Plan (RWSP) is required by statute every five years for areas where 20-year demand is anticipated to exhaust existing supplies. The RWSP is a “catalog” of demand projections, potential water sources, projects to develop the sources and potential funding sources for the projects. The northern six counties are included for the first time not because demand is anticipated to exceed supply, but to prevent that occurrence from happening. The RWSP lists conservation and reclaimed water projects which will assist in extending the groundwater supply in the Northern Planning Region and throughout the District.

Although the official due date to the Florida Department of Environmental Protection is December 2011 (five years after approval of the 2006 RWSP), staff initiated work in June 2008 with the intent to finish in the fall of 2010 to be concurrent with the other water management districts; however, as work has progressed, the other water management districts have opted to alter their schedules. The following table is the current schedule for RWSP adoption:

NFWWMD	Fall 2011
SRWMD	Spring 2011
SJRWMD	To Be Determined (Likely Fall 2011)
SFWMD	Lower West Coast Fall 2011
	Kissimmee Basin Fall 2012
	Upper East Coast Spring 2011
	Lower East Coast Fall 2012

Approval of the RWSP would meet the statutory deadline and initiate the statutory requirement for local governments to adopt or update a 10-year water supply work plan into their comprehensive plans. Local governments have 18 months to comply with this condition.

As growth management legislation is likely in the 2011 Legislative Session, postponement of approval to December 2011 would allow staff to be more responsive to any alteration to growth management laws impacting water supply planning. If postponed, staff would initiate an update to the 2010 document to revise data and information which would become outdated in the interim period prior approval. The current drafts would remain available on our website, should local governments wish to use them in their ongoing water supply planning efforts.

**Staff Recommendation:**

Postpone adoption of the RWSP until December 2011, thereby allowing staff to align the plan with 2011 legislative changes.

**Presenter:** Roy Mazur, Director, Planning Department



## Outreach and Planning Committee January 25, 2011

### *Discussion Item*

#### **Development of Fiscal Year 2013-2018 Strategic Plan**

##### *Purpose*

The purpose of this agenda item is to inform the Governing Board on the progress of the Strategic Plan and introduce the findings of the Governing Board's Outreach & Planning Committee.

##### *Background*

In response to the Governing Board's request for a more dynamic Strategic Planning process, staff initiated discussions on the update for next year's Strategic Plan at the Board's November meeting. Three goals were discussed with the Board: (1) ensure additional Governing Board and executive staff input, (2) improve the utility of the Plan as a communications tool to facilitate policy discussions, and (3) enhance accountability with Governing and Basin Board members relative to the District's strategic initiatives. Over the next several months, staff will provide an overview of each of the District's statutory areas of responsibility; Water Supply, Water Quality, Natural Systems and Flood Protection. The Board will be asked to help identify the Strategic Initiatives in each of those areas. Once the initiatives are selected, staff will identify and align District programs and resources to ensure the best opportunities for successful outcomes.

The first step towards establishing a solid foundation for the Strategic Plan is to reaffirm the agency's mission and vision statements. The agency also has a slogan regarding superior stewardship of Florida's precious water resources. It has been a number of years since these statements have been reviewed by the Governing Board. On January 11, 2011, the Outreach and Planning Committee met to discuss the District's Slogan, Mission and Vision Statements.

The Committee identified three potential Mission Statements and decided to resume consideration at their next meeting. The Committee also reviewed a proposed schedule depicting a project timeline. Based on the importance of the project, the group decided to meet monthly as a committee, independently of the Governing Board.

A central theme being considered by the Committee is the idea of balancing the strategic yet operational issues with the emerging issues. Much of what defines the District is featured in the current Strategic Plan but is well defined and somewhat operational; however, there are significant emerging initiatives that will define the organization into the future which also need to be highlighted. Several of these emerging issues are:

- Enhanced Springs Initiatives
- Solutions to the Central Florida Water Supply Issues (CFCA)
- Fiscal Accountability
- Regulatory Streamlining
- Enhanced Online and Electronic Permitting

##### **Staff Recommendation:**

This item is presented for the Committee's information, and action is required.

**Presenter:** Lou Kavouras, Deputy Executive Director, Outreach, Planning, Board Services and Ombudsman

## Outreach and Planning Committee January 25, 2011

### *Discussion Item*

#### **Selecting 2011 Public Service Advertising Campaign**

##### *Purpose*

To determine whether the topic of the FY2011 public service advertising campaign will be water conservation or water quality.

##### *Background/History*

Public service advertising (PSA) is one initiative the District uses to promote water resources awareness and conservation practices.

After multiple years of drought, District staff believed that residents were tiring of water conservation messaging. With water levels mostly returning to normal last year and the end of the declared water shortage in June, staff began developing a campaign to address water quality by focusing on appropriate fertilizer practices by residents. Overuse of fertilizer on landscaping has contributed to degraded water quality in springs, lakes and rivers. A campaign was designed to focus on three primary behaviors: follow directions on package, use slow-release fertilizer and don't fertilize before a heavy rain. Staff tested six concepts with focus groups. The groups responded most positively to scenarios involving the characters of Tom and Stan, who were also used in the previous year's successful "Skip a Week" PSA campaign. Tom and Stan are neighbors who share information, a story line that resonated with the groups. As part of the integrated water quality campaign, staff developed and produced two ads for television, two for radio, a newspaper ad, a billboard, bus wraps, pages on the District's web site, and the new *A Do-It-Yourself Guide to Florida-Friendly Fertilizing*. All advertising promotes the guide and the District's web site for additional information. The campaign also includes outreach elements through the news media, special events, public affairs programming and the District's Speakers Bureau.

Rainfall began to decrease dramatically in late summer/early fall. September rainfall was about half of normal, while October's precipitation was among the lowest on record for that month. At the October Governing Board meeting, Board members discussed concerns about the developing dry conditions and the need to promote water conservation. As a result of discussions at the meeting, it was determined that staff would (1) conduct a winter radio campaign repeating the "Skip a Week" theme, (2) develop a new water conservation campaign, concurrent with the ongoing development of the water quality campaign, and (3) continue monitoring conditions and return to the Board in January to decide which campaign to run.

The District is currently conducting its winter radio "Skip a Week" campaign, which began shortly after Christmas and will run until mid-February at a cost of \$100,000.

A new water conservation campaign has been developed that stresses "norming" (your friends and neighbors are doing it — you can too) with a tag line of "Florida's water, it's our water, and it's worth saving." As part of the integrated campaign, staff developed and produced two ads for television, two for radio, a newspaper ad, a billboard, bus wraps and pages on the District's web site. All advertising promotes the District's web site for additional information about saving water indoors and outdoors. The campaign also includes outreach elements through the news media, the District's Speakers Bureau, special events, public affairs programming and utility bill stuffers.

After deciding which topic to promote, the campaign will be conducted from mid-February through mid-May at a cost of approximately \$700,000.

## Item 51

Staff Recommendation:

Staff will review the most recent hydrological data and water supply conditions to make a recommendation at the Board meeting on which topic to promote through public service advertising.

Presenter: Michael Molligan, Director, Communications Department

## Outreach and Planning Committee January 25, 2011

### *Discussion Item*

### Legislative Update

#### *State Legislative Issues Update*

CLA staff will provide a summary of the recently enacted Executive Orders by Governor Scott. The Executive Orders include:

- Freezing all new regulations and establishment of the Office of Fiscal Accountability and Regulatory Reform, which will review all rules prior to promulgation as well as agency practices and contracts in excess of one million dollars;
- Requiring state agencies to use the E-Verify system to verify employment eligibility of state employees and contractors;
- Establishment of the Governor's policy on ethics and open government and requiring agencies to comply with the Governor's policy; and
- Reaffirming the Governor's commitment to diversity in government.

CLA staff will also provide an update on the upcoming 2011 legislative session that will begin in March, including pending legislation already filed. Committee meetings are underway and the water management districts have provided a presentation to the House Select Committee on Water Policy. This committee is designed to provide a comprehensive review of the state's water policies. The committee will recommend actions to ensure Florida uses its water resources in an effective and sustainable manner. This committee is supposed to submit its preliminary findings and recommendations prior to the 2011 Legislative Session and final findings and recommendations the following year. The presentation was an overview of the water management districts, highlighting key issues in each district.

### Staff Recommendation:

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

Presenter: David Rathke, Director, Community and Legislative Affairs Department

**Outreach and Planning Committee  
January 25, 2011**

***Submit and File Report***

**Consolidated Annual Report Status**

***Purpose***

To provide the Board information on the preparation of the District's Consolidated Annual Report and to solicit input prior to the February 22, 2011 Board meeting.

***Background/History***

During the 2005 legislative session Section 373.036, Florida Statutes (F.S.), was amended to require the water management districts to prepare a "Consolidated Water Management District Annual Report." The agency formerly produced these components individually and brought them to the Governing Board for approval at various times of the year. The 2005 legislation aimed to streamline these required reporting documents so that they now come forward in one package. The seven components required in the Report are substantially complete and three new chapters are added this year, all are provided as exhibits. Staff will finalize all required document components in February. The finished report will be a part of the Board packet for the February meeting. The report includes the following components:

***The District Water Management Plan Annual Report  
The Minimum Flows and Levels Annual Priority List and Schedule  
The Annual Five-Year Capital Improvements Plan  
The Alternative Water Supplies Annual Report  
The Annual Five-Year Water Resource Development Work Program  
The Florida Forever Work Plan  
The Mitigation Donation Annual Report***

For the first time the 2011 Consolidated Annual Report also contains:

***The West-Central Florida Water Restoration Action  
The Strategic Plan Annual Work Plan Report  
The Strategic Plan*** is included for the first time as an insert within this document.  
The Board approved this Plan in November and the final document is provided as a part of the Exhibit.

This consolidated report is a significant communication tool for the District. The statute requires the report be submitted by March 1<sup>st</sup> of each year to the Governor, the Department of Environmental Protection, the President of the Senate, and the Speaker of the House of Representatives. "In addition, copies must be provided . . . to the chairs of all legislative committees having substantive or fiscal jurisdiction over the districts and the governing body of each county in the district having jurisdiction, or deriving any funds for operations of the district. Copies of the consolidated annual report must be made available to the public, either in printed or electronic format."

**Staff Recommendation:**

**See Report**

This item is submitted for the Committee's information, and no action is required.

**Presenter:** Mikel Renner, Northern District Planning Manager, Planning Department

**Outreach and Planning Committee  
January 25, 2011**

***Routine Reports***

**Comprehensive Plan Amendment and Related Reviews Report**

***Purpose***

This report is provided for the Committee's information and shows District activity in the review of Local Government Comprehensive Plans and Amendments. Staff updates the report monthly.

***Background/History***

The District provides technical and policy information on water resources and water resource management to local governments as they prepare amendments to their local government comprehensive plans. This information encompasses all aspects of water resource management, including water supply, flood protection, water quality and natural systems, and is intended to support sound land use decisions. A number of statutory provisions direct the District in the provision of this assistance, particularly Section 373.0391, Florida Statutes (F.S.), Technical Assistance to Local Governments. As a part of the District's efforts to ensure that appropriate water resource information and policy direction is reflected in local government comprehensive plans, the District conducts reviews of local government proposed plan amendments. The state land planning agency, the Department of Community Affairs (DCA), administers this review process. Comments submitted by the District typically become a part of DCA's "objections, recommendations, and comments" report to the local government. In addition, the District will often perform informal reviews of draft plan updates working directly with local governments.

***Benefits/Costs***

The benefits of the District's local government technical assistance program are to ensure local government elected officials have sound water resource technical and policy information as they amend their local government comprehensive plans. This helps to ensure local plans are compatible with the District's plans, programs and statutory direction. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

**Staff Recommendation:**

**See Exhibit**

This item is provided for the Committee's information, and no action is required.

**Presenter:** Roy A. Mazur, Director, Planning Department

## Local Government Comprehensive Plan Amendment and Related Reviews Report

Project	Amendment Type	Assigned	Completed	DCA ORC Report	DCA NOI	Description	10YWSFWP
Avon Park 10-IER	EAR-based	9/7/2010	9/9/2010	11/1/2010			<input type="checkbox"/>
Bartow 10-2ER	EAR-based	6/15/2010	7/22/2010	8/16/2010		EAR-based	<input type="checkbox"/>
Bowling Green 10RWSP1	WSFWP	4/20/2010	5/26/2010	6/28/2010	In Compliance		<input checked="" type="checkbox"/>
Bradenton 10-1	Regular	2/23/2010	3/22/2010	4/23/2010	In Compliance	Identified floodplain and wetland management concerns	<input type="checkbox"/>
Bradenton Beach 10-1	Regular	4/11/2010	8/10/2010	9/13/2010		Raised concerns relating to CHHA.	<input type="checkbox"/>
Brooksville 10-1	Regular	6/21/2010	8/13/2010	8/28/2010		Several FLUM amendments related to annexations	<input type="checkbox"/>
Brooksville 10-CIE1	CIE	5/24/2010				Capital Improvement Element updates	<input type="checkbox"/>
Bushnell 10-1	Regular	1/22/2010	2/3/2010	4/10/2010	In Compliance	FLU Update, Industrial & Agriculture, CIE update; Remedial found In-Compliance	<input type="checkbox"/>
Charlotte 10-1	Regular	1/4/2010	2/16/2010	3/9/2010		Complete rewrite of plan	<input type="checkbox"/>
Charlotte 10-2	Regular	7/15/2010	8/19/2010	9/20/2010		2 text, 1 FLUM amendments, additional comments sent 11/19	<input type="checkbox"/>
Charlotte County EAR	EAR	12/2/2010					<input type="checkbox"/>
City of Anna Maria 11-1	Regular	12/7/2010					<input type="checkbox"/>
City of Plant City 11-1	Regular	12/16/2010				Two map and two text amendments.	<input type="checkbox"/>
City of Sarasota	CIE	12/8/2009			In Compliance		<input type="checkbox"/>
City of Sarasota 10-1	Regular	3/5/2010	3/17/2010	5/17/2010		No comments	<input type="checkbox"/>
City of Sarasota CIP	CIE	12/6/2010					<input type="checkbox"/>
City of Temple Terrace 11-1	Regular	12/7/2010	1/4/2011			Transmittal of 5 proposed plan amendments.	<input type="checkbox"/>
Clearwater 10-01AR	AR	3/26/2010	4/26/2010			Alternative Review	<input type="checkbox"/>



Project	Amendment Type	Assigned	Completed	DCA ORC Report	DCA NOI	Description	10YWSFWP
Clearwater 10-2AR	AR	8/16/2010	9/16/2010			Alternative Review - Future Land Use Map (Clearwater Christian College) and Transit Oriented Development (TOD)	<input type="checkbox"/>
Dade City 10-RWSP1	WSFWP	12/18/2009	1/6/2010	2/25/2010	In Compliance	10YWSFWP	<input checked="" type="checkbox"/>
Dade City 11-1	Regular	12/30/2010				Proposed FLUM change. 56.5 acres. RES-6 and GC to ROR. West of US 301. Drains to Tank Lake.	<input type="checkbox"/>
Davenport 10-1ER	EAR-based	6/8/2010	7/13/2010	8/6/2010			<input type="checkbox"/>
Davenport 10RWSP1	WSFWP	9/1/2010	10/15/2010	11/12/2010			<input checked="" type="checkbox"/>
Dundee 10-1	Regular	2/5/2010	3/18/2010	4/7/2010			<input type="checkbox"/>
Dundee 10-2ER	EAR-based	6/29/2010	8/6/2010	8/31/2010		reuse & water conservation comments	<input type="checkbox"/>
Fort Meade 10RWSP1	WSFWP	12/15/2009	2/5/2010	2/17/2010	In Compliance		<input checked="" type="checkbox"/>
Frostproof 10-1	Regular	2/4/2010	3/9/2010	4/7/2010	In Compliance		<input type="checkbox"/>
Frostproof 10-2ER	Regular	8/10/2010	9/1/2010	10/8/2010			<input type="checkbox"/>
Haines City 10-1ER	EAR-based	6/18/2010	7/21/2010	8/26/2010			<input type="checkbox"/>
Haines City 10-2	WSFWP	8/24/2010	9/27/2010	10/25/2010		Water Supply Work Plan generally good, population projections remain an issue	<input checked="" type="checkbox"/>
Hardee 10-1	Regular	6/29/2010	8/2/2010	8/31/2010			<input type="checkbox"/>
Hardee 10-2ER	EAR-based	7/7/2010	8/2/2010	8/31/2010			<input type="checkbox"/>
Hernando 10-1	Regular	1/22/2010	2/3/2010	3/30/2010	In Compliance	FLU Change Rural to Mining, near Withlacoochee State Forest	<input type="checkbox"/>
Hernando 10-2	CIE	6/18/2010	7/22/2010	8/23/2010	In Compliance	Capital Improvement Element updates; ORC received 08/23/10; NOI received 12/20/10.	<input type="checkbox"/>
Hernando 10D-1	DRI	1/27/2010	2/23/2010	4/6/2010	Not In Compliance	Quarry Preserve DRI	<input type="checkbox"/>
Highland Park 10-1ER	Regular	8/10/2010	9/21/2010	10/12/2010			<input type="checkbox"/>

Project	Amendment Type	Assigned	Completed	DCA ORC Report	DCA NOI	Description	10YWSFWP
Highlands 10-1ER	EAR-based	4/2/2010		6/10/2010	Not In Compliance	Compliance issues include adequate water supply	<input type="checkbox"/>
Highlands 10D-1	DRI	3/29/2010	5/28/2010	5/27/2010	Not In Compliance	Compliance issues include adequate water supply	<input type="checkbox"/>
Hillsborough 10-1	Regular	5/24/2010	6/18/2010	7/26/2010		Commented on water resource issues for Energy Park proposed for Sydney Mine site	<input type="checkbox"/>
Hillsborough 10-2	Regular	8/2/2010	8/1/2010	10/4/2010	In Compliance	Comments addressed Delaney Creek and FEMA 100-year flood prone areas	<input type="checkbox"/>
Inglis 10-1ER	EAR-based	12/18/2009	1/6/2010	2/22/2010	In Compliance	Local sources first, flooding, stormwater management	<input type="checkbox"/>
Lake 10-1ER	EAR-based	2/3/2010	3/2/2010	4/7/2010		EAR-based	<input type="checkbox"/>
Lake Alfred 10-1ER	EAR-based	6/15/2010	7/13/2010	8/19/2010			<input type="checkbox"/>
Lakeland 10-1ERA	EAR-based	5/21/2010		7/26/2010	In Compliance		<input type="checkbox"/>
⇒ Largo 10-01ER	AR	7/26/2010	8/25/2010			Alternative Review	<input type="checkbox"/>
Levy 10-1	Regular	8/5/2010	8/20/2010		In Compliance	Proposed small commercial FLUM change. DCA issued PRD 09/02/10 to not review	<input type="checkbox"/>
Longboat Key 10RWSP-1	WSFWP	5/2/2010	6/2/2010	7/1/2010			<input checked="" type="checkbox"/>
Longboat Key 11-1	Regular	12/6/2010					<input type="checkbox"/>
Longboat Key CIE	CIE	11/29/2010					<input type="checkbox"/>
Manatee 10-1	Regular	3/22/2010	4/21/2010	5/24/2010		Several resource concerns identified. Packet included amendment allowing for use of reclaimed water in Evers Reservoir watershed	<input type="checkbox"/>
Manatee 10-2	Regular	6/25/2010	8/18/2010	9/13/2010	In Compliance	Comments addressed development of FEMA 100-year flood prone areas and floodways, importance of alt water supplies and water conservation in SWUCA	<input type="checkbox"/>

Project	Amendment Type	Assigned	Completed	DCA ORC Report	DCA NOI	Description	10YWSFWP
Marion 10-1	Regular	8/5/2010	9/3/2010	10/4/2010	In Compliance	Change in mix of uses on vested non-DRI On Top of the World lands; ORC Report received 10/04/10, no objections; NOI received 12/16/10.	<input type="checkbox"/>
Marion 10-2ER	EAR-based	8/18/2010	9/21/2010	10/21/2010		Various EAR-based changes to Comp Plan and FLUM	<input type="checkbox"/>
Mulberry 10RWSP1	WSFWP	7/13/2010	8/24/2010	9/17/2010			<input checked="" type="checkbox"/>
North Port	CIE	11/29/2010					<input type="checkbox"/>
Oldsmar 10-1AR	AR	6/21/2010					<input type="checkbox"/>
Oldsmar 10-2AR	AR	8/31/2010	9/28/2010			Alternative Review - Future Land Use Map depicting the proposed Multimodal Facility Transportation Overlay	<input type="checkbox"/>
Palmetto 10-1ER	EAR	6/11/2010	7/9/2010	8/16/2010			<input type="checkbox"/>
Pasco 10-1	Regular	1/4/2010	4/13/2010	5/18/2010	Portions In Compliance	Ordinances 10-15, 10-16, 10-17, 10-18 NOT IN COMPLIANCE; Update Pasadena Hills Area Plan; TOD/TBARTA/One Bay policies; Market Areas; Mitchell FLU; Wetlands policy	<input type="checkbox"/>
Pasco 10-2	Regular	4/21/2010	5/20/2010	6/28/2010	In Compliance	Multiple FLU Changes; SunWest Tract C Subarea Policy that clusters 100 units outside of Velocity Zone; Critical Locations-Multiple Uses-Clean Up	<input type="checkbox"/>
Pasco 10D2	DRI	6/24/2010	7/19/2010	8/26/2010	In Compliance	Proposed FLUM change to PD (Wiregrass Ranch)	<input type="checkbox"/>
Pasco 10D3	DRI	9/23/2010	10/8/2010	11/17/2010		Proposed FLUM RES-6 to PD (Beacon Woods DRI)	<input type="checkbox"/>
Pinellas County 10-1AR	AR	12/20/2009	1/16/2010				<input type="checkbox"/>
Pinellas County 10-2AR	AR	7/12/2010	8/6/2010				<input type="checkbox"/>
Pinellas County 11-1AR	AR	12/16/2010				Future Land Use Map and Quality Communities Element change.	<input type="checkbox"/>

Project	Amendment Type	Assigned	Completed	DCA ORC Report	DCA NOI	Description	10YWSFWP
Pinellas Park 10-1AR	AR	7/16/2010	8/20/2010		In Compliance		<input type="checkbox"/>
Plant City 10-1	Regular	6/16/2010	7/22/2010	8/24/2010	In Compliance	Commented on I-4 Green Tech Overlay and Village Center-Northeast amendments	<input type="checkbox"/>
Polk 10-1	Regular	3/12/2010	4/8/2010	5/19/2010	Not In Compliance	Includes Mosaic resort with major new water demands in SW Polk. This is the amendment found not in compliance	<input type="checkbox"/>
Polk 10-2ER	EAR-based	4/19/2010	6/2/2010	6/25/2010	In Compliance	Major changes, including higher density transit nodes. Met with County staff to discuss. Water Supply in NERUSA major issue	<input type="checkbox"/>
Polk 10D1	DRI	2/5/2010	3/1/2010	4/7/2010	In Compliance	Related to Polk Commerce Center DRI	<input type="checkbox"/>
Punta Gorda	CIE	12/14/2009					<input type="checkbox"/>
San Antonio 10PEFE-1	PSFE	5/24/2010		7/26/2010	In Compliance	Public School Facilities Element. Does not include copy of interlocal agreement	<input type="checkbox"/>
Sarasota 10-1	Regular	12/17/2009	2/3/2010	2/22/2010	In Compliance	Includes 10yr WS Work Plan	<input checked="" type="checkbox"/>
Sarasota 10-2	Regular	7/16/2010	8/18/2010	9/20/2010	In Compliance	7 amendments in pckg	<input type="checkbox"/>
Sarasota 10-2A	CIE	10/4/2010			In Compliance		<input type="checkbox"/>
Sebring 10-2ER	EAR-based	7/7/2010	8/4/2010	9/17/2010	In Compliance		<input type="checkbox"/>
St. Leo 09-1ER	EAR-based	12/22/2009	2/6/2009	3/9/2009		EAR-based amendments	<input type="checkbox"/>
St. Petersburg 10-01AR	AR	3/23/2010	4/23/2010			Alternative Review - Future land use and zoning change (Toytown)	<input type="checkbox"/>
St. Petersburg 10-2AR	AR	7/29/2010	8/26/2010			Alternative Review - Transit Oriented Development (TOD) overlay	<input type="checkbox"/>

Project	Amendment Type	Assigned	Completed	DCA ORC Report	DCA NOI	Description	10YWSFWP
Sumter 10-1	Regular	7/23/2010	9/2/2010	9/27/2010	Not In Compliance	Agricultural to Industrial for 2,866 acres; ORC received 09/27/10, several environmental and transportation related objections cited; FDCA requested District review of adopted amendment, comments sent 12/09/10; NOI received 12/23/10.	<input type="checkbox"/>
Sumter 10-CIE1	CIE	11/10/2010			In Compliance	Annual update of Capital Improvements Element.	<input type="checkbox"/>
Sumter EAR	EAR	9/7/2010	10/4/2010			Population projections exceed RWSP; Need for enhanced wetlands protection	<input type="checkbox"/>
Sumter EAR	EAR	11/30/2010				Follow-up on DCA request for review of revised adopted Sumter County EAR; contact Sumter County for materials; review previous District comments.	<input type="checkbox"/>
Tampa 10-1AR	AR	4/5/2010	5/4/2010			Material included 6 plan amendments. No substantive comments	<input type="checkbox"/>
Tampa 10-2AR	AR	8/16/2010	9/15/2010			Material included 7 plan amendments. No substantive comments	<input type="checkbox"/>
Tarpon Springs 11-1AR	AR	10/27/2010	11/23/2010			Proposing to designate approximately 248 acres on the FLUM as a Community Redevelopment District	<input type="checkbox"/>
Winter Haven 10-1	Regular	4/1/2010		6/7/2010	In Compliance		<input type="checkbox"/>
Winter Haven 10-2	Regular	6/17/2010	7/29/2010	8/31/2010	In Compliance		<input type="checkbox"/>
Yankeetown EAR	EAR	9/10/2010				EAR Review	<input type="checkbox"/>

AR  
 CIE  
 DRI  
 EAR  
 PSFE  
 Remedial  
 WSWFP

Alternative  
 Capital Improvement Element  
 Development of Regional Impact  
 Evaluation and Appraisal Report  
 Public School Facilities Element  
 NOI-Not In Compliance  
 Wtr Sply Fac Work Plan

**Outreach and Planning Committee  
January 25, 2011**

***Routine Reports***

**Development of Regional Impact Activity Report**

***Purpose***

This report is provided for the Committee's information and shows District activity in the review of Developments of Regional Impact (DRIs). Staff updates the report monthly.

***Background/History***

The District participates in the review of Developments of Regional Impact (DRIs) pursuant to Section 380.06, Florida Statutes. DRI's are large-scale development projects that exceed statutorily specified thresholds such that the project is assumed to have potential impacts that transcend multiple local government jurisdictions. The District is one of several agencies that are required to participate in the review process, which is administered by the regional planning councils. The District has also entered into memoranda of agreement with the Central Florida, Southwest Florida, Tampa Bay and Withlacoochee regional planning councils to more specifically outline the District's DRI review responsibilities. The District provides water resource management technical and policy information to the regional planning councils and local governments to assist them in making well-informed growth management decisions.

***Benefits/Costs***

The benefits of the District's DRI review program are to ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider large scale development proposals. This helps to ensure these developments are compatible with the District's plans, programs and statutory directives. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

**Staff Recommendation:**

**See Exhibit**

This item is provided for the Committee's information, and no action is required.

**Presenter:** Roy A. Mazur, Director, Planning Department

# DRI Activity Report

Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
Babcock Ranch Community	Charlotte	ADA	1/16/2009		Mixed Use. 13,630 acres. SFWMD - coord review re: WS & GW impacts Incr 1 2,980 ac
Bayonet Point Shopping Mall	Pasco	NOPC	5/1/2009	11/2/2009	Mixed Use. Add 3.96 acres, establish land use equivalency matrix, exchange for 500 residential units.
Bexley Ranch	Pasco	NOPC	1/5/2009		Mixed Use. Extension request, Transportation analysis changes.
Big Bend Transfer Co. Sulfur Handling Facility	Hillsborough	NOPC	5/11/2009	6/9/2009	Industrial. Proposes combining several DRIs, extend construction date and revise concept development plan.
CF South Pasture Mine Extension	Hardee	SD	8/20/2010		Additional land to be added to CF Industries' existing South Pasture Phosphate Mine in Hardee County. 7,513 acres.
Equity Southbend	Hillsborough	NOPC	4/27/2010		Mixed Use. Proposal includes the addition of land for surface water management, build-out extension and changes to the location of office development.
Heron Creek	North Port	NOPC - 2nd Sufficiency	3/11/2010	8/5/2010	Conversion matrix changes - housing trade offs - no comments / Mixed Use. Formerly Marsh Creek. 2nd suff - conversion matrix changes - housing trade offs.
Hickory Hill	Hernando	NOPC	4/21/2008	5/13/2008	Residential. 5 acre preservation easement.
Lake Hutto DRI, Hillsborough County	Hillsborough County	NOPC - 1st Sufficiency	11/10/2010	12/7/2010	
Lake Placid Groves	Highlands	ADA	2/8/2008	1/20/2010	Mixed Use. 2,144 acres. CFRPC recommended approval with conditions; Highlands County BOCC to consider 9-7-10.
Lakewood Ranch Corporate Park	Sarasota	NOPC	1/11/2008		Mixed Use.
Long Lake Ranch	Pasco	NOPC	8/15/2008	10/20/2008	Mixed Use. Changes land uses, phasing schedule, and project area by 85 acres. Comments sent on 8/28/08 and 10/20/08.



Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
Mosaic Fertilizer Hillsborough County Mines	Hillsborough	NOPC	9/25/2009	10/20/2009	Mining. Proposes addition of 77 acres to existing DRI.
Mosaic Riverview Phosphogypsum Stack Expansion	Hillsborough	NOPC	10/14/2009	10/29/2009	Mining. Proposes construction of a process-water loading station and transport of process water to Polk County facility.
Murdock Center	Charlotte	NOPC	9/9/2008	10/21/2008	Mixed Use.
Old Florida Plantation	Bartow	NOPC	6/14/2010		District Project/Not Reviewed.
Ona Mine	Hardee	ADA	10/16/2009		Phosphate Mining. 20,676 acres. Re-submittal of previous DRI in Hardee County. Next major project for Mosaic.
Paddock Park	Ocala	Abandonment	8/13/2010	9/2/2010	Abandonment of substantially completed commercial/office/residential mixed use project. 272 acres.
Payne Creek	Hardee	ADA	10/15/2008	12/4/2008	Mixed Use. 1,204 acres. Project still active but no recent activity.
Sandhill	Charlotte	NOPC	5/28/2008	7/14/2007	Mixed Use. No comments - Traffic assessment. Comments sent on 7/14/07.
Southbend	Hillsborough	NOPC	4/24/2010		Mixed use.
Southern Oaks	Sumter	ADA	2/21/2008	6/25/2010	Mixed Use. 2,332 acres. 3,144 residential units. Final comments sent.
Tampa Bay Center	Hillsborough	NOPC	5/13/2010		Commercial.
The Grove @ Wesley Chapel	Pasco	NOPC	6/23/2008	9/22/2008	Mixed Use. 120 acres. Add 62.32 acres; Add Hotel to Land Use Trade Off Mechanism; Reduce movie seats. Comments sent on 7/7/08 and 9/22/08.
The Villages of Sumter	Sumter	NOPC	9/12/2010	1/5/2010	Mixed Use. 13,489 acres. Reduction in retail and office uses; increase in residential based on land use matrix exchange.
The Villages of Wildwood	Sumter	NOPC	9/15/2010	10/8/2010	Mixed Use. 13,477 acres. Addition of 4.71 acres to Town Center.
Victoria Estates	Charlotte	NOPC	4/14/2009		

Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
Villages Lakewood Ranch South	Sarasota	ADA	11/10/2008	5/18/2009	Mixed Use. 2,156 acres. Villages type development under Sarasota 2050 overlay, 2nd sufficiency. Comments sent on 12/9/08 and 5/18/09.

ADA     Application for Development Approval  
 DRI     Development of Regional Impact  
 NOPC   Notice of Proposed Change  
 Pre-App   Pre-Application Meeting  
 SD       Substantial Deviation

# **Outreach and Planning Committee** **January 25, 2011**

## ***Routine Report***

### **Speakers Bureau**

#### *Purpose*

This report is provided for the Committee's information and shows District staff participation in the outreach performed by the Speakers' Bureau program.

#### *Background*

The District has had a Speaker's Bureau Program since the early 1970s. For the past 20 years, the Program has been administered by the Community and Legislative Affairs Department (CLA) or the Communications Department. Currently, the program is managed by Susan Kessel of the CLA Department. The Speakers Bureau coordinates staff experts and generalists to speak or make presentations to interested community or business groups, or to address professional, governmental or technical groups on a variety of issues. The types of groups and organizations requesting a speaker is varied: civic organizations (Rotary, Kiwanis, Sertoma, etc.), chambers of commerce, colleges and high schools, and associations (homeowners, engineering, realtors, developers, etc.). Every request in the past two years has been honored. Over the past several years, staff has developed a library of PowerPoint presentations to go along with our popular *Water 101* video. State-of-the-art audio-visual equipment is available in all of the service offices to accommodate presentations in those areas.

The following table summarizes the Speakers' Bureau activities for the past three months.

Organization	Topic	Aud	Speaker	Dept
<b>October 2010</b>				
Nature Coast Technical High School	Government Sector Employment	25	Ed Hobin	CLA
McKeel Academy	Wetlands/Watersheds	210	Cory Catts	REG
Polo Park HOA	Water 101/FL Friendly Landscape	75	Danny Kushmer	CLA
Audubon of Florida	Water for the Environment	100	Dave Moore	EXE
Polk County LEAD	Regional Water Supply Planning	60	Jill Hood	PRJ
Polk County LEAD	Regional Water Supply Planning	60	Mark Barcelo	PRJ
Polk County LEAD	Regional Water Supply Planning	60	Maya Burke	PLN
Polk County LEAD	Regional Water Supply Planning	60	Roy Mazur	PLN
Highlands Co Soil & Water District	Initiatives in Highlands County	20	Keith Kolassa	PRJ
Highlands Co Soil & Water District	Initiatives in Highlands County	20	Mark Hammond	PRJ
Highlands Co Soil & Water District	Initiatives in Highlands County	20	Roy Mazur	PLN
Lightsey Cattle Company	BMPs for Cow-Calf Operations	80	Ron Oakley	GOV
Alliance For Independence, Inc.	District 101	30	Danny Kushmer	CLA
Coca Cola Corporation	District 101	60	Ed Hobin	CLA
Leadership Hernando	Water Management Overview	30	Ed Hobin	CLA
Leadership Hernando	Communication/Education Outreach	30	Beth Putnam	COM
Sarasota County Sustainable Communities Conference	Florida Water Star	75	Angela Maraj	COM
District Workshop/Horticultural staff	Florida Water Star	75	Angela Maraj	COM
The Villages Newcomers Orientation	Water Conservation	60	Doug Tharp	GOV

# Item 56

Organization	Topic	Aud	Speaker	Dept
<b>November 2010</b>				
Venice Audubon Society	District Overview	25	Ed Hobin	CLA
USF Small Business Development	District Overview	6	Ed Hobin	CLA
Rotary Club of Wildwood	District Overview	35	Ed Hobin	CLA
Leadership Hardee	District Overview	25	Ed Hobin	CLA
Korean Utility Engineers	District Overview/Water Supply	9	Ed Hobin	CLA
Korean Utility Engineers	Water Reuse	9	Anthony Andrade	DEV
Hills Co EPC Citizens Adv Comte	Tampa Bay Habitat Restoration	17	Brandt Henningsen	SWM
USF Small Business Development	Doing Business with the District	6	David Otto	FIN
Hernando Groundwater Guardians	Hydrologic Conditions Update	23	Ed Hobin	CLA
The Villages Newcomers Orientation	Water Conservation	50	Doug Tharp	GOV
Hills Co EPC Citizens Adv Comte	Tampa Bay Seagrasses Report	17	Kris Kaufman	SWM
USGS Citizens Advisory Committee	District Resources	50	Mary Torrusio	COM
Kiwanis Club of Bartow	Lake Hancock Update	38	Danny Kushmer	CLA
SW FL Assn of Env Professionals	Florida Water Star	20	Angela Maraj	COM
Hometown American Incorporated	Nutrients in Stormwater Ponds	14	Andy DiLorenzo	REG
Lockhart Elementary	Great American Teach-In	55	Jen Walker	REG
Jesse Keen Elementary	Great American Teach-In	220	Ramzi Chehaib	REG
San Antonio Elementary	Great American Teach-In	72	Melissa Altman	COM
San Antonio Elementary	Great American Teach-In	150	Fred Hartless	GIS
Cypress Elementary	Great American Teach-In	22	Don Fawley	REG
Brooker Elementary	Great American Teach-In	80	Will VanGelder	LND
Tampa Palms Elementary	Great American Teach-In	22	Russell Martin	REG
Connerton Elementary	Great American Teach-In	90	Dan Morris	REG
Hammond Elementary	Great American Teach-In	16	Lizanne Garcia	SWM
Suncoast Elementary	Great American Teach-In	21	Toi Basso	COM
Alafia Elementary	Great American Teach-In	50	Rashad Freeman	IRD
Oakstead Elementary	Great American Teach-In	144	Ken Herd	PRJ
Marchman Technical	Great American Teach-In	20	Corey Denninger	PLN
Watergrass Elementary	Great American Teach-In	90	Brian Armstrong	PRJ
San Antonio Elementary	Great American Teach-In	35	Susan Kessel	CLA
Countryside Montessori	Great American Teach-In	90	Mary Margaret Hull	COM
River Ridge Middle	Great American Teach-In	30	Don Fawley	REG
Challenger K8	Great American Teach-In	34	Toi Basso	COM
Schrader Elementary	Great American Teach-In	100	Nick Makris	PRJ
Calvin Hunsicker	Great American Teach-In	45	Kaylie Kushmer	COM
Mango Elementary	Great American Teach-In	266	Kaylie Kushmer	COM
Wildwood Elementary	Great American Teach-In	50	Kaylie Kushmer	COM
Academy at the Farm	Great American Teach-in	20	Ron Oakley	GOV
<b>December 2010</b>				
Rotary Club of Ocala	District Overview	55	Ed Hobin	CLA
Hernando Chamber Legislative Com.	Hydrologic Conditions Update	10	Ed Hobin	CLA
Kiwanis Club of Plant City	District Overview	30	Ed Hobin	CLA
Hernando Groundwater Guardians	Hydrologic Conditions Update	18	Ed Hobin	CLA
Rotary Club of SW Ocala	District Overview	17	Ed Hobin	CLA
Rotary Club of Metro-Ocala	District Overview	20	Ed Hobin	CLA
Interstate Council on Water Policy	Welcome/Intro Keynote Dockery	100	Dave Moore	EXE
Manatee Chamber of Commerce	Real-Life 101 for 8 <sup>th</sup> Graders	19	Terri Behling	CLA

## Key to Organization Abbreviations

Assn	- Association
AWRA	- American Water Resources Association
AWWA	- American Water Works Association
C of C	- Chamber of Commerce
Comm	- Commission
Comte	- Committee
DAR	- Daughters of the American Revolution
FFG	- Florida Fruit Growers
IFAS	- Institute of Food & Agricultural Sciences
HOA	- Homeowners Association
PHCC	- Pasco-Hernando Community College
UF	- University of Florida
USF	- University of South Florida
RWSA	- Regional Water Supply Authority
W/S	- Workshop

## Key to Department Abbreviations

CLA	- Community & Legislative Affairs
COM	- Communications
EXE	- Executive
OPS	- Operations
PLN	- Planning
PRJ	- Resource Projects
RDR	- Resource Data & Restoration
REG	- Regulation
RPM	- Regulation Performance Management
SWM	- Surface Water Improvement & Mgt.
GOV	- Governing Board

## Benefits/Costs

The benefit of the Speakers' Bureau program is the ongoing education of the public and community leaders regarding water resource management. The program provides an opportunity for interaction among the public and District staff knowledgeable in all areas of the District's statutory responsibilities and it provides a mechanism for communication of District priorities and concerns. Additionally, the program is utilized as a tool to influence behavior change in the areas of water conservation and to ensure support for the District's legislative initiatives.

## Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: David Rathke, Director, Community and Legislative Affairs Department

## Outreach and Planning Committee January 25, 2011

### *Routine Report*

#### Significant Activities

##### Water Conservation Activities

The District promotes water conservation and protection year-round using a variety of methods including public service advertising, news media outreach, the District's web site, special events, utility bill stuffers, outreach to existing partners and social media efforts such as the online *WaterMatters.org Newsletter*, Facebook and Twitter. **New Activities Since Last Meeting** — (1) A pilot water conservation education program was developed and will be conducted during the spring semester at the University of South Florida's Tampa campus. A college student conservation team has been established and will help run the program. Various outreach activities will take place during the semester including team participation at special events, guerrilla marketing tactics, social media messaging, a student video contest and pre- and post-surveys to gauge school population awareness and behavior. The pre-survey was conducted, and the program is planned for a mid-January kickoff. (2) Staff distributed a news release and responded to media inquiries about the Governing Board declaring a Phase I water shortage effective Dec. 1. (3) A news release with tips on conserving water during the holidays was also distributed, and holiday water conservation tips were incorporated into the District's *WaterMatters.org* e-newsletter and posted on Facebook and Twitter.

##### Public Service Advertising

Each year the District uses public service advertising to promote behaviors that conserve water and protect the water resources. In FY2011 the District's PSAs will promote appropriate fertilizer use. The posttest results from the spring campaign provided insight into residents' perceptions and current behaviors pertaining to proper fertilizer use. Behaviors identified for the campaign include: follow package directions, fertilize only during the growing season, use slow-release fertilizer and don't fertilize before a heavy rain. Six ad concepts were brainstormed, developed as test videos and shown to eight focus groups. Results have been used by staff to adjust the messages and concepts, and the ads were produced professionally this past fall. In addition, staff developed seven Florida-friendly fertilizing "how-to" videos to be housed on the District's web site. The videos provide detailed information on proper fertilizer use and application and will act as a supplement to the public service advertising. **New Activities Since Last Meeting** — (1) Staff completed development of a "Florida-Friendly Fertilizing" campaign. In response to continuing dry weather, staff is also creating a contingency plan that includes a winter "Skip a Week" radio buy and the development of a new water conservation ad campaign. The decision of which campaign to run in the spring will be made at the January Governing Board meeting. Television ads, print ads, utility bill stuffers, a web page and tip cards have been developed for both campaigns. (2) The pre-campaign survey was tested with a small group of respondents in December and a final version of the survey was developed. The pre-campaign survey will contain questions on both water conservation and fertilizer use and will be conducted beginning Jan. 3. (3) Staff launched the annual "Skip a Week" campaign at the beginning of December with a web page, news release, social media posts, and emails to homeowners associations. An article was also distributed to cooperators, including Florida-Friendly Landscaping™ coordinators, Community Education Grant recipients and local governments. The "Skip a Week" radio ads will air from Dec. 27 through Feb. 13 throughout the District.

##### "Get Outside!" Campaign

In September 2009 the District launched the "Get Outside!" campaign. Campaign goals included promoting the value of ecosystem protection through recreation on conservation land, increasing awareness that District lands are available for public recreation use, and increasing diversity and youth participation in recreation on conservation lands. The campaign was developed based on social research. Key findings showed that people said they enjoyed just



being outside and wanted to be able to enjoy the outdoors easily on the spur of the moment with very little planning. Since launching the campaign, the District has distributed more than 28,000 copies of the *Recreation Guide to Southwest Florida Water Management District Lands* and more than 25,000 copies of the *Recreation At A Glance* brochure. In addition, there have been more than 57,000 visitors to [www.WaterMatters.org/recreation](http://www.WaterMatters.org/recreation). As part of the campaign, the District also hosted four community events to showcase District lands with the hope that those attending come back with family and friends to enjoy these properties on their own. **New Activities Since Last Meeting** — Staff from the Land Resources Department, in coordination with staff from the Communications and Community & Legislative Affairs departments, are developing a series of smaller, targeted events for the second phase of the “Get Outside!” campaign. Some of the events are planned in conjunction with nationally recognized environmental holidays. All will showcase recreational opportunities on District lands. The first event will be a tree planting on Florida Arbor Day scheduled for Jan. 21 at the District’s Lake Panasoffkee property. The events will be open to a limited number of people and will be promoted through traditional and social media.

### **Water Conservation Hotel and Motel Program (Water CHAMP<sup>SM</sup>) and Water Program for Restaurant Outreach (Water PRO<sup>SM</sup>)**

Water CHAMP<sup>SM</sup> promotes water conservation in hotels and motels by encouraging guests to use their towels and linens more than once during their stay. Participating hotels and motels receive program materials free of charge. The Districtwide five-year water audit confirmed Water CHAMP participants saved an average of 17 gallons of water per occupied room per day. Based on these audit findings, the cost benefit for the program, using the total cost amortized over five years, is \$0.47 per thousand gallons of water saved. Water PRO<sup>SM</sup> educates both restaurateurs and guests through free materials such as table tents, children’s coloring sheets, coasters and self-audit checklists. “We serve water only upon request” buttons are also available for wait staff. The program is being promoted through one-on-one visits with restaurant managers, partnerships with utility companies, networking at industry meetings and direct mail. **New Activities Since Last Meeting** — (1) Water CHAMP currently has 451 participants, or 49 percent of all hotels and motels in the District. Of the 474 hotels/motels within the District with 50 or more rooms, 70 percent are Water CHAMP properties. (2) Water PRO has 280 restaurants in the District participating. (3) The Water CHAMP and Water PRO logos now mark each Hillsborough County program participant in the *2011 Travel Planner* produced by Tampa Bay & Company. The guide is an annual publication with a distribution of 150,000. (4) Tip cards for Water CHAMP and Water PRO were created to hand out at industry networking events and meetings.

### **Florida Water Star<sup>SM</sup> (FWS) Certification Program**

FWS is a voluntary certification program for builders that encourages water efficiency in appliances, plumbing fixtures, irrigation systems and landscapes, as well as water quality benefits from best management practices (BMPs) in landscapes. Statewide expansion of the program will include certifications for existing homes, commercial properties and communities. This is the program’s second year in the District; the first house was certified March 25, 2009. **New Activities Since Last Meeting** — Agreements: Builders who intend to incorporate FWS criteria in current or future projects sign nonbinding participation agreements with the District. To date, 20 agreements have been signed, representing approximately 516 homes and one commercial property. Certifications: As of Dec. 29, this District has certified 75 properties. This includes the first two Residential Silver properties in Marion County’s On Top of the World Communities. Education: The “Designing for Florida Water Star<sup>SM</sup> Projects” workshop for landscape and irrigation professionals is scheduled for Jan. 12 at the Marion County Extension office in Ocala.

### **Florida-Friendly Landscaping<sup>TM</sup> (FFL)**

Recognizing the potential of water conservation and water quality protection through promotion of FFL practices, the District began partnering with the University of Florida in FY2001 to support FFL education. Education on landscaping BMPs is provided to homeowners; students; builders, landscape and irrigation professionals; property managers and community owners association (COA) and homeowners association (HOA) members and boards in 11 counties.



***New Activities Since Last Meeting*** — DeSoto/Hardee counties: The Charlotte Harbor National Estuary Program will coordinate a FFL workshop on Jan. 22 at the Turner Center in Arcadia. The program generally attracts 80 people and will provide information on how a landscape can be beautiful while saving water and protecting the quality of the area's water resources. Hernando County: The annual Florida-Friendly Landscaping™ Workshop will be held Feb. 18. Topics to be covered include successful plants for Hernando County, efficient irrigation and landscape maintenance. The workshop, which attracts approximately 100 guests, will be held at the Hernando Realtors Association office. Landscape Challenge: The second annual Landscape Challenge will be held March 17. The event, which is coordinated by FNGLA, Wildrose Lawncare and the District, involves teams of landscape industry professionals who compete against each other for the title of "Ruling Water Champions."

### **Watershed/Water Quality Education**

The District's watershed education efforts focus on water quality, stormwater runoff, water conservation and natural systems. Through these efforts, the District encourages specific behaviors such as reducing fertilizer and pesticide use, maintaining septic systems, conserving water, disposing of trash appropriately and picking up and disposing of pet waste. ***New Activities Since Last Meeting*** — (1) Crystal River/Kings Bay/Rainbow River watershed education coordinator attended the Dec. 18 open house event for the Three Sisters Springs property in Citrus County. More than 600 people attended this event and approximately 400 visited the District's booth. The education coordinator distributed springs protection materials and spoke with residents about appropriate fertilizer use. (2) The District's *A Do-It-Yourself Guide to Florida-Friendly Fertilizing* publication is completed and is available for distribution.

### **Community Education Grant Program**

The Community Education Grant (CEG) program is in its fourteenth year and is funded through Basin Initiatives for Public Education (P268). The CEG program provides reimbursement up to \$5,000 per project for individuals, service groups, community associations and other organizations to implement a water resources education project. Projects take place between March and July each year. ***New Activities Since Last Meeting*** — This year the Communications Department received 46 applications Districtwide for the CEG program, totaling \$203,490. Staff is recommending funding for 29 projects, totaling \$120,471. In November, BBEC members received the proposals to review for their respective basins, and a final list of awardees will be included in February Basin Board packets.

### **Special Events**

Public outreach is an important piece of the District's education efforts. Special events provide an opportunity for District staff to meet residents, answer questions and present educational materials. More than 80 District staff members, representing several departments and all service offices, have joined two special event outreach teams coordinated by the Communications Department. ***New Activities Since Last Meeting*** — District staff were invited to join the Public Education Outreach Team and to attend the "Representing the District" informational sessions in December. These sessions provided information to 30 staff members on current District programs and materials available for the public, talking to the media and general event setup.

### **Youth Education**

The District provides water resources education programs to county school districts, private schools, homeschool groups and nonformal educators through Splash! school grants, field trip programs, educational resources for students and educators, and teacher training workshops. Staff coordinates and facilitates Project WET (Water Education for Teachers), The Great Water Odyssey<sup>SM</sup> and Healthy Water, Healthy People workshops throughout the District's 16 counties. Kindergarten through twelfth-grade educators attending workshops receive curricula as well as District materials. ***New Activities Since Last Meeting*** — Outreach: (1) The youth outreach specialist visited four schools and special events in December, teaching approximately 175 students and 20 educators. (2) Staff judged the 2010 Central Florida Aerospace Academy/Kathleen High School Science and Engineering Fair in Lakeland on Dec. 2. Projects focused on environmental science, botany and zoology. (3) The Youth Education Team visited

three schools and special events in December, teaching an estimated 108 students and 12 educators. Splash! School Grants: A total of 206 Splash! school grants have been awarded for the 2010–2011 school year. Staff has completed region-specific grant implementation meetings in Charlotte, Citrus, DeSoto, Hernando, Highlands, Hillsborough, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter counties. Teacher Training: (1) A Great Water Odyssey<sup>SM</sup> workshop was held on Jan. 3 for 64 Citrus County teachers from Forest Ridge Elementary School. The six-hour workshop was facilitated by youth education staff at the Best Western Citrus Hills Lodge. (2) This fiscal year, 64 pre-service teachers have been trained in one Project WET workshop. School Board Coordination: (1) On Dec. 14, staff met with the new Polk County Schools Senior Coordinator of Secondary Science to discuss ongoing projects and future partnership opportunities. (2) Youth Education and Land Resources staff met with Sumter County School District personnel on Dec. 16 to discuss involvement in the District's efforts to partner with the Florida Fish and Wildlife Conservation Commission and Wildlife Foundation of Florida to develop a Youth Center on Flying Eagle Preserve. Publications: Approximately 156,088 youth publications have been distributed during fiscal year 2011. More than 743,400 youth education materials have been distributed during calendar year 2010.

### **2010 Regional Water Supply Plan Update**

In accordance with Chapter 373, Florida Statutes, each water management district is required to initiate a District-wide water supply assessment that describes water demands and identifies sources of water available over a 20-year planning horizon. If the assessment indicates available water supplies cannot meet projected demands and sustain the water resources and related natural systems, a regional water supply plan shall be developed for that area. The District completed the first assessment in 1998. The re-evaluation of the need for a regional water supply plan must be made by each district at least every five years. The 1998 Water Supply Assessment indicated that sufficient water supplies were available to meet projected 20-year demands only in the Northern Planning Region of the District (Hernando County and all counties to the north). The Governing Board approved staff's recommendation that a regional water supply plan was necessary in the southern ten counties (South-Central Planning Region) of the District, and staff subsequently produced the Regional Water Supply Plan in 2001. In 2003, the Governing Board concurred with the determination that a regional water supply plan was again needed for the southern ten counties of the District and that a regional water supply plan was not necessary for the Northern Planning Region. The Board approved the Regional Water Supply Plan in December 2006 (first update). In an effort to be more consistent with other water management districts, future regional water supply plan updates will be completed every five years beginning in 2010. In June 2008, the Governing Board approved staff recommendation to move forward with 2010 update, to include the northern five counties. Staff will keep the Governing Board apprised of progress as the regional water supply planning proceeds through this Significant Activity Report or as a Committee Discussion Item. ***New Activities Since Last Meeting*** - The Regional Water Supply Plan is complete. In the coming months staff will be facilitating presentations to inform the Governing Board of the significant details within the plan. Staff has completed the Community Planning Sheets. Intended to compile regional water supply plan data into a one or two page document, local governments may choose to use the Community Planning Sheet data to markedly ease the task of creating their 10-Year Water Supply Work Plan. Local governments will be informed of the Community Planning Sheets in the notification of the Regional Water Supply Plan approval. The Planning Department will also be initiating a series of workshops for local governments demonstrating how the Community Sheets and other District tools may ease the creation of their 10-year water supply work plans.

### **Strategic Planning**

In response to the Governing Board's request for a more dynamic Strategic Planning process, staff initiated discussions on the update for next year's Strategic Plan at the Board's November meeting. Three goals were discussed with the Board: (1) ensure additional Governing Board and executive staff input, (2) improve the utility of the Plan as a communications tool to facilitate policy discussions, and (3) enhance accountability with Governing and Basin Board members relative to the District's strategic initiatives. Over the next several months, staff will provide an overview of each of the District's statutory areas of responsibility; Water Supply, Water Quality,

Natural Systems and Flood Protection. The Board will be asked to help identify the Strategic Initiatives in each of those areas. Once the Initiatives are selected, staff will identify and align District programs and resources to ensure the best opportunities for successful outcomes. The first step towards establishing a solid foundation for the Strategic Plan is to reaffirm the agency's mission and vision statements. The agency also has a slogan regarding superior stewardship of Florida's precious water resources. It has been a number of years since these statements have been reviewed by the Governing Board. On January 11<sup>th</sup>, the Outreach & Planning Committee met to discuss the District's Slogan, Mission and Vision Statements. The Committee also reviewed a proposed schedule depicting a timeline for completing the update to the Strategic Plan.

### **Regional Planning Council Update**

- **Tampa Bay Regional Planning Council (December 13, 2010)** - Staff summarized the Council's accomplishments for 2010 and activities for the upcoming year. The accomplishments included the One Bay/Congress of Regional Leaders held on April 16; circulation of 350,000 copies of the Hurricane Guide; preparation of an offshore drilling resolution; and publication of Bay Soundings for the ninth year. Staff identified the incorporation of the One Bay vision into TBRPC's Strategic Regional Policy Plan and the local planning process; Resilient Tampa Bay dialogue; and broadband planning as activities for 2011.
- **Central Florida Regional Planning Council (December 8, 2010)** - Council staff, assisted by FDOT, provided an overview of the Florida 2060 Transportation Plan. The presentation featured higher level goals and objectives along with regional alternatives.
- **Southwest Florida Regional Planning Council (December 16, 2010)** - The Council received a report on the activities of the Lower West Coast Watersheds Implementation Committee. Subjects included the newly adopted Cape Coral Fertilizer Ordinance, which prohibits nitrogen based fertilizer application from June 1 through Sept. 30 of every year. With 400 miles of fresh and salt water canals in the city, the ordinance is expected to have a significant improvement in water quality in the area. The report also included an overview of the impacts of the HB 1565 veto override. There was discussion regarding the defeat of Amendment 4 and what it will mean to growth management in the future. Discussion included a "citizen's bill of rights" and the TBOR Bill. A staff facilitated presentation was made to provide an overview of the SWFRPC Strategic Regional Policy Plan EAR process. The RPC is implementing a Community Collaborative Initiative. It will be a standing agenda item for local government and other members to bring items before the Council that were not listed on the agenda. The expectation is that it will spur discussion to address issues in a regional collaborative manner. During State Agency comments, SWFWMD staff announced the RWSP is complete and will go before the Governing Board on January 25<sup>th</sup>.
- **Withlacoochee Regional Planning Council (December 9, 2010)** - The Council approved the following slate of Board officers: Joseph E. Johnston, III, Chair - Hernando County Municipal Representative (from Brooksville); Dennis Damato, Vice-Chair - Citrus County Commissioner; Martha M. Hanson, Secretary - Marion County Governor Appointee. Staff provided a brief presentation on the recently completed Statewide Regional Evacuation Study. The presentation indicated the results of the study relative to storm surge modeling, affected population and evacuation clearance times. Staff provided background on several proposed Council contracts with various entities related to emergency planning efforts. These contracts included those related to the Council's ongoing hazardous materials emergency preparedness activities, Council coordination of an upcoming Florida Department of Environmental Protection emergency planning exercise and provision of Council technical assistance to Levy County on local mitigation strategy planning. The Board approved all three contracts with limited discussion.

### **Local Government Outreach**

As part of the District's community and legislative affairs program, the Community and Legislative Affairs (CLA) Department is responsible for (1) developing effective relationships with local elected and public officials and their staff, (2) serving as the District's day-to-day liaison with local officials, (3) facilitating coordination of District programs to assist local government entities, (4) promoting the mission of the District and (5) helping to develop and foster sound public policy on water resource related issues. To meet these responsibilities, CLA

## Item 57

has developed long-standing programs and tactics, including but not limited to, project tours, the e-Resource newsletter, e-mail alerts and one-on-one meetings. **New Activities Since Last Meeting:**

- Staff made a presentation to the Highlands County Commission which included an overview of the District by CLA, an update on projects currently underway in the county by PRJ, and information on e-permitting by Bartow REG. Three new commissioners have been elected and the presentation was designed to provide an overview of the District for these commissioners.
- Staff continues to participate on Polk County's Water Policy Advisory Committee (WPAC). During the December meeting, staff had the opportunity to clarify several misconceptions regarding water supply planning in Polk County, as well as structure operations in the City of Winter Haven.
- At the request of the Mayor of the City of Winter Haven, CLA staff participated in a meeting with City staff, the President of University of South Florida Polytechnic and Senator Alexander's staff concerning new technology for cleaning up lakes. Additionally, one of the items discussed was the potential to design wetland restoration systems in such a way that algae could be farmed and harvested for biofuel. The City of Winter Haven is coordinating with USF and private companies on possible projects, and is keeping the District informed on their progress.
- Staff attended a meeting of the newly-formed Citrus County Utility Infrastructure Advisory Group (UIAG). District staff made a presentation on the MFLs for Chassahowitzka, Homosassa and upper and middle Withlacoochee Rivers. Staff also updated the group on the Sugarmill Woods consent order. The UIAG will be presenting a strategic plan for water resources to the Citrus County BOCC this month. Included in this plan will be a proposed asset management study which will assess the condition of the utility's equipment and propose needed capital improvements in the future.
- Staff participated in the Sumter County DFIRM Scoping meeting with Dewberry & Davis LLC and Bruce Bender from Bender Consulting. Sumter County staff attended. They also represented the interests of the cities of Webster and Center Hill. Staff from the cities of Coleman, Wildwood and Webster attended. Discussions included an overview of FEMA's DFIRM process, as well as potential avenues for public outreach. CLA staff will continue working with the communities throughout the DFIRM process.
- Staff participated in three utility outreach meetings for the northern region of the District, completing the "high-priority" schedule of utility meetings for the northern utility outreach group. In 2010, the northern utility outreach group met with all public and private utilities in the northern portion of the District that were above 150 gallons per capita, or that will be renewing a water use permit in 2011. Goals for 2011 include continuing to meet with additional northern District utilities and to work with the Withlacoochee Regional Water Supply Authority on creating a conservation forum for the northern utilities.
- CLA Staff and Sarasota Regulation staff gave a brief presentation to all of the department directors at Manatee County. Topics included the District's permitting process, pre-application meetings and the District's fast-track permitting process. County staff acknowledged changes they could make to help the permitting process go more smoothly, especially when the County receives a grant for a project. Instead of receiving a grant for a specific project design and then coming to the District for a permit (which sometimes requires design changes), staff will get their District permits first and then apply for grants.
- Staff is closely monitoring the progress of a project being built in Sarasota County. A large developer in the region is constructing a new, world-class rowing facility just off I-75 at University Parkway. The park/facility will include a 2,000 meter rowing sprint course, trails for cross country events, playgrounds, covered grandstands, boathouse and other park amenities. This will be the first 2,000 meter rowing course in Florida. Economic impact of this project for the rowing competitions alone is estimated to be close to \$25 million (related to rowing activities) to the Manatee and Sarasota region. Staff has organized meetings between the developer and regulation staff and has attended several County Commission meetings about the project. CLA staff is keeping regulation staff aware of deadlines and articles in the press about the project.
- CLA and SWIM Staff met with Gulfport City Councilwoman Jennifer Salmon, City Manager Joe O'Reilly, Public Works Director Don Sopak, and Cathy Salustri, of the *Gulfport Gabber*, to



## Item 57

provide an update for the Councilwoman regarding the District's ongoing Clam Bayou Habitat Restoration project.

- CLA staff and the Tampa Bay Utility Outreach Team met with representatives of the City of Safety Harbor. City staff expressed their appreciation for the information provided by the team and the District's assistance with the ongoing cooperatively funded storm water projects.
- Staff continues to provide timely updates on the December 2010 Dover frost freeze event to elected officials and interested community members.

### **Legislation and Policy**

CLA acts as the District's day-to-day representatives before the Florida Legislature and U.S. Congress. This includes educating officials and staff regarding the mission of the District, providing information on issues and legislation, and coordinating our legislative program with other state and federal agencies. The department recommends, develops and executes the District's legislative program based on Governing Board and executive staff direction. Staff works with executive, legal and other departments to develop and manage internal District legislative procedures and policies. **New Activities Since Last Meeting:**

- Staff continues communication and coordination with FDEP, Office of the Governor and other water management districts on issues, legislation and strategies in preparation for the 2011 Legislative Session.
- Staff is following gubernatorial appointments that are underway for Department heads and executive staff.
- Staff is attending legislative delegation meetings throughout the District and presenting legislative priorities as necessary.
- Staff continues to develop legislative and funding priorities for the next legislative session.
- Staff continues to meet with new and returning legislators, and staff, to brief them on the District and legislative priorities. Staff is focusing on members of relevant committees that have been established in the House and Senate.
- Staff continues to monitor the numeric nutrient criteria issue.

### **Community Outreach**

In addition to acting as the District's liaison to local government, CLA is responsible for the primary "grassroots and grasstops" outreach to local community organization and groups. These include the agricultural community, environmental groups, business associations and others. These relationships provide a pivotal component of the District's legislative program and allow for opportunities to communicate the District's mission, policies and the goals. **New**

#### **Activities Since Last Meeting:**

- Staff has been participating on the City of Mulberry Revitalization Committee. Staff has attended several meetings and provided information on conservation, watershed management and the cooperative funding process. The committee has plans to submit several projects for cooperative funding.
- Staff coordinated with Polk County Natural Resources staff to provide information about Circle B Bar Preserve and the Lake Hancock/Lake Level Modification project to the Leadership Lakeland Class of 2010. District Operations staff provided airboat tours of Lake Hancock following the presentation.
- Staff serves on the Advisory Board of the Workforce Education Career Academy in Polk County. Staff is assisting Polk County Schools in evaluating the feasibility of implementing a new career academy that would focus on water and natural systems. CLA has enlisted the help and expertise of several other departments to review a "proposed" curriculum.
- Staff participated in two walking tours of the Upper Peace River with representatives from FDEP, City of Winter Haven and the private sector. Locations visited included Gator Sink, Dover Sink and the Catacombs (a series of sinks in the upper reaches of the river). The tour helped to create a better understanding of the hydrology and karst features of the upper reaches of the river.
- Staff has been invited to serve on the Sumter County Chamber newly-organized Legislative Committee. The purpose of the committee is to educate Sumter County Chamber members on federal and state legislative issues that affect county businesses. The committee will meet quarterly and prepare legislative updates for the Chamber Board of Directors, as well as updates to the membership via monthly Chamber meetings and the Chamber newsletter.

## Item 57

Currently, the committee is planning a breakfast event for the summer of 2011, at which time the Sumter County Legislative Delegation will meet with Chamber members to discuss the outcome of the 2011 Legislative Session.

- Staff participated in the District's Lake Panasoffkee public meeting. Approximately 116 Lake Panasoffkee residents and business owners attended. The meeting was organized so that members of the public could ask individual questions of the staff who specialize in a specific area of responsibility. A majority of the public comments were in relation to the low water levels associated with the lack of rainfall. Several members of the public had questions and concerns regarding the dredging of the canals and Sumter County staff were not in attendance to provide answers. In an effort to be of assistance to these residents, District staff took written comments and forwarded them to Sumter County.
- Staff and Sarasota Regulation staff met with the Executive Director of the Peace River Valley Citrus Growers Association and Governing Board Member Bryan Beswick. They discussed current issues affecting the citrus industry, including recent frost/freeze events and the District's rulemaking on the new noticed general environmental resource permit for construction, operation and maintenance of non-production-related agricultural facilities. Staff regularly meets with various industry leaders to stay aware of issues affecting District stakeholder groups.
- CLA staff participated in the Manatee County Chamber of Commerce Real Life 101 exercise for Manatee County eighth graders. The students participated in an exercise where they had to fill a t-shirt order in 10 minutes and deliver the t-shirts to their customers. The exercise is designed to teach the students about work ethics. Staff had an opportunity to tell the students about the District.
- Staff coordinated a meeting with the Clearwater Marine Aquarium to provide information in regard to a project they have under consideration. The Aquarium has acquired an adjacent lagoon and is interested in restoring the shoreline and they are seeking restoration guidance from the District. Swim staff also attended and made appropriate suggestions on how aquarium staff could proceed.
- CLA staff represented the District at the dedication and re-naming ceremony for the Rear Admiral LeRoy Collins, Jr. Veterans Museum Building. The museum is located at Veterans Memorial Park, on District property along the Tampa Bypass Canal. The park is managed by Hillsborough County. The ceremony was in honor of the former executive director of the Florida Department of Veterans' Affairs, retired Rear Admiral LeRoy Collins, Jr., who passed away this summer.
- Staff participated in the Hillsborough River Roundtable meeting. The Roundtable has been renamed the Livable Tampa Roundtable and continues to be led by former City Councilwoman Linda Saul Sena.

### Staff Recommendation:

This item is provided for the Committee's information, and no action is required.

Presenter: Lou Kavouras, Deputy Executive Director, Outreach, Planning, Board Services  
& Ombudsman

## Special Events

### JANUARY – MARCH 2011

#### JANUARY 2011

**Event Title:** Free two-hour guided tours on District lands

**Dates:** January 6, 12, 20, 23 and 27

**Time:** 9 a.m.

**Location:** Deep Creek Preserve, 10797 SW Peace River Street, Arcadia

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** These guided tours will educate participants about how conservation lands protect water resources. Participants will also learn about the importance of natural systems and appropriate plant choices for their yards. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checflorida.org](http://www.checflorida.org).

***District Contact Information***

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Free two-hour guided tours on District lands

**Dates:** January 7, 14, 21 and 28

**Time:** 9 a.m.

**Location:** Shell/Prairie Creek Preserve, 3081 Duncan Road, Punta Gorda

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** These guided tours will educate participants about how conservation lands protect water resources. Participants will also learn about the importance of natural systems and appropriate plant choices for their yards. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checflorida.org](http://www.checflorida.org).

***District Contact Information***

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Designing Florida Water Star<sup>SM</sup> Projects

**Date:** January 12

**Time:** 9 a.m. to 12 noon

**Location:** Marion County Extension Service, 2232 NE Jacksonville Road, Ocala

**Sponsoring Organization:** District

**Attendees:** Landscape architects, designers, builders and irrigation professionals

**Event Description:** A design workshop for landscape architects, designers, builders and other industry professionals involved in the landscape and irrigation design process of new construction projects.

***District Contact Information***

Sylvia Durell, (352) 796-7211, ext. 4755; [Sylvia.Durell@WaterMatters.org](mailto:Sylvia.Durell@WaterMatters.org)

**Event Title:** Tampa Bay Black Heritage Street Festival

**Dates:** January 15–16

**Time:** 12 noon to 6 p.m.

**Location:** Al Lopez Park, Himes Avenue, Tampa

**Sponsoring Organizations:** Tampa Bay Black Heritage Festival; various

**Attendees:** General public

**Event Description:** This festival celebrates the culture and heritage of the African-American community in Tampa. Exhibits, food vendors and R&B and jazz music make up the weekend's festivities. The District's Water Conservation Restroom Station will be at the event with signs and messaging that feature the District's Florida-friendly fertilizing campaign, which educates residents about proper fertilizer use. For more information, contact Tampa Bay Black Heritage at (813) 223-1111, ext. 143.

***District Contact Information***

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)



**Event Title:** Tree Planting on Florida Arbor Day

**Date:** January 21

**Time:** 10 a.m. to 1 p.m.

**Location:** The District's Lake Panasoffkee Property at 7519 NW 18<sup>th</sup> Way, Wildwood

**Sponsoring Organization:** District

**Attendees:** General public

**Event Description:** The general public is invited to help plant small trees on Florida Arbor Day to improve the Lake Panasoffkee camping area. Volunteers should wear outdoor apparel and work gloves and bring shovels and posthole diggers, if available.

***District Contact Information***

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)

**Event Title:** Conservation Landscaping Workshop

**Date:** January 22

**Time:** 9 a.m. to 12:30 p.m.

**Location:** Turner Agri-Civic Center, 2250 Northeast Roan Street, Arcadia

**Sponsoring Organizations:** Charlotte Harbor National Estuary Program, District

**Attendees:** Primarily residents of DeSoto and Hardee counties

**Event Description:** Free. Participants will learn how to transform their landscapes in a way that not only conserves water resources and reduces pollution but may also save time and money.

***District Contact Information***

Sylvia Durell, (352) 796-7211, ext. 4755; [Sylvia.Durell@WaterMatters.org](mailto:Sylvia.Durell@WaterMatters.org)

### FEBRUARY 2011

**Event Title:** Estuary Wading Trips

**Dates:** February 2, 9, 15 and 21

**Time:** 9 a.m.

**Location:** Charlotte Harbor and/or Lemon Bay

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** Educational wading trips into the Charlotte Harbor watershed will demonstrate the importance of good water resource management in maintaining healthy estuarine systems. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checflorida.org](http://www.checflorida.org).

***District Contact Information***

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Free two-hour guided tours on District lands

**Dates:** February 3, 10, 17, 20 and 24

**Time:** 9 a.m.

**Location:** Deep Creek Preserve, 10797 SW Peace River Street, Arcadia

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** These guided tours will educate participants about how conservation lands protect water resources. Participants will also learn about the importance of natural systems and appropriate plant choices for their yards. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checflorida.org](http://www.checflorida.org).

***District Contact Information***

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Free two-hour guided tours on District lands

**Dates:** February 4, 11, 18 and 25

**Time:** 9 a.m.

**Location:** Shell/Prairie Creek Preserve, 3081 Duncan Road, Punta Gorda

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

## Item 57

**Event Description:** These guided tours will educate participants about how conservation lands protect water resources. Participants will also learn about the importance of natural systems and appropriate plant choices for their yards. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checflorida.org](http://www.checflorida.org).

**District Contact Information**

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Cortez Commercial Fishing Festival

**Dates:** February 19–20

**Time:** 10 a.m.–6 p.m.

**Location:** Cortez Village, Bradenton Beach

**Sponsoring Organizations:** District, various

**Attendees:** General public, other interested parties

**Event Description:** The festival is an annual celebration that also teaches the community about commercial fishing. It features an array of seafood, nonprofit booths, art, music and more. The District's Water Conservation Restroom Station will promote the current ad campaign.

**District Contact Information**

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)

**Event Title:** Florida African-American Heritage Celebration

**Date:** February 26

**Time:** 11 a.m.–5:30 p.m.

**Location:** Heritage Village, Largo

**Sponsoring Organizations:** District, various

**Attendees:** General public, other interested parties

**Event Description:** This event celebrates the history and accomplishments of the African-American community in Pinellas County and nationwide. Music, art, performers, crafts and food vendors will provide enrichment and entertainment for the day. The District's Water Conservation Restroom Station will promote the current ad campaign.

**District Contact Information**

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)

### MARCH 2011

**Event Title:** Basin Board Education Committee Meeting

**Date:** March 3

**Time:** 9:30–11:30 a.m.

**Location:** District's Tampa Service Office, 7601 N. Highway 301, Tampa

**Sponsoring Organization:** District

**Attendees:** Basin Board members, District staff, general public

**District Contact Information**

Toi Basso, (352) 796-7211, ext. 4756; [Toi.Basso@WaterMatters.org](mailto:Toi.Basso@WaterMatters.org)

**Event Title:** Free two-hour guided tours on District lands

**Dates:** March 3, 10, 17 and 24

**Time:** 9 a.m.

**Location:** Deep Creek Preserve, 10797 SW Peace River Street, Arcadia

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** These guided tours will educate participants about how conservation lands protect water resources. Participants will also learn about the importance of natural systems and appropriate plant choices for their yards. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checflorida.org](http://www.checflorida.org).

**District Contact Information**

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Free two-hour guided tours on District lands

**Dates:** March 4, 11, 18 and 25

**Time:** 9 a.m.

**Location:** Shell/Prairie Creek Preserve, 3081 Duncan Road, Punta Gorda

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** These guided tours will educate participants about how conservation lands protect water resources. Participants will also learn about the importance of natural systems and appropriate plant choices for their yards. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checlorida.org](http://www.checlorida.org).

***District Contact Information***

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** Bloomin' Arts Festival

**Dates:** March 5–6

**Time:** 10 a.m.–5 p.m.

**Location:** Downtown Bartow

**Sponsoring Organization(s):** District, various

**Event Description:** The event features artwork from more than 150 artists, a wide variety of food vendors, a children's section, flower show, antique car show and kickoff festival party. The District's Water Conservation Restroom Station will promote the current ad campaign.

***District Contact Information***

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)

**Event Title:** Estuary Wading Trips

**Dates:** March 9, 15 and 18, 2011

**Time:** 9:00 a.m.

**Location:** Charlotte Harbor and/or Lemon Bay

**Sponsoring Organizations:** Charlotte Harbor Environmental Center, District

**Attendees:** General public

**Event Description:** Educational wading trips into the Charlotte Harbor watershed will demonstrate the importance of good water resource management in maintaining healthy estuarine systems. For reservations and information, contact the Charlotte Harbor Environmental Center at (941) 575-5435 or visit [www.checlorida.org](http://www.checlorida.org).

***District Contact Information***

Virginia Sternberger, (352) 796-7211, ext. 4753; [Virginia.Sternberger@WaterMatters.org](mailto:Virginia.Sternberger@WaterMatters.org)

**Event Title:** March for Parks

**Date(s):** March 12

**Time:** 12 noon–4 p.m.

**Location:** Jay B. Starkey Wilderness Park, New Port Richey

**Sponsoring Organization:** Pasco County Parks and Recreation

**Attendees:** General public

**Event Description:** This celebration of Pasco County parks will include a native plant sale, parks photo contest as well as information on deaf and hard-of-hearing services, conservation and habitat planning, pet adoption and birding on the new Bluebird Trail. Attendees also may learn about recycling and rain barrels, hiking, biking and kayaking.

***District Contact Information***

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)

## Item 57

**Event Title:** Marion County Master Gardeners Spring Festival

**Dates:** March 12–13

**Time:** 10 a.m.–5 p.m.

**Location:** Marion County Extension Office, Ocala

**Sponsoring Organizations:** Marion County Extension, District

**Event Description:** Displays, workshops and hands-on activities will feature Florida-Friendly Landscaping™ principles. The District's Water Conservation Restroom Station will promote the current ad campaign.

***District Contact Information***

Melissa Altman, (352) 796-7211, ext. 4782; [Melissa.Altman@WaterMatters.org](mailto:Melissa.Altman@WaterMatters.org)

**Event Title:** Landscape Challenge

**Date:** March 17

**Time:** 8:30 a.m.–12:30 p.m.

**Location:** District Headquarters, Brooksville

**Sponsoring Organizations:** FNGLA, Wildrose Lawncare, District

**Attendees:** District Governing Board and Basin Board members and staff; landscape professionals; general public

**Event Description:** Teams of landscape maintenance professionals will compete against each other for the title of "Ruling Water Champions" by demonstrating landscape management practices that protect our water resources.

***District Contact Information***

Sylvia Durell, (352) 796-7211, ext. 4755; [Sylvia.Durell@WaterMatters.org](mailto:Sylvia.Durell@WaterMatters.org)



**Governing Board Meeting  
January 25, 2011**

<b>GENERAL COUNSEL’S REPORT</b>
---------------------------------

***Discussion Items***

58. Consent Item(s) Moved for Discussion
59. Status of Tampa Bay Water’s Seawater Desalination Project  
Operational Protocol Discussions..... (25 minutes) ..... 2  
(*Strategic Plan: Water Supply – Alternative Water Supplies*)

***Submit & File Reports*** – None

***Routine Reports***

60. Litigation Report ..... 3
61. Rulemaking Update ..... 20

**General Counsel's Report  
January 25, 2011**

***Discussion Item***

**Status of Tampa Bay Water's Seawater Desalination Project Operational Protocol Discussions**

During the September 2010 Governing Board meeting, staff discussed the history of the agreement that brought about the final District payments for the completion of Tampa Bay Water's desalination facility. As part of that discussion, staff noted that the Partnership Agreement would terminate on December 31, 2010, and that on October 1, 2010, TBW would commence a new "water year" and new budget year. It was further noted that the District and TBW have a fundamental disagreement as to whether the original Funding Agreement between the District and Tampa Bay Water remains in force and effect after the final payment made pursuant to the Second Amendment to that Agreement. The Funding Agreement references specific operational levels for the desalination facility. The District's General Counsel, based upon a legal opinion from outside counsel, has advised the Governing Board that the Funding Agreement remains in effect through December 2032. The General Counsel of TBW has disagreed.

District staff discussed a number of options for the parties to pursue going forward that include doing nothing, amending the Funding Agreement for a third time, seeking a declaratory determination by a court of competent jurisdiction, or entering into a new agreement to define the operational protocol for the facility. Staff indicated that they would work with the staff of TBW with the objective of returning to the December 2010 Governing Board meeting with a recommendation on an operational protocol for the desalination facility consistent with the parameters discussed at the September meeting. Mr. Seeber, the General Manager for TBW, agreed that the December meeting would be a reasonable time for the parties to return to the Governing Board with such a recommendation.

By letter to Chair Oakley, Chairman Commissioner Sharpe said that his Board would prefer to reach a consensus on the operational protocol for the desalination facility after the opportunity to hold a joint meeting of the respective boards. Tampa Bay Water did not send a representative to the December 2010 Governing Board to address the issue. The Governing Board asked staff to return to the Governing Board at its January 2011 meeting with a list of options available to the District for dealing with the operation of the desalination facility.

On January 7, 2011, the General Counsel of TBW provided a draft "Third Amendment" to the Funding Agreement in which he incorporated significant portions of the operational protocol suggested by the District's General Counsel. The proposal was qualified as only a "staff effort" requiring approval of the TBW Board. He stated that no input into the draft had been provided by the TBW Board and that many of TBW's Board might not be inclined to enter into such an agreement until they have had the opportunity to discuss the issue at a joint meeting with the District's Governing Board.

District Staff will be providing a list of the available options including the response provided by the TBW General Counsel in a subsequent mailing shortly after release of this Governing Board packet.

**Staff Recommendation:**

Staff will present a list of options for the how to deal with the operational protocol for the desalination facility to the Governing Board.

**Presenter:** William S. Bilenky, General Counsel



## SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT

January 2011

(Changes in status since last month are in boldface type)

**DELEGATED ADMINISTRATIVE HEARING MATTERS**

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS</u> (current as of 1/5/11)
City of Bartow v. SWFWMD		A. Wells	Request for Extension of Time to File Petition for Administrative Hearing	12/28/10 – City of Bartow’s Request for Extension of Time to File Petition served. 12/30/10 – Order Granting Request for Extension of Time entered.
Wal-Mart Stores East, L.P. v. SWFWMD		C. Felice	Request for Extension of Time to File Petition for Formal Administrative Hearing	12/29/10 - Request for Extension of Time to File Petition for Formal Administrative Hearing served. 1/5/11 - Order Granting Request for Extension of Time (until January 24, 2011) entered.

**ADMINISTRATIVE PROCEEDINGS**

Ross, Henry v. City of Tarpon Springs and SWFWMD/ Case No. 10-10214	Division of Administrative Hearings/D.M. Maloney	A. Vining	Petition for Administrative Hearing	10/22/10 – Petition for Administrative Hearing served. 10/25/10 – Order of Dismissal Without Prejudice entered. 10/26/10 – Amendment and Amendment Two served. 10/26/10 – Motion for Hearing served. 10/29/10 – Pleadings named Controversy and Myth of the City of Tarpon Springs as Approved by SWFWMD served. 11/3/10 – Second Petition for Administrative Hearing served. 11/5/10 – Petition for Administrative Hearing served. 11/12/10 – Letter to DOAH from Henry Ross stating hearing should be continued served. 11/15/10 – Initial Order entered. 11/18/10 – Attachment to Petition for Administrative Hearing served. 11/18/10 – Copy of letter to Henry Ross dated 11/16/10 with notations from Henry Ross appended served. 11/22/10 – Joint Response to Initial Order served. <b>11/25/10 – First Notice to Produce; First Motion for Continuance; Response to Initial Order; and Motion to Dismiss Trial and Modification Permit served. 12/2/10 – Order of Pre-Hearing Instructions and Notice of Hearing entered. 12/3/10 – City of Tarpon Springs and SWFWMD’s Joint Response to Petitioner’s First Motion for Continuance dated November 25, 2010 and Filed December 1, 2010; City of Tarpon Springs First Request for Production to Petitioner, Henry C. Ross; and Notice of Service of City of Tarpon Springs First Interrogatories to Henry C. Ross served. 12/6/10 – Order on Petitioner’s Motion for Continuance entered. 12/9/10 – City of Tarpon Springs and SWFWMD’s Joint Response to Petitioner’s Motion to Dismiss Trial and Modification Permit Dated November 25, 2010 and Filed December 6, 2010 served; and Order Denying Petitioner’s Motion to Dismiss Trial and Modification Permit entered. 12/11/10 – Response to Court Order served. 12/12/10 – Petitioner’s First Interrogatories served. 12/15/10 – Notice of Intent to Take Deposition of Robert Robertson served. 12/22/10 – Petitioner’s Settlement</b>
--	--	-----------	-------------------------------------	---

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				<b>Offer and Motion for Continuance served. 12/22/10 – City of Tarpon Springs’ Motion for Protective Order served. 12/23/10 – City of Tarpon Springs’ Response to Petitioner’s Settlement Offer and City of Tarpon Springs’s Response to Petitioner’s Motion for Continuance Dated December 22, 2010 served. 12/25/10 – Petitioner’s Motion for Continuance, Petitioner’s Motion to Disqualify Assistant City Attorney Thomas Trask and Petitioner’s Notice of Intent to Take Deposition of David L. Moore served. 12/28/10 – Order denying Petitioner’s Motion for Continuance dated December 22, 2010 entered. 1/3/11 – SWFWMD’s Response to Petitioner’s First Notice to Produce served. 1/3/11 – Petitioner’s First List of Witnesses and Petitioner’s First List of Exhibits served. 1/5/11 – City of Tarpon Springs and SWFWMD’s Joint Response to Petitioner’s (Second) Motion for Continuance Dated 12-25-10 and City of Tarpon Springs and SWFWMD’s Joint Motion for Protective Order served.</b>
Shelley, David and Barbara v. SWFWMD/Case No. 10-8913	Division of Administrative Hearings/D.M. Maloney	C. Felice	Petition for Administrative Hearing	11/25/09 - Request for an Enlargement of Time to File a Petition served. 12/9/09 - Order Granting Request for Extension of Time entered. 1/15/10 - Petition for Formal Administrative Hearing served. 9/9/10 - Referral letter to DOAH. 9/14/10 - Initial Order entered. 9/21/10 (District's) Response to Initial Order served. 9/23/10 - Joint Motion to Abate served. 9/27/10 - Order Placing Case in Abeyance entered (status report due by 12/22/10). <b>12/22/10 - Joint Status Report served. 12/23/10 - Order Closing File and Relinquishing Jurisdiction entered.</b>
<p style="text-align: center;"><b><u>ENFORCEMENT CASES</u></b> (Including Administrative Complaints)</p>				
SWFWMD v. Robert Barfield	13 <sup>th</sup> Judicial Circuit Hillsborough County/R. Foster	A. Vining	Complaint and Petition for Enforcement	10/4/10 – Complaint and Petition for Enforcement filed. 10/19/10 Respondent served. 10/24/10 – Letter to Clerk of Court captioned Answer served.
SWFWMD v. Fatemah Corporation		A. Vining	Administrative Complaint and Order	10/18/10 – Respondent served. 11/1/10 – Respondent’s Answer to Administrative Complaint and Request for Administrative Hearing and Referral to Mediation served.
SWFWMD v. Howard, Waylon		A. Vining	Administrative Complaint and Order	5/27/10 – Return of Non-Service. 9/14/10 – Respondent served. 10/21/10 – Order No. SWF 2010-019 entered. 10/28/10 – Suspension of License letter served.
SWFWMD v. The Kell Group, Ltd. Case No. 09CA007932 Div.	13 <sup>th</sup> Judicial Circuit, Hillsborough County/W. Levens	A. Vining	Complaint and Petition for Enforcement	3/27/09 – Complaint and Petition for Enforcement filed. 4/2/09 – Defendants served. 8/19/09 – Answer to Complaint and Third-Party Complaint served. 1/22/10 – Third Party Defendants’ Motion to Dismiss Third Party Complaint served. 3/29/10 – Order Granting Third Party Defendant’s Sazam, Inc.’s Motion to Vacate and Set

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
K				Aside Clerk's Default entered. 4/1/10 – Order Granting in Part Third Party Defendants' Motion to Dismiss Third Party Complaint entered. 4/5/10 – Order Sending Parties to Mediation entered. 5/7/10 – Notice of Voluntary Dismissal Without Prejudice of Third Party Complaint. 7/22/10 – Order Granting Motion to Withdraw of Defendant's Attorney entered.
SWFWMD v. Lake Sebring Estates Development, Corp./Case No. 08-892GCS	10th Judicial Circuit, Highlands County/O. Shinholser	J. Ward	Complaint and Petition for Enforcement to enforce ACO No. SWF 06-54	7/15/08 - Complaint filed. 7/23/08 – Registered Agent served. 9/2/08 - Answer and Affirmative Defenses served. 6/15/10 - Amended Notice of Taking Deposition (3 - rescheduled for 7/20/10) served. 7/19/10 - Second Amended Notice(s) of Taking Deposition (of 3 deponents above - rescheduled for August 20) served. 8/17/10 - Notice of Cancellation of Second Amended Notice of Taking Deposition (of 3 deponents above set for 8/20/10) served.
SWFWMD v. McClendon, J.C., Jr./Case No.0811837CI13	6 <sup>th</sup> Judicial Circuit, Pinellas County/M. Shames	A. Vining	Complaint and Petition for Enforcement of ACO SWF07-056	8/12/08 – Complaint and Petition for Enforcement filed. 8/18/08 – Complaint and Petition for Enforcement served. 8/29/08 – Response served. 9/16/08 – Motion for Default by the Court served. 11/26/08 – Order Denying Plaintiff's Motion for Default by the Court entered. 12/23/09 – Plaintiff's Motion for Summary Judgment served. 12/30/09 – Notice of Hearing served.
SWFWMD v. Milmack, Inc.		A. Wells	Administrative Complaint and Order	9/3/10 – Administrative Complaint and Order served on Ron Mackail. 9/21/10 – Order No. SWF 2010-018 entered.
SWFWMD v. Vikings, LLC/10-10588	<b>Division of Administrative Hearings/D.R. Alexander</b>	C. Felice	Administrative Complaint and Order	11/9/10 - Administrative Complaint served on Registered Agent for Vikings, LLC. 11/23/10 – Respondent's Request for Extension of Time to File Request for Hearing served. 11/30/10 – Respondent's Request for Administrative Hearing served. <b>12/9/10 - referred to DOAH. 12/14/10 - Initial Order entered. 12/21/10 - Joint Response to Initial Order served. 12/22/10 - Notice of Hearing (set for 2/16/11 in Brooksville) served; Order of Pre-Hearing Instructions entered.</b>
SWFWMD v. Zerep Enterprises, Inc.	13 <sup>th</sup> Judicial Circuit, Hillsborough County/J.D. Arnold	A. Vining	Complaint and Petition for Enforcement	5/27/10 – Complaint and Petition for Enforcement served. 9/20/10 – Motion for Default served. 9/22/10 – Order granting Motion for Default entered.

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
<b><u>MISCELLANEOUS</u></b>				
Bank of America, et al. v. Richardson, David A. and Lisa A., et al./ Case No. 52-2009-CA-09017751-CI-020	6 <sup>th</sup> Judicial Circuit/Pinellas County	J. Ward	Foreclosure complaint against David and Lisa Richardson, against whom the District has a judgment with regard to an enforcement action	10/16/09 - Summons, Complaint and Notice of Lis Pendens served. 11/4/09 - Answer of Defendant SWFWMD served. 11/18/09 - Motion for Summary Judgment served. 6/22/10 - Notice of Filing (Original Lost Instrument Affidavit Note, Copy of Note, and Copy of Assignment of Mortgage) served. 7/2/10 - Notice of Appearance (on behalf of Richardsons) served. 7/22/10 - Notice of Change of Address for Plaintiff's Counsel served. 9/9/10 - Notice of Cancellation (of 7/1/10 hearing on Motion for Summary Judgment) served.
Branch Banking and Trust Co v. Krueger, Joseph M., et al./Case No. 2010 CA 001200	5 <sup>th</sup> Judicial Circuit/Sumter County	J. Ward	Foreclosure complaint against Joseph M. Krueger, Joanne Suggs Krueger, et al., against whom the District has a judgment with regard to an enforcement action	10/8/10 - Summons, Complaint and Notice of Lis Pendens served. 10/26/10 - Answer of Defendant, SWFWMD, served.
<b>CKA, LLC v. SWFWMD</b>	<b>SWFWMD</b>	<b>M.B. McNeil</b>	<b>Formal objection to SWFWMD's decision to reject all bids received with regard to RFB 1015 for Lake Hancock Lake Level Modification P-11 Structure Replacement Project</b>	<b>11/5/10 - Petition filed. 11/19/10 - Order of Dismissal Without Prejudice entered. 12/2/10 - Amended Petition served. 12/14/10 - Second Order of Dismissal Without Prejudice entered. 12/20/10 - Second Amended Petition served.</b>
Cardinal Contractors, Inc. v. SWFWMD	SWFWMD	M.B. McNeil	Bid protest with regard to RFB No. 1015 for Lake Hancock Lake Level Modification P-11 Structure Replacement Project	10/11/10 - Petition hand-delivered, together with Procurement Protest Bond. <b>11/9/10 - Petition withdrawn; bond returned.</b>
Davis, Alfred J. and Cindy v. SWFWMD, et al./Case No. 8:09-cv-1070-T17	United States District Court of the Middle District of Florida, Tampa Division	J. Ward	Complaint for Declaratory and Injunctive Relief	6/19/09 - Summons and Complaint for Declaratory and Injunctive Relief served. 9/11/09 - Defendant SWFWMD's Motion to Dismiss Counts IV, V, VI and VII of Plaintiffs' Complaint, Motion for More Definite Statement and Incorporated Memorandum of Law served. 9/14/09 - Defendant City of St. Petersburg's Motion to Dismiss and Incorporated Memorandum of Law served. 9/14/09 - EPA's Answer to Complaint served. 9/29/09 - Plaintiffs' Response in Opposition to Defendant, City of St. Petersburg's Motion to Dismiss served. 9/30/09 - Plaintiffs' Response in Opposition to Defendant, SWFWMD's Motion to Dismiss served. 11/18/09 - Order on Defendants' Motions to Dismiss (granting City's & SWFWMD's motions to dismiss counts IV-VII of the complaint, and dismissing them from the action) entered. 11/30/09 - Plaintiffs' Rule 59(E) Motion to Alter or Amend the Judgment on Defendants' Motions to Dismiss served. 12/29/09 - Order (to show cause on or before 1/8/10 why Motion to Alter or Amend the Judgment on Defendants'

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				<p>Motions to Dismiss should not be granted for failure to respond thereto) entered. 1/8/10 - Defendant City of St. Petersburg's Response to Order to Show Cause with Incorporated Memorandum of Law served; Defendant SWFWMD's Response to Order to Show Cause served. 2/16/10 - Order on Plaintiff's Rule 59(E) Motion to Alter or Amend the Judgment on Defendant's Motion to Dismiss entered. 2/25/10 - First Amended Complaint for Prospective Remedial Injunctive Relief served. 3/8/10 - Defendant David L. Moore's Motion to Dismiss Counts IX, X and XI of Plaintiffs' First Amended Complaint, Motion for More Definite Statement, and Incorporated Memorandum of Law served. 3/18/10 - Plaintiff's Response to City of St. Petersburg's Motion to Dismiss the First Amended Complaint Counts Against the City served. 3/22/10 - Plaintiff's Response in Opposition to David L. Moore's Motion to Dismiss the First Amended Complaint Against Him served. 3/29/10 - (EPA's) Motion to Dismiss Counts I, II, III, IV, V, VI and VIII of Plaintiffs' Amended Complaint or, in the Alternative, Motion for More Definite Statement and Incorporated Memorandum of Law served. 4/12/10 - Plaintiffs' Response in Opposition to EPA's Motion to Dismiss Counts I-VI and VIII of First Amended Complaint served. 6/15/10 - Plaintiffs' Motion for Judicial Notice served. 6/16/10 - Order on Defendants' Motion to Dismiss (on EPA's Motion to Dismiss granting dismissal of counts I-V and VIII of Plaintiffs' Amended Complaint and Denying dismissal of Count VI. Defendants shall answer the amended complaint's Count VI within 10 days of date of Order) entered. 6/28/10 - EPA's Answer to First Amended Complaint served. 6/29/10 - Certification of Index to the Administrative Record served. 7/19/10 - Order on Defendant City of St. Petersburg's Motion to Dismiss (granted); and Order on Defendant David L. Moore's (District's) Motion to Dismiss for Lack of Subject Matter Jurisdiction (granted) entered. 8/10/10 - Plaintiffs' Rule 59(e) Motion to Alter or Amend the July 19th Order on the City of St. Petersburg's Motion to Dismiss served. 8/11/10 - Defendant City of St. Petersburg's Response to Plaintiffs' Rule 59(e) Motion to Alter or Amend the July 19th Order on the City of St. Petersburg's Motion to Dismiss with Incorporated Memorandum of Law served. 8/16/10 - Plaintiffs' Rule 59(e) Motion to Alter or Amend the July 19th Order on Defendant, David L. Moore's Motion to Dismiss served. 8/18/10 - Endorsed Order pursuant to Case Management Report setting deadlines as set out on pages 2 &amp; 3 of the case management report entered. 8/27/10 - Defendant David L. Moore's Response to Plaintiffs' Rule 59(e) Motion to alter or amend Judgment on Defendant David L. Moore's Motion to Dismiss served. 11/18/10 - Order on Plaintiff's Rule 59(c) Motion to Alter or Amend the July 19th Order on Defendant's Motion to Dismiss entered. 11/18/10 - Joint Notice of Tentative Settlement and Motion</p>

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				for Stay entered. 11/22/10 - Order (granting Motion to stay all deadlines as to the defendants Lisa P. Jackson and US EPA only) entered. 11/24/10 - Notice of Appeal (of 7/19/10 Order on St. Pete's Motion to Dismiss and 11/18/10 Order on Plaintiffs' Rule 59(e) Motion to Alter or Amend the 7/19 Order on Defendant's Motion to Dismiss) served. <b>12/2/10 - Defendant's (City of St. Petersburg) Motion for Attorney's Fees and Supporting Memorandum of Law served. 12/14/10 - Plaintiffs' Opposition to Defendant, City of St. Petersburg's Motion for Attorney's Fees served. 12/20/10 - Joint Notice of Settlement and Dismissal of Counts VI and VII served. 12/21/10 - Order (dismissing Counts VI and VII and defendants US EPA pursuant to Notice of Settlement) entered.</b>
<b>Davis, Alfred J. and Cindy v. SWFWMD, et al./Case No. 10-15513-D</b>	<b>U.S. Court of Appeals for the 11th Circuit/</b>	<b>J. Ward</b>	<b>Appeal of Orders entered in U.S. District Court of the Middle District of Florida, Tampa Division</b>	<b>11/24/10 - Notice of Appeal served. 12/15/10 - Appellants' Certificate of Interested Persons and Corporate Disclosure Statement served.</b>
Hames, Cedar and Nora H. Scholin v. State of FL ∞ Department of Environmental Protection and SWFWMD/Case No. 2007-CA-001649	12 <sup>th</sup> Judicial Circuit, Manatee County/P. Dubensky	D. Graziano/ J. Ward	Suit for damages alleging inverse condemnation	4/4/07 – Amended Complaint and Summons served. 4/23/07 - State of Florida Department of Environmental Protection's Motion to Dismiss served. 5/16/07 - Order from Middle District of Florida remanding case back to circuit court entered. 5/18/07 - SWFWMD's Motion to Dismiss served. 8/7/07 – SWFWMD's Answer served. 8/9/07 - Plaintiffs' Reply to Affirmative Defenses and Motion to Strike served. 8/15/07 - Defendant SWFWMD's Motion for Summary Judgment and Memorandum of Law in Support of Defendant's Motion served. 8/23/07 - (Plaintiff's) Motion to Bifurcate served. 10/12/07 - Defendant SWFWMD's Amended Motion for Summary Judgment and Memorandum of Law in Support of Defendant's Motion served. 10/17/07 - (Plaintiffs') Motion for Partial Summary Judgment as to SWFWMD's Liability for Taking Under Counts I, II, IV, V, VII, VIII, X, XI, XIII, XIV, XVII, XX and XXIII of Plaintiff's Amended Complaint served. 11/6/07 – Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment served. 12/7/07 - Order Denying Defendant's Amended Motion for Summary Judgment; Order Granting Plaintiff's Motion for Partial Summary Judgment as to SWFWMD's Liability for Taking entered. 1/14/08 - Order Denying Defendant Southwest Florida Water Management District's Motion for Rehearing entered. 2/4/08 - Agreed Order Regarding Date of Taking entered. 2/20/08 - Notice of Invoking Automatic Stay Pending Review Pursuant to Rule 9.310(b)(2), Fla.R.App.P., served. 2/22/08 - Motion for Relief from Stay served. 5/9/08 - Defendant's Notice of Serving Proposal for Settlement to Plaintiffs served. 9/05/08 - Motion in Limine on Taking Issue served. 9/25/08 - Defendant's Response to Plaintiffs' Motion



<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				<p>in Limine on the Taking Issue served. 9/29/08 - Motion to Set Aside/Vacate Court's Order Granting Partial Summary Judgment for Misrepresentation on the Court served. 10/2/08 - Amended Motion to Set Aside/Vacate Court's Order Granting Partial Summary Judgment for Misrepresentation on the Court served and Notice of Rescheduled Hearing (set for the 10/6/08) served. 10/6/08 - Plaintiffs' Motion to Strike or for More Definite Statement and for Sanctions and, in the Alternative, Response in Opposition to Defendant's Motion to Set Aside/Vacate Judgment for Misrepresentation on the served. 10/10/08 - Defendant's Reply to Plaintiffs' Response in Opposition to Motion to Set Aside/Vacate served. 10/13/08 - Order (vacating Order Granting Plaintiff's Motion for Partial Summary Judgment (entered 12/7/07)) entered. 10/23/08 - Plaintiffs' Motion for Rehearing and Reconsideration served. 10/31/08 - Memorandum in Opposition to Plaintiffs' Motion for Reconsideration of the Court's Order Vacating the Order Granting Partial Summary Judgment served. 11/12/08 - Order on Plaintiffs' Motion for Rehearing and Reconsideration (denied) entered. 12/23/08 - Order (granting Motion to Continue the Trial) entered. 3/12/09 - Motion for Partial Summary Judgment as to Issue of Whether Lots 3-7 Carry With Them the Statutory Right to Bulkhead and Fill Pursuant to Section 253.15, F.S. (1955) served. 6/3/09 - Defendant's Response and Memorandum in Opposition to Plaintiff's Motion for Partial Summary Judgment served. 6/4/09 - Notice of Withdrawal of Allegations that Lots 8-10 Carry With Them the Statutory Right to Bulkhead and Fill Pursuant to Section 253.15, F.S. (1955), and Voluntary Dismissal of Counts XVI, XIX and XXII of the Amended Complaint served; Motion to Treat Plaintiffs' Pending Motion for Partial Summary Judgment as to Issue of Whether Lots 3-7 Carry With Them the Statutory Right to Bulkhead and Fill Pursuant to Section 253.15, F.S. (1955), as a Motion in Limine in the Alternative served. 6/10/09 - Order on Motion for Partial Summary Judgment (denied) entered. 6/25/09 - Plaintiffs' Motion for Rehearing and Reconsideration served. 7/17/09 - Order on Motion for Rehearing and Reconsideration (denied) entered. 3/23/10 - Order Scheduling Case for Non-Jury Trial and Referral to Mediation (trial set for 12/6/10) entered. 6/16/10 - (Plaintiffs') Notice of Hearing (set for 9/1/10 on Plaintiffs' Renewed Motions for Partial Summary Judgment) served; (Plaintiffs') Notice of Hearing (set for 9/7/10 regarding Status Conference) served. 6/22/10 - Amended Notice of Hearing (rescheduling Status Conference for 9/13/10) served. 8/6/10 - (Plaintiffs') Renewed Motion for Partial Summary Judgment as to SWFWMD's Liability for Taking Under Counts, I, II, IV, V, VII, VIII, X, XI, XIII, XIV, XVII, XX and XXIII of Plaintiffs' Amended Complaint; (Plaintiffs') Motion for Determination of Whether Lots 3-7 Carry with Them the Statutory Right to Bulkhead</p>



<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				and Fill Pursuant to Section 253.13, Florida Statutes (1955); Amended Notice of Hearing (on above Motions set for 9/1/10); Restricted Use Appraisal Report dated 7/31/06; and 11/8/07 hearing transcript) served. 8/23/10 - Defendant's Response to Plaintiffs' Renewed Motion for Partial Summary Judgment served; Defendant's Response in Opposition to Plaintiffs' Motion for Determination of Whether Lots 3-7 Carry with Them the Statutory Right to Bulkhead and Fill Pursuant to Section 253.15, Florida Statutes (1955) served. 8/31/10 - Notice of Withdrawal Without Prejudice of Renewed Motion for Partial Summary Judgment as to SWFWMD's Liability for Taking Under Counts I, II, IV, V, VII, VIII, X, XI, XIII, XIV, XVII, XX and XXIII of Plaintiffs' Amended Complaint served. 9/1/10 - Reply to Defendant's Response in Opposition to Plaintiffs' Motion for Determination of Whether Lots 3-7 Carry With Them the Statutory Right to Bulkhead and Fill Pursuant to Section 253.15, Florida Statutes (1955) served. 10/25/10 - (Plaintiffs') Motion to Continue Trial served; Cross Notice of Hearing (on previous Motion and Motion to Continue Defendant's Summary Judgment Hearing set for 10/29/10) served. 10/26/10 - Motion to Strike Affidavit of Clark Hull; Cross-Notice of Hearing (on Motion to Strike set for 10/29/10); 10/27/10 - Notice of Hearing (on Plaintiffs' Motion to Continue Defendant's Summary Judgment Hearing - set for 10/28/10); Notice of Cancelling Hearing (on Plaintiffs' Motion to Continue Defendant's Summary Judgment Hearing - set for 10/28/10 (the Motion will be heard on 10/29/10 as previously cross-noticed); and Defendant's Memorandum in Opposition to Plaintiffs' Motion to Continue Defendant's Summary Judgment Hearing served. 10/28/10 - Notice of Filing Affidavit of Valerie Cisco; Notice of Filing Supplemental Exhibit "B" to Plaintiffs' Motion to Continue Trial; and Notice of Filing Exhibit "A" and "B" to Plaintiffs' Motion to Continue Defendant's Summary Judgment Hearing served. 10/29/10 - Plaintiffs' Response to Defendant SWFWMD's Motion for Summary Final Judgment for Failure to Exhaust Administrative Remedies served. 11/4/10 - Plaintiffs' Motion for Leave to Amend Complaint; and Defendant's Response to Plaintiffs' Notice of Taking Deposition Duces Tecum served. 11/22/10 - Plaintiffs' Supplement to Disclosure of Witness Steven Lewis; Defendant's Opposition to Plaintiffs' Amended Motion for Leave to Amend Complaint; Defendant's Memorandum in Opposition to Plaintiffs' Motion to Compel Discovery; and Plaintiffs' Supplemental Motion to Compel Discovery served. 11/24/10 - Plaintiffs' Amended Witness and Exhibit List served; Plaintiffs' Memorandum of Law on Amended Motion for Leave to Amend complaint served; Defendant's Answer and Affirmative Defenses to Plaintiffs' Restated Second Amended Complaint served. <b>11/29/10 - Defendant's Notice of Serving Verified Answers to interrogatories; Defendant, SWFWMD's,</b>

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
Maguire, Raymer F., III and Charlotte E., M.D., as Trustees of the Raymer F. Maguire Trust v. SWFWMD, et al./Case No. 10-609 GCS	10th Judicial Circuit, Highlands County/A. Cowden	J. Ward	Suit seeking declaratory judgment re tax certificates	<p>Notice of Serving Verified Answers to Plaintiffs' (Second) Interrogatories; Defendant, SWFWMD's, Notice of Serving Verified Answers to Plaintiffs' Third Interrogatories; Defendant, SWFWMD's, Notice of Serving Verified Amended Answers to Plaintiffs' Third Interrogatories; Defendant's Motion to Exclude Certain Plaintiffs' Exhibits; Restated Second Amended Complaint; Plaintiffs' Emergency Motion for Stay of Proceedings Pending Review; and, Defendant's Notice of Filing (deposition transcripts) served. 11/30/10 - Defendant's Amended Notice of Filing (deposition transcripts) served; Order Denying Plaintiffs' Emergency Motion for Stay entered. 12/1/10 - Plaintiffs' Motion to Remove Matter from Trial Docket and Continue Trial; Supplement to Plaintiffs' Exhibit List; Cross-Notice of Hearing (on Plaintiffs' Motion to Remove Matter from trial Docket and Continue Trial); and Amended Cross Notice of Hearing served. 12/2/10 - Notice of Appearance (of Jack Pepper); and Plaintiffs' Response to Defendant's Motion to Exclude Plaintiffs' Expert Testimony served. 12/3/10 - Plaintiffs' Trial Exhibit Index; Plaintiffs' Emergency Motion for Stay of Proceedings Pending Review served; Defendant's Amended Motion to Exclude or Strike Certain Plaintiffs' Exhibits; and, Notice of Hearing (on previous Motion) served. 12/10/10 - Plaintiffs' Motion to Reopen Its Case for the Limited Purpose of Attaching Bulkhead Line Surveys to Exhibit 12 served. 12/14/10 - Defendant's Opposition to Plaintiffs' Motion to Reopen Its Case served. 12/15/10 - Plaintiffs' Reply to Defendant's Opposition to Plaintiffs' Motion to Reopen Its Case for the Limited Purpose of Attaching Bulkhead Line Surveys to Exhibit 12 served. 12/16/10 - Defendant's Notice of Filing (testimony of Hames, Craig, rebuttal testimony of West and Haynes) served; Order on Motion to Reopen Case (granted) entered. 12/17/10 - Defendant's Closing Brief served; (Plaintiffs') Closing Argument served.</p> <p>11/3/10 - Summons and Amended Complaint served. 11/22/10 - SWFWMD's Answer to Amended Complaint served. 12/7/10 - Sun 'N Lake's Answer and Affirmative Defenses to Tax Collector's Crossclaim served.</p>

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
Mudd, Marcia, et al. v. SWFWMD, et al./Case No. 2006CA-001537-0000	10th Judicial Circuit, Polk County/D. Prince	D. Scott/J. Ward	Complaint for Inverse Condemnation and Continuing Trespass	11/3/08 - Summons and Second Amended Complaint for Inverse Condemnation and Continuing Trespass served. 12/4/08 - Defendant, SWFWMD's Motion to Dismiss and/or Motion to Abate and/or Motion for a More Definite Statement served. 2/1/10 - Third Amended Complaint for Inverse Condemnation served. 2/9/10 - Order Granting FDEPs Amended Motion to Dismiss & SWFWMD's Motion to Dismiss, with Leave to Amend entered. 2/11/10 - Polk County's Motion to Dismiss Plaintiffs' Third Amended Complaint for Inverse Condemnation served. 2/22/10 - Defendant SWFWMD's Answer and Affirmative Defenses to Plaintiff's Third Amended Complaint for Inverse Condemnation served. 2/26/10 - Defendant SWFWMD's Motion for Final Summary Judgment served. 4/22/10 - Defendant SWFWMD's Notice of Serving Proposal for Settlement/Offer of Judgment to Plaintiff(s) (to each Plaintiff individually) served. 5/13/10 - Defendant SWFWMD's Memorandum of Law in Support of its Motion for Final Summary Judgment served. 5/18/10 - Motion for Leave to Amend Third Amended Complaint (with Fourth Amended Complaint for Inverse Condemnation attached) served; Defendant SWFWMD's Response in Opposition to Plaintiffs' Motion for Continuance of Summary Judgment Hearing served; Defendant SWFWMD's Response in Opposition to Plaintiffs' Motion for Leave to Amend served; Defendant SWFWMD's Objection to, and Motion to Strike, Plaintiffs' Notice of Hearing served. 5/21/10 - Order (granting Plaintiffs' Motion for Continuance (therefore, District's Motion for Summary Final Judgment was not heard); granting District's Motion to Compel (Plaintiffs shall have 20 days to serve responses). 6/9/10 - Defendant SWFWMD's Second Notice of Filing Summary Judgment Evidence served. 6/11/10 - Answer and Affirmative Defenses of Defendant, City of Lake Wales, to Plaintiffs' Third Amended Complaint served. 9/27/10 - Defendant SWFWMD's Answer and Affirmative Defenses to Plaintiffs' Fourth Amended Complaint served. 10/4/10 - Defendant SWFWMD's Notice of Hearing (on its Motion for Final Summary Judgment set for 11/16/10) served. 10/25/10 - Defendant SWFWMD's Notice of Filing Additional Summary Judgment Evidence served. 11/1/10 - Defendant SWFWMD's Notice(s) of Non-Party Production (to Foremost Insurance and Florida Family Insurance) served. 11/10/10 - Defendant SWFWMD's Amended Third Notice of Filing Additional Summary Judgment Evidence served. 11/12/10 - (Plaintiffs') Notice of Filing served. 11/13/10 - Defendant SWFWMD's Amended Memorandum of Law in Support its Motion

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
Reynolds, Mark D. v. SWFWMD & Lowry Park Zoological Society of Tampa, Inc./Case No. 08- CA-28944	13th Judicial Circuit/M. Nacke	L. Tetreault/ J. Ward	Claim of unjust enrichment	for Final Summary Judgment served. <b>11/30/10 - Order Denying Motion for Summary Judgment entered. 12/1/10 - Order Granting Motion for Leave to Amend Third Amended Complaint entered. 12/3/10 - Defendant's, City of Wales, Request for Copies served. 12/16/10 - Defendant SWFWMD's Notice of Compliance with Request for Copies Served by Defendant City of Lake Wales served.</b>  1/12/09 - Summons, Complaint, Affidavit of Service, Certificate of Service received from Attorney General's office. 1/20/09 - Defendant SWFWMD's Motion to Dismiss for Insufficiency of Service of Process served. 2/6/09 - Defendant's (Lowry Park Zoological Society, Inc.'s) Answer and Defenses and Counterclaim served. 2/17/09 - (Reynolds') Motion to Dismiss Counter Complaint served. 11/18/10 - Notice of Lack of Record Activity and Potential Dismissal of Claim served.
SWFWMD v. Crabtree, Don Gary, et al./Case No. 53-2009- CA0008352	10th Judicial Circuit, Polk County/K. Wright	R. Neill, Jr./ J. Pepper	Petition in Eminent Domain (Parcel 20-503-196 - Crabtree; Parcel 20-503-129 - Shea; Parcel 20-503-207 - Weflen)	7/29/09 - Application for Docketing and Assignment of Case. 8/11/09 - Amended Eminent Domain Order of Taking Hearing Order entered. 8/21/09 - Lis Pendens; Summons to Show Cause and Notice of Hearing; Petition in Eminent Domain; Declaration of Taking and Estimate of Value served. 9/17/09 - Amended Declaration of Taking and Estimate of Value in Connection with Parcel Nos. 20-503-196, 20-503-129 and 20-503-207 served. 9/24/09 - Answer and Affirmative Defenses of Shea to Petition in Eminent Domain served; Request for Hearing on Behalf of Defendants Shea served; Answer to Petition in Eminent Domain of Defendants Crabtree served; Defendants' (Crabtree) Motion to Continue Order of Taking served; Answer to Petition in Eminent Domain of Defendants Weflen served; Defendants' (Weflen) Motion to Continue Order of Taking served. 10/1/09 - (Midflorida Federal's) Answer to Petition in Eminent Domain (regarding Shea) served. 10/15/09 - Petitioner's Reply and Motion to Strike Referenced Affirmative Defenses and Any Associated Denial of Defendants Shea served. 1/25/10 - Amended Defendant's Motion in Limine and Incorporated Memorandum of Law Prohibiting Evidence (Shea) served; Amended Defendant's Motion in Limine and Incorporated Memorandum of Law Prohibiting Admission of Evidence Related to Flooding of the Properties Too Remote in Time to the Taking (Shea) served. 1/26/10 - Order on Case Management Conference (regarding Shea, Crabtree and Weflen) entered. 2/15/10 - Defendants' (Shea) Motion to Strike Petitioner's Updated Appraisal or in the alternative Motion in Limine and Incorporated Memorandum of Law served. 2/26/10 - Order Denying Motion to Dismiss of Defendants, Shea entered; Order

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				<p>on Defendants Sheas' Motion in Limine entered. 4/19/10 - Motion Regarding Trial Scheduling and Priorities and Notice of Hearing (as to Crabtree and Weflen) served; Notice of Jury Trial (Shea) served; Defendants' Weflen Motion and Notice to Set Parcel 20-503-207 for Jury Trial and Notice of Hearing served. 5/6/10 - Order of Taking as to Parcel 20-503-129 (Shea) entered. 5/10/10 - Order of Taking as to Parcel 20-503-207 (Weflen) entered; Order of Taking as to Parcel 20-503-196 (Crabtree) entered. 5/11/10 – Orders Setting Pretrial Conference, Jury Trial and Discovery Deadline; Jury Trials regarding Shea 8/30/10 (5 days), Weflen 10/4/10 (4 days). 5/12/10 – Defendants' (Crabtree, Weflen and Sutton) Motions to Withdraw Funds from the Court Registry as to Parcels 20-503-196, 20-503-207 and 20-503-220 served. 5/18/10 – Amended Order(s) Setting Pretrial Conference, Jury Trial and Discovery Deadline (Eminent Domain Cases) (Weflen Trial to begin 8/30/10; Shea Trial to begin 10/4/10). 5/24/10 - Motion(s) for Default (against GreenPoint Mortgage Funding, Inc. and CitiBank, N.A. regarding Weflen) served. 5/26/10 – Orders to Allow Withdrawal of Funds As To Parcels 20-503-196 (Crabtree), 20-503-207 (Weflen), and 20-503-220 (Sutton), And Dismissal of Property Appraiser and Tax Collector entered. 5/27/10 - Default(s) (against GreenPoint &amp; CitiBank regarding Weflen) entered. 5/28/10 – Petitioner's Notice Concerning Mediation (regarding Weflen) served. 6/1/10 - Notice of Deposit (regarding Weflen) served; Notice of Deposit (regarding Crabtree) served. 6/3/10 - Stipulated Order Regarding Extended Possession of Parcel 129 served. 7/12/10 – Defendants' (Shea) Motion in Limine or, in the Alternative, Motion to Strike; and Notice of Hearing served. Hearing scheduled for 8/26/10. 7/26/10 – Supplement to Defendants' Motion in Limine or, in the Alternative, Motion to Strike served. 7/28/10 – Defendants Mary Lou and Raymond Shea's Disclosure of Witnesses as to Parcel 129; and Defendants Mary Lou and Raymond Shea's Disclosure of Exhibits as to Parcel 129 served. 8/9/10 – Petitioner's First Motion in Limine And/Or To Strike (regarding Weflen); Petitioner's Second Motion in Limine And/Or To Strike (regarding Weflen); and Notice of Hearing served. Hearing on both Motions scheduled for 8/18/10. 8/11/10 – Defendants' (Weflen) Motion in Limine to Exclude the 2005 Sale of the Subject Property; Defendants' (Weflen) Motion in Limine to Exclude Tax Assessment; and Defendants' (Weflen) Motion in Limine to Exclude Testimony Regarding the Extended Possession of the Subject Property served. 8/16/10 – Petitioner's Final Witness List As To Parcel 129 (Shea) served. 8/24/10 –</p>

STYLE/CASE NO.

COURT/JUDGE

ATTORNEY

DESCRIPTION

STATUS (current as of 1/5/11)

Petitioner's Requested Jury Instructions (regarding Weflen); Defendants Mary Lou and Raymond Shea's Second Amended Disclosure of Witnesses as to Parcel 129; and Defendants Mary Lou and Raymond Shea's Second Amended Disclosure of Exhibits as to Parcel 129 served. Memorandum of Law on Defendants' (Shea) Motion In Limine or, In The Alternative, Motion to Strike served. 8/27/10 – Petitioner's Third Motion in Limine And/Or to Strike (regarding Weflen); Notice of Hearing (on Third Motion); Hearing scheduled for 8/30/10; and Petitioner's Second Requested Jury Instructions (regarding Weflen) served. 8/28/10 –Petitioner's Fourth Motion in Limine And/Or to Strike (regarding Weflen); and Notice of Hearing (on Fourth Motion) served. Hearings on Third and Fourth Motions (regarding Weflen) scheduled for 8/30/10. 9/8/10 – Petitioner's First Motion in Limine And/Or to Strike (regarding Shea); and Notice of Hearing (on First Motion in Limine regarding Shea) served. Hearing scheduled for 9/21/10. 9/10/10 – (Petitioner's) Motion for New Trial or Remittitur (regarding Weflen); Witness Subpoenas (8) for Trial; and Motion for Continuance (regarding Shea) served. 9/13/10 – Notice of Hearing (regarding Weflen)( Hearing held on 9/28/10); and Notice of Serving Signature of Party Requesting Continuance (regarding Shea) served. 9/17/10 – Petitioner's Supplement to First Motion in Limine And/Or to Strike (regarding Shea) served. 9/20/10 – Final Judgment entered. 9/22/10 – Defendants' (Weflen) Motion to Tax Attorneys' Fees; and Defendants' (Weflen) Motion to Tax Costs served. 9/27/10 – Notice of Filing Transcripts of Proceedings; and Appendix/ Supplement to Petitioner's Motion for New Trial or Remittitur (regarding Weflen) served. 9/29/10 – Defendants' Second Request to Produce; and Notice of Service of Interrogatories (regarding Shea) served. 10/5/10 – Stipulation to Drop Party (regarding Shea) served. 10/6/10 – Order Granting Continuance and Supplementing Pretrial Order (regarding Shea) entered. Jury Trial to begin 11/15/10. Order Denying Petitioner's Motion for New Trial or Remittitur (regarding Weflen) entered. 10/8/10 – Notices of Hearing served regarding Weflen's Motion to Tax Attorneys' Fees and Motion to Withdraw Funds From the Court Registry as to Parcel 20-503-207. 10/11/10 – Order on Supplement to Defendant Sheas Motion In Limine, Or in the Alternative Motion to Strike; and Order Setting Pretrial Conference, Jury Trial and Discovery Deadline (Eminent Domain Cases) (regarding Crabtree) entered. 10/20/10 – Notice of Deposit (regarding Weflen) served; Order Dropping Party; and Order on Petitioner's First Motion in Limine And/Or To Strike (regarding Shea) entered. 10/21/10 – Stipulated Order Regarding



<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				<p>Deposit Into Registry; Order to Allow Withdrawal of Funds As To Parcel 20-503-207; and Order Taxing Attorneys' Fees (regarding Weflen) entered. 10/25/10 – Petitioner's Second Motion in Limine And/Or To Strike (regarding Shea) served. 10/28/10 – Notice of Compliance As To Parcel 207 (Weflen) served. 11/1/10 – (Petitioner's) Notice of Cancellation of Hearing (regarding Shea) served. 11/3/10 – Notice of Filing Affidavit (of Costs) (regarding Weflen) served. 11/4/10 – Defendants', Titus L. Weflen and Angela R. Weflen, Response to Petitioner's Second Request for Production served. 11/10/10 – Motion for Award of Attorney Fees (regarding Shea); and Notice of Hearing on Motion for Attorney Fees of Defendant Shea served. 11/15/10 – Petitioner's Response to Defendants' Motion for Award of Attorney Fees, and Request for Relief (regarding Shea) served. 11/17/10 – Appendix to Petitioner's Response to Defendants' Motion for Award of Attorney Fees, and Request for Relief (regarding Shea) served. <b>12/14/10 – Memorandum of Instructions (to Sheas) served. 12/16/10 – 12/16/10 – Motion to Tax Fees and Costs; Attorney's Time Records; and Attorney's Affidavit As To Costs served. 12/20/10 – Defendants' (Weflens') Motion to Tax Supplemental Attorneys' Fees; and Defendants' (Sheas') First Request to Produce served. 12/23/10 – Supplemental Attorney's Time Records (regarding Shea) served. 1/3/11 – Order on Motion for Award of Attorney's Fees of Defendants Shea entered. 1/5/11 – Notice of Filing Affidavit of Attorney Time Summary (regarding Weflen) served.</b></p> <p>9/27/10 – Application for Docketing and Assignment of Case; and Civil Cover Sheet filed. 10/11/10 – Eminent Domain Order of Taking Hearing Order entered. 11/1/10 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection With Parcel No. 20-503-205-P; Notice of Lis Pendens; Petitioner's Witness and Exhibit List; and Notice to Show Cause and Notice of Suit served. 11/9/10 – Second Certificate of Mailing served. <b>12/28/10 – Notice of Appearance (of Meghan A. Kenefic for BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans Servicing, L.P.) served.</b></p> <p>9/10/09- Application for Docketing and Assignment of Case filed. 10/2/09 - Petition in Eminent Domain filed; Declaration of Taking and Estimate of Value; Notice of Lis Pendens; Summons to Show Cause; Notice of Hearing served. 10/23/09 - Defendants' Pitz and Connolly, Answer and Affirmative Defenses to Petition in Eminent Domain served. 11/6/09 - Petitioner's Reply to Affirmative Defenses of Defendants Pitz and Connolly served. 11/18/09 - Petitioner's</p>
SWFWMD v. Fitzsimmons, Brian and Mercedes Fitzsimmons, et al./Case No.53-2010-CA-008164	10 <sup>th</sup> Judicial Circuit, Polk County/S. L. Selph	R. Neill, Jr./ J. Pepper	Petition in Eminent Domain (Parcel No. 20-503-205-P)	
SWFWMD v. Pitz, Sharon E., et al./Case No. 2009-CA-010078	10th Judicial Circuit, Polk County/K. Wright	R. Neill, Jr./ J. Pepper	Petition in Eminent Domain (Parcel No. 20-503-198-P)	



<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				<p>Motion to Amend Declaration of Taking and Estimate of Value in Connection with Parcel No. 20-503-198-P served. 11/23/09 - Order on (granting) Motion to Amend Declaration of Taking and Estimate of Value in Connection with Parcel No. 20-503-198-P entered. 11/24/09 - Amended Declaration of Taking and Estimate of Value in Connection with Parcel 20-503-198-P served. 1/12/10 - Stipulated Order of Taking as to Parcel 198-P entered. 11/18/10 – Defendants’, Sharon E. Pitz and Charles R. Connolly’s, Motion for Substitution of Counsel served. <b>12/16/10 – Stipulated Amended Order of Taking and Final Judgment As To Parcel 198-P entered.</b></p>
SWFWMD v. Quintana-Alcocer, Elia, et al./Case No. 53-2010-CA-05262	10th Judicial Circuit, Polk County/K. Wright	R. Neill, Jr./ J. Pepper	Petition in Eminent Domain (Parcel No. 20-503-177-P)	<p>6/14/10 - Application for Docketing and Assignment of Case filed. 7/6/10 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection with Parcel No. 20-503-177-P; Notice of Lis Pendens; and Petitioner’s Witness and Exhibit List served. 8/4/10 – (Quintana-Alcocer’s) Answer; and Waiver of Service and Acceptance of Process of Defendant Elia Quintana-Alcocer served. 8/20/10 – Petitioner’s Reply served. 9/9/10 – Motion to Consolidate for Purposes of Order of Taking Hearing; and Notice of Hearing. Hearing scheduled for 9/14/10. 09/27/10 – Amended Eminent Domain Order of Taking Hearing Order entered. Pre-Order of Taking Case Management scheduled for 11/22/10. 11/2/10 – Stipulated Order of Taking As To Parcel 177-P entered. 11/5/10 – Notice of Cancellation of Pre-Order of Taking Case Management Conference and Order of Taking Hearing served.</p>
SWFWMD v. Satterfield, Margrette Kennedy, et al./	10 <sup>th</sup> Judicial Circuit, Polk County/	R. Neill, Jr./J. Pepper	Petition in Eminent Domain (Parcel 20-503-123-P)	<p>11/29/10 – Application for Docketing and Assignment of Case; and Civil Cover Sheet filed. <b>12/13/10 – Eminent Domain Order of Taking Hearing Order entered. 12/17/10 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection with Parcel No. 20-503-123-P; Notice of Lis Pendens; Petitioner’s Witness and Exhibit List; Petitioner’s First Request for Production to Defendants Satterfield/Stuart; and Notice of Serving First Interrogatories to Defendants Satterfield/Stuart served.</b></p>
SWFWMD v Stanton, William H., Jr. and Brandy Lee, et al/Case No. 2010CA-004509-209P-00	10th Judicial Circuit, Polk County/K. Wright	R. Neill, Jr./ J. Pepper	Petition in Eminent Domain (Parcel Nos. 20-503-209-P and 20-503-210-P)	<p>5/13/10 - Civil Cover Sheet and Application for Docketing and Assignment of Case filed. 7/6/10 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection with Parcel Nos. 20-503-209-P and 20-503-210-P; and Notice of Lis Pendens served. 7/23/10 – Waiver of Service and Acceptance of Process of Defendants William H. Stanton and Brandy Lee Stanton served. 8/10/10 – (Stantons’) Answer and Claim for Full Compensation; and (Stantons’) Request for Hearing served.</p>

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
18 SWFWMD v. Sutton, Lawrence, et al./Case No. 53-2009-CA-008298	10th Judicial Circuit, Polk County/K. Wright	R. Neill, Jr./J. Pepper	Petition in Eminent Domain (Parcel 20-503-220)	<p>8/13/10 – Defendants, William H. Stanton, Jr. and Brandy Lee Stanton’s Witness List served. 8/20/10 – Petitioner’s Reply and Motion to Strike Referenced Affirmative Defenses and Any Associated Denial of Defendants Stanton served. 9/9/10 – Motion to Consolidate for Purposes of Order of Taking Hearing; and Notice of Hearing. Hearing scheduled for 9/14/10. 9/27/10 – Amended Eminent Domain Order of Taking Hearing Order entered. Hearing scheduled for 11/22/10. 10/1/10 – Stipulated Order of Taking As To Parcels 209-P and 210-P entered. 10/21/10 – Petitioner’s Notice Concerning Mediation served. 11/4/10 - Notice of Cancellation of Pre-Order of Taking Case Management Conference and Order of Taking Hearing served. 11/9/10 – Notice for Trial served. <b>12/22/10 – Petitioner’s Response to Request for Production of Documents from Defendants Stanton; and Petitioner’s Notice of Serving Answers to First Interrogatories from Defendants Stanton served. 1/3/11 – Order Setting Pretrial Conference, Jury Trial and Discovery Deadline (Eminent Domain Cases) entered. Pretrial Conference set for 3/23/11; and Jury Trial set for 5 days to begin on 4/11/11.</b></p> <p>7/28//09 - Application for Docketing and Assignment of Case. 8/17/09 - Amended Eminent Domain Order of Taking Hearing Order entered. 9/2/09 - Notice of Lis Pendens served; Petition in Eminent Domain filed; Declaration of Taking and Estimate of Value in Connection with Parcel No. 20-503-220 served. 9/4/09 - Summons to Show Cause and Notice of Hearing Date issued to all Defendants. 9/16/09 - Polk County's Answer to Petition in Eminent Domain and Motion to Be Dropped as a Party Due to Misjoinder served. 9/28/09 - Answer to Petition in Eminent Domain of Defendants Sutton served. 10/30/09 - Order Setting Additional Pre-Order of Taking Case Management Conference (1/12/10) and Order of Taking Hearing (1/26/10) entered. 11/19/09 - Answer (as to Countrywide Bank and Mortgage Electronic Registration Systems) to Petition in Eminent Domain served. 5/10/10 - Order of Taking entered. 6/1/10 - Notice of Deposit served. 6/1/10 - Amended Order to Allow Withdrawal of Funds as to Parcel 20-503-220, and Dismissal of Property Appraiser &amp; Tax Collector (Correcting Scrivener's Error) served. 7/6/10 – Notice for Jury Trial served. 8/17/10 – Order Setting Pretrial Conference, Jury Trial and Discovery Deadline (Eminent domain Cases) entered. Pretrial Conference scheduled for 2/17/11. Jury Trial scheduled for 4 days beginning week of 3/7/11. 9/2/10 – Amended Order Setting Pretrial Conference, Jury Trial</p>

<u>STYLE/CASE NO.</u>	<u>COURT/JUDGE</u>	<u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>STATUS (current as of 1/5/11)</u>
				and Discovery Deadline (Eminent Domain Cases) entered. 11/17/10 – Petitioner’s Third Request for Production to Defendants Sutton; Notice of Serving Third Interrogatories to Defendants Sutton; and Notice of Production from Non-Party served. <b>11/30/10 – Subpoenas Duces Tecum (to N. Nieko and Exit Realty of Lakeland) served. 12/3/10 – Mediated Settlement Agreement signed.</b>

## RULEMAKING UPDATE

### JANUARY 25, 2011 PROPOSED RULES & AMENDMENTS

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
1. 40D-1, 2, 8 & 80 - Dover cap, MFL and Recovery Strategy	Jul 2010	Effective Approx. Feb. 2011	Dec 2010
2. 40D-4.091 - Section 3 of BOR re: financial responsibility requirements for mitigation	Jun 2008	TBD	TBD
3. 40D-4.091 - Section 3 and Appendix IV of BOR to include necessary revisions re: conservation easements	Jun 2008	TBD	<b>Mar 2011</b>
4. 40D-4.091 - Section 3 of BOR re: long term mitigation compliance	Jun 2008	TBD	TBD
5. 40D-4.091 – Section 3 of BOR re: Mitigation maintenance and success criteria	Jun 2008	TBD	<b>Mar 2011</b>
6. 40D-8.624 – Establish minimum levels for Lake Crystal and North Lake Wales	Dec. 2010	Effective Approx. Feb. 2011	Dec 2010
7. 40D-21 - Refine water shortage plan based on recent shortages	Sep 2009	TBD	Sep 2010
8. 40D-26-FARMS rule amendment with companion amendment to 40D-2.321	Aug 2010	Effective Approx Jan. 2011	Aug 2010
9. 40D-400.550 – Establish noticed general permit for agricultural activities	Dec 2010	Effective Approx. Feb. 2011	Dec 2010
10. 40D-9.290 and 40D-9.320 – Use of Alcoholic Beverages on District Lands Prohibited, and conflicting rules	Dec. 2010	Board Approval	<b>Jan. 2011</b>

NA = NOT APPLICABLE; TBD = TO BE DETERMINED



### Committee/Liaison Reports January 25, 2011

62. **Joint Industrial and Public Supply Committees Meeting**

The joint meeting was held on January 11, 2011. Ms. Closshey and Mr. Senft are the Board's liaisons.

63. **Well Drillers Advisory Committee Meeting**

The Committee met on January 12, 2011. Mr. Oakley is the Board's liaison.





**Executive Director's Report  
January 25, 2011**

**Executive Director's Report**

- a. **September 28, 2010 Governing Board Workshop Summary Update** See Exhibit

The Governing Board met in a workshop session on Tuesday, September 28, 2010, following its regular meeting in Brooksville. During the workshop, the Board discussed goals, policies and key positions; allocation of the Proposed FY2011 Budget by strategic initiatives; project/program evaluation, selection and decision making process, as well as other topics, which are summarized on the table that follows as an exhibit to this item. The workshop summary table captures the sixteen issues put forth by the Board, staff's proposed action, and the current status of each. The table is updated monthly.

- b. **Other**

Presenter: David L. Moore, Executive Director

## GOVERNING BOARD WORKSHOP SUMMARY SEPTEMBER 28, 2010

(Status as of January 25, 2011)

	ISSUE	PROPOSED ACTION	STATUS
1	Board desires more discussion on the District's Areas of Responsibility (AORs) other than water supply.	Staff to address this through working with the Chair and Committee Chairs to place more discussions on the Board agenda on topics other than water supply.	Ongoing. FARMS Program – 10/26/10 IFAS Program – 11/16/10 SWIM Program – 11/16/10 FDOT Mitigation – 11/16/10 Education Programs – 12/14/10 Aquatic Plant Mgmt. – 12/14/10 Reclaimed Water Program – 1/25/11 Utility Outreach Program – 1/25/11 Water Quality Monitoring Program – 1/25/11
2	Board wants the Governing Board budget to be developed more consistent with how Basin Board budgets are developed - staff to show Board allocation of budget by strategic initiative	Staff to provide a series of presentations to the Board relative to the Governing Board initiatives over the next six months. These presentations would explain the current year's budget and ongoing projects by major initiatives (i.e., regulation, natural system restoration, reclaim water initiatives, data collection, etc.). The FY 2012 budget would build upon these presentations.	See above. Also, Board budget presentations to explain budget by initiatives and projects (similar to the Basin Board budgets) are planned for the spring.
3	Board wants staff to enhance the District's Strategic Plan with additional Board input (alternative project analysis) to further budget development and Board's understanding/ monitoring of strategic initiatives.	Staff intends to prepare a series of Board presentations as we develop next year's Plan and Budget that better ties the Strategic Plan with the Budget.	Ongoing. Concept for Plan update presented 11/16/10. The Outreach & Planning Committee and the GB Strategic Initiative liaison will work with staff to develop the update to next year's Plan. Strategic Plan work session with the Committee held 1/11/11 to review District slogan, vision, mission statements and to give staff overall District direction.
4	Staff to propose an assortment of future alternative supplies for Board's consideration but work with local and regional governments in preparing options.	Staff needs to do a series of presentations to the Board on the findings of the draft Regional Water Supply Plan (RWSP). The information the Board appears to be seeking is the essence of the RWSP. These presentations will be divided into the north, central and southern areas of the District and are planned for the January through April Governing Board meetings under the Planning and Outreach Committee agenda.	Board overview of RWSP at 1/25/11 meeting but request that the Plan not be finalized until the end of 2011. Staff is scheduling presentations for the north, central and south areas of the District

ISSUE		PROPOSED ACTION	STATUS
5	Board wants staff to emphasize regionalism in terms of water supply; some interest in a second reservoir in TBW-Polk area; the Board wants staff to evaluate potential uses for surplus water supplies; there was interest in the staff bringing options to the Board to expedite the recovery of the SWUCA.	Staff needs to keep these Board priority issues in mind as we bring forward the presentations discussed in the previous issue.	Ongoing. The District is encouraging TBW and Polk County to try to reach an agreement for sharing future alternative water supplies. Staff is also working with Polk County utilities and the SFWMD to develop a lower Floridan aquifer well in SW Polk County that can serve the water supply needs of eastern Polk County.
6	Board wants staff to develop a variable matching funds matrix for inland versus coastal counties or different project types for the Board's consideration. Also, staff needs to bring to the Board options for helping cash strapped partners.	Staff needs to develop a Board presentation discussing what we currently do and options for potential changes. The presentation should be given to the Board sometime in the December to March timeframe under the Finance and Administration Committee agenda.	
7	Board asked that legal provide a presentation to the Board on the District's statutory authority to provide loans.	Legal staff has already prepared the opinion and plans to present this issue to the Board under the General Council's Report at their November meeting.	<b>Completed.</b> Presentation provided 11/16/10. No further direction was provided.
8	Board directed staff to develop a draft RFB for staffing analysis for Board consideration. Also, there was some interest that the Human Resources Department have employees with staffing analysis expertise.	The Chair has asked that the officers of the Finance and Administration Committee work with staff to put together a draft RFB for the Board's consideration at its October meeting under the Finance and Administration Committee agenda.	Ongoing. Staffing Analysis RFP approved 10/26/10. Proposed Salary & Benefits RFP voted down 11/16/10. Board voted to explore moving forward with other WMDs in December. Staff will recommend the Board move forward on its own salary and benefits study at the 1/25/11 meeting.
9	There was some interest on the potential impacts of EPA's proposed numeric nutrient standards.	Staff plans to give the Board a presentation in December or January under the Resource Management Committee agenda after they complete a thorough evaluation of the proposed rules EPA plans to publish in mid-November.	Ongoing. Staff provided a brief summary on 11/16/10 and a Board presentation on 12/14/10. Staff will continue to monitor rulemaking and legal challenges to better determine impacts to the District.
10	Board asked staff to provide options to the Board to better address stormwater management in blighted redevelopment areas.	Staff is currently working on this issue and plan to place on the Regulation Committee agenda in December or January.	Ongoing. Staff discussed options for legislative change 11/16/10. Monitor during session.
11	There was some interest expressed for the use of ad valorem for less than fee acquisitions primarily on agricultural lands that provide functional habitat.	Consider having staff investigate this issue and place on an upcoming Resource Management Committee agenda to further discuss. The presentation should be given to the Board sometime in the December to March timeframe.	
12	There was some interest expressed for the District to create a coastal springs initiative.	Consider having staff investigate this issue and place on an upcoming Resource Management Committee agenda to further discuss. The presentation should be given to the Board sometime in December - March timeframe.	

ISSUE		PROPOSED ACTION	STATUS
13	There was some interest in further addressing per capita reductions in the northern District through incentive based funding.	Staff to ensure that our Utility Outreach staff let local governments know, especially in the northern areas of the District, that our Board looks favorably on funding projects to address reduction of per capita water use such as rebates, education, reclaimed water projects, etc.	Ongoing.
14	There was some interest in delaying for one year an employee's eligibility to be a member of FRS.	Consider having staff investigate this issue and place on an upcoming Finance and Administration Committee agenda to further discuss.	<b>Completed.</b> Analysis provided to the GB 12/14/10 found the delay would not benefit our agency.
15	Board wants to recognize employees who submit cost saving suggestions ("SHINE" program as an example).	Employees that participate in the Employee Suggestion Program (ESP) will be recognized during the monthly employee recognition section of the agenda.	<b>Completed.</b> Employees were recognized at November GB meeting. Periodic recognitions will continue.
16	Interest appeared low relative to consolidation of Basin Boards.	Recommend no additional action at this time.	<b>Completed.</b>

(LK/D:GB)



## Chair's Report January 25, 2011

### Chair's Report

a. **Appoint Interim Basin Board Education Committee Liaison**

Ms. Judy Whitehead has agreed to serve as the Governing Board's liaison to the Basin Board Education Committee until new appointments are made following the Board's election of officers in May. The position has been vacant since the end of August. The next Committee meeting is scheduled for Thursday, March 3, 2011, at 9:30 a.m. in the Tampa Service Office.

b. **Board Confirmation of Appointment of Mr. Adams as Presiding Officer in Bid Protest Proceeding – CKA, LLC v. SWFWMD**

*Purpose*

The purpose of this item is to request the Governing Board to confirm the appointment of Board Member Jeffrey M. Adams, Esquire, to serve as the presiding officer in the bid protest proceeding, CKA, LLC v. Southwest Florida Water Management District.

*Background*

On December 20, 2010, the District received a bid protest from CKA, LLC in connection with the Lake Hancock Lake Level Modification P-11 Structure Replacement Project. The petition does not allege any disputed issues of material fact. Accordingly, an informal proceeding is being conducted pursuant to Section 120.57(2), Florida Statutes, to resolve the issues of law presented in the petition. Board Member Jeffrey M. Adams, Esquire, was selected by the Chairman as the presiding officer to conduct the proceeding on behalf of the District. Board confirmation of the appointment of Mr. Adams as presiding officer in this proceeding is requested.

Recommendation:

Confirm the appointment of Jeffrey M. Adams, Esquire, as presiding officer in the bid protest proceeding regarding CKA, LLC v. Southwest Florida Water Management District.

c. **Performance Evaluations of the Executive Director and Inspector General**

*Purpose*

Governing Board Members received their performance appraisal packets at the October 2010 Board Meeting and have submitted their performance comments and recommendations for improvement and professional development. These have been incorporated into draft 2010 performance appraisals for the Executive Director and Inspector General. Board members also received and reviewed the proposed 2011 Goals and Objectives for the Executive Director and Inspector General. This agenda item is to allow Governing Board members to (1) review and discuss these draft appraisals, make edits agreed to by the majority of the Board and approve the final 2010 appraisals; and (2) discuss the proposed 2011 Goals & Objectives, make edits agreed to by the majority of the Board and approve these Goals & Objectives.

*Background*

Board Policy No. 710-2 governs the performance evaluation process for the Executive Director and Inspector General. At its September 2010 meeting, the Board approved the proposed performance appraisal schedule and selected the District's Human Resources Director to assist Governing Board members with this process.

In accordance with the Board's policy and approved schedule, the performance appraisal process begins when the Executive Director and Inspector General each submit statements of accomplishments for the past year and proposed performance objectives for the upcoming year to the Governing Board. A packet including these accomplishments, as well as other forms, documents and instructions needed by the Board to complete the performance

## Item 65

appraisals, were provided to each Board member at their October 2010 meeting for their review and use.

Upon receiving the performance review packets, Governing Board members independently completed separate Performance Evaluation Forms for the Executive Director and Inspector General reflecting that Board member's assessment of the employee's performance for the year. The forms also reflected any recommendations for improvement and professional development ("recommendations") suggested by Board members.

The Human Resources Director assembled the recommendations submitted by each Board member into a master document that was returned to the Governing Board. Each Board member then independently selected the recommendations s/he would like to have included in the final appraisal.

The Human Resources Director also combined the individual Performance Evaluation Forms submitted by Board members into a single, draft performance appraisal for each employee, following the procedures described in Board Policy No. 710-2. Only those recommendations for improvement and professional development receiving endorsement from a majority of the Governing Board members were included in the draft performance appraisals. The remaining recommendations will be provided to the employees under separate cover.

The draft performance appraisals will be presented to the full Board for review, discussion, editing and final approval at the December 16, 2010 Board Meeting. At this same meeting, the Board will:

- (1) review, recommend, vote upon and approve any changes to the draft Board performance evaluations reflecting the 2010 performance achievements of the Executive Director and Inspector General;
- (2) review, recommend, vote upon and approve any changes to the draft recommendations for improvement and professional development for these employees;
- (3) review recommend, vote upon and approve any changes to the 2011 performance goals and objectives for these employees;
- (4) authorize the draft appraisals, recommendations for improvement and professional development and performance goals and objectives to be finalized, incorporating any changes voted for and approved by the Governing Board; and
- (5) authorize the Governing Board Chairman to sign the final, approved appraisals and deliver them to the employees on behalf of the Governing Board.

### *Benefit/Costs*

This agenda item provides an opportunity for the Governing Board to ask any questions they may have about the performance evaluation packets or process.

### *Impact If Not Adopted*

The employees will not receive formally adopted feedback or performance objectives from the full Governing Board.

### Staff Recommendations

- (1) Approve the 2010 performance appraisals of the Executive Director and Inspector General and authorize them to be finalized;
- (2) Authorize the Governing Board Chairman to sign the final, approved appraisals and deliver them to the employees on behalf of the Governing Board; and
- (3) Approve the 2011 Goals & Objectives for the Executive Director and Inspector General.

Presenter: Elaine M. Kuligofski, Director, Human Resources & Risk Management

### d. Other

Presenter: Ronald E. Oakley, Chair