



**WITHLACOOCHEE  
REGIONAL  
WATER  
SUPPLY  
AUTHORITY**

## **Board Meeting Package**

November 18, 2015  
3:30 p.m.

### **Meeting Location:**

Lecanto Government Building  
Room 166  
3600 W. Sovereign Path  
Lecanto, Florida 34461

# Withlacoochee Regional Water Supply Authority

## Board of Directors

| <b><i>Office</i></b> | <b><i>Board Members</i></b> |
|----------------------|-----------------------------|
| Chair                | The Honorable Al Butler     |
| Vice Chair           | The Honorable Stan McClain  |
| Treasurer            | The Honorable Dennis Damato |

| <b><i>Jurisdiction</i></b> | <b><i>Board Members</i></b>   |
|----------------------------|-------------------------------|
| Citrus County              | The Honorable Scott Carnahan  |
|                            | The Honorable Dennis Damato   |
| Hernando County            | The Honorable Jim Adkins      |
|                            | The Honorable Nick Nicholson  |
| Marion County              | The Honorable Earl Arnett     |
|                            | The Honorable Kathy Bryant    |
|                            | The Honorable Stan McClain    |
| Sumter County              | The Honorable Al Butler       |
|                            | The Honorable Don Hahnfeldt   |
| City of Belleview          | The Honorable Gary Ernst      |
| City of Brooksville        | The Honorable Robert Battista |
| City of Bushnell           | The Honorable Dale Swain      |
| City of Crystal River      | The Honorable Ken Brown       |

## Meeting Dates

The schedule of meetings for the 2015-2016 fiscal year are as follows:

|                   |                    |
|-------------------|--------------------|
| October 21, 2015  | April 20, 2016     |
| November 18, 2015 | May 18, 2016       |
| December 16, 2015 | June 15, 2016      |
| January 20, 2016  | July 20, 2016      |
| February 17, 2016 | August 17, 2016    |
| March 16, 2016    | September 21, 2016 |

**MEMORANDUM**

To: Water Supply Authority Board of Directors and Interested Parties

From: Richard S. Owen, Executive Director

Date: November 4, 2015

Subject: Monthly Meeting of the Withlacoochee Regional Water Supply Authority

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The next meeting of the Withlacoochee Regional Water Supply Authority will be on **Wednesday, November 18, 2015, 3:30 p.m., at the Lecanto Government Center Building, Room 166, 3600 Sovereign Path, Lecanto, FL 34461.**

Enclosed for your review are the following items:

- Agenda
- Minutes of the September 16, 2015 meeting
- Board Package\*

Please note that if a party decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, 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 that testimony and evidence upon which the appeal is to be based.

Enclosures

\* Copies of the Board Package are available through the Internet.

- Log on to [www.wrwsa.org](http://www.wrwsa.org).
- On the Authority's Home Page go to the left side of the page and click on "Meetings."
- On the slide out menu, click the button for the current Board Package.
- Click on the Board Package to download and/or print.



## **Driving Directions to 3600 W. Sovereign Path, Lecanto Government Building**

### **From Brooksville:**

- Go North on N. Main St. toward S. Broad St./E. Jefferson St.
- Take the 1<sup>st</sup> Left onto S. Broad St./W. Jefferson St.
- Turn Right onto US 98/Ponce De Leon Blvd.
- Turn Right onto CR 491 toward Lecanto (about 13.5 miles)
- Turn Left on W. Educational Path (traffic signal)
- Turn right at the Park onto W. Sovereign Path; continue to the right to the Lecanto Government Building

### **From Ocala**

- Go southwest on SR 200 into Citrus County
- Turn Right onto CR 491 (stay on 491 through Beverly Hills, crossing Hwy. 486 and SR 44)
- Turn Right on Saunders Way
- Turn Left onto W. Sovereign Path; follow to Lecanto Government Building

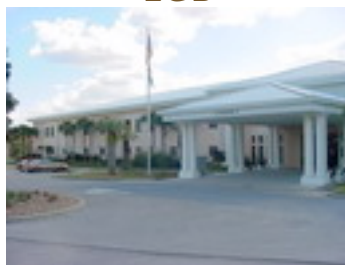
### **From Bushnell**

- In Bushnell, Go West on FL-48W
- Turn Right onto US 41; continue to follow US 41 N
- Continue straight onto FL 44 W/W Main St.; continue straight on SR 44
- Turn Left onto CR 491
- Turn Right onto Saunders Way
- Turn Left onto W. Sovereign Path; follow to Lecanto Government Building

### **From Wildwood**

- Go West on SR 44W; continue on SR 44 through Inverness
- Turn Left onto CR 491
- Turn Right onto Saunders Way
- Turn Left onto W. Sovereign Path; follow to Lecanto Government Building.

**LGB**





**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY  
BOARD OF DIRECTORS MEETING**

**AGENDA**

**NOVEMBER 18, 2015 -- 3:30 p.m.**

**LECANTO GOVERNMENT BUILDING  
3600 W. Sovereign Path, Room 166, Lecanto, Florida 34461**

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

|  | <u>PAGE</u> |
|--|-------------|
| <b>1. Call to Order</b>  |             |
| <b>2. Roll Call</b>  |             |
| <b>3. Introductions and Announcements</b>  |             |
| <b>4. Approval of Minutes .....</b>  | <b>9</b>    |
| <b>5. Public Comment</b>   |             |
| <b>6. SWFWMD Springs Coast Initiative . . . Dr. Chris Anastasiou, SWFWMD .....</b>   | <b>15</b>   |
| <b>7. 2015-16 Water Conservation Grant Agreement with Citrus County . . . Debra Burden, Citrus<br/>County and Robin Grantham, SWFWMD .....</b> | <b>16</b>   |
| <b>8. Charles A. Black Well #7 Pump and Motor Replacement . . . Ken Cheek, Citrus County .....</b>   | <b>19</b>   |
| <b>9. Charles A. Black Wellfield Contract for Water Supply . . . Richard Owen, WRWSA .....</b>   | <b>20</b>   |
| <b>10. Phase II Irrigation Audit Program Final Report . . . Richard Owen, WRWSA .....</b>  | <b>24</b>   |
| <b>11. Executive Director's Report . . . Richard Owen, WRWSA</b>   |             |
| a. <b>Bills to be Paid</b> [October Bills in Board Packet; November Bills to be provided at the meeting] .....                                 | 25          |
| b. <b>2015-2016 Regulatory Plan</b> .....  | 26          |
| c. <b>Correspondence</b> .....   | 29          |
| d. <b>News Articles</b> .....  | 34          |
| e. <b>Other</b>  |             |
| <b>12. Legislative Report . . . Diane Salz, Governmental Affairs Consultant</b>  |             |
| a. <b>Legislative Policy Positions</b> .....   | 53          |
| b. <b>Florida Water Forum Report</b> .....   | 55          |
| <b>13. Attorney's Report . . . Larry Haag, WRWSA Attorney</b>  |             |
| <b>14. Other Business</b>  |             |
| <b>15. Next Meeting Time and Location . . . Richard Owen, WRWSA</b>  |             |
| a. <b>Approve Canceling December 18, 2015</b>  |             |
| b. <b>Next Meeting:</b> January 20, 2016; 3:30 p.m.; Lecanto Government Building,<br>Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461  |             |
| <b>16. Adjournment</b>   |             |

*Please note that if a party decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, 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 that testimony and evidence upon which the appeal is to be based.*





**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY  
BOARD OF DIRECTORS**

**Minutes of the Meeting  
September 16, 2015**

**TIME:** 3:30 p.m.  
**PLACE:** Lecanto Government Building  
**ADDRESS:** 3600 W. Sovereign Path, Room 166, Lecanto, Florida 34461

*The numbers preceding the items listed below correspond with the published agenda.*

**1. Call to Order**

Commissioner Al Butler, Chairman, called the Withlacoochee Regional Water Supply Authority (WRWSA) meeting to order at 3:36 p.m. and asked for a roll call.

**2. Roll Call**

Richard Owen, Executive Director, called the roll and a quorum was declared present.

**BOARD MEMBERS PRESENT**

Al Butler, *Chairman*, Sumter County  
Commissioner  
Dennis Damato, *Treasurer*, Citrus County  
Commissioner  
Earl Arnett, Marion County Commissioner  
Gary Ernst, Belleview City Councilor  
Don Hahnfeldt, Sumter County Commissioner  
Nick Nicholson, Hernando County Commissioner

**BOARD MEMBERS ABSENT**

Stan McClain, *Vice-Chairman*, Marion County  
Commissioner  
Jim Adkins, Hernando County Commissioner  
Robert Battista, Brooksville City Councilor  
Ken Brown, Crystal River City Councilor  
Kathy Bryant, Marion County Commissioner  
Scott Carnahan, Citrus County Commissioner  
Dale Swain, Bushnell City Councilor

**ALTERNATES PRESENT**

Alys Brockway, Hernando County  
Bruce Hickle, City of Bushnell  
Flip Mellinger, Marion County  
Richard Radacky, City of Brooksville

**WRWSA STAFF PRESENT**

Richard Owen, Executive Director  
Larry Haag, Attorney  
Diane Salz, Governmental Affairs Liaison  
LuAnne Stout, Administrative Assistant

**3. Introductions and Announcements**

- *Introductions.* Mr. Owen recognized audience members present for this meeting.

**OTHERS PRESENT**

Jacob Arnette, Marion County  
Debra Burden, Citrus County Water Conservation  
Ken Cheek, Citrus County  
Pete Hubbell, Water Resource Associates  
Kevin Smith, Marion County  
Chris Zajac, Southwest Florida Water Management District

**4. Approval of Minutes**

A copy of the July 15, 2015 minutes was provided in the Board packet for review.

Following consideration, **a motion was made by Mr. Damato to approve the minutes for the July 15, 2015 meeting as presented. The motion was seconded by Mr. Mellinger and carried unanimously.**

**5. Public Comment**

No one from the public requested to address the Board.

**6. As-Needed Engineering and Professional Services Work Order to Water Resource Associates**

Mr. Owen noted that, at the November 2012 meeting, the Board authorized the Executive Director to enter into contracts with eight firms for as-needed General Professional Engineering/Technical Services. The Board also authorized staff to issue the first work order to Water Resource Associates (WRA) for as-needed engineering and technical support services in an amount of \$25,000. That work order expired September 30, 2013 and was renewed in February 2014 to extend to September 30, 2015. This year's budget contains \$75,000 for potential engineering/technical support services.

Mr. Owen said staff has need for continued as-needed engineering/technical support from WRA, including support for proposed revisions to the Charles A. Black wellfield agreement with Citrus County. Among the pre-approved consultants for as-needed support services, WRA is uniquely qualified to provide these required services. The purpose of this Work Order is to engage WRA to provide engineering and technical general support services to the Authority Board and Executive Director on an as-needed basis, including support for revising the Citrus County agreement and other related engineering and technical services in support of the Authority activities. A copy of the proposed Work Order was included as an exhibit to this item in the Board's meeting materials.

Following consideration, **Mr. Damato moved to approve Work Order 2016-01 in an amount of \$25,000 for purposes of providing as-needed engineering/technical support services, with a termination date of September 30, 2016, as presented in the exhibit to the Board's meeting materials. Mr. Ernst seconded the motion and it carried unanimously.**

**7. Cooperative Funding Initiative Application to the SWFWMD**

Mr. Owen noted that the Fiscal Year 2017 Southwest Florida Water Management District (SWFWMD) Cooperative Funding Initiative (CFI) program process has begun for funding in the District's 2016-2017 budget year. The Authority is proposing a funding application that would be a continuation of its water conservation program known as the Regional Irrigation System Evaluations and Conservation Incentive Program. Mr. Owen said that Mr. Hubbell will assist with the CFI process as it transitions to Ms. Stout becoming the Program Manager.

Mr. Pete Hubbell, Water Resource Associates, said this is the fourth-year of the program which evaluates and recommends improvements to homeowners' lawn and landscape irrigation systems, which can be one of the largest water uses in the home and often times wastes enormous amounts of water. He noted that the goal of the "Enhanced Regional Irrigation System Evaluations and Conservation Incentive Program" is for outdoor water conservation savings through education, incentives and measurable benefits. He said it includes reduction of existing demands on water resources; flatten the demand curve for future water needs; minimize wasted water; targets some of the typical largest water use – "outdoor irrigation"; and assists WRWSA utilities to meet the SWFWMD compliance per capita rate of 150 or less. The total cost of the Program (Pilot; Phase I and Phase II budgets) has been \$463,300; and participants are Citrus, Hernando, and Marion counties, as well as The Villages (Village Center Development District and North Sumter Co. Utility Department District).

Mr. Hubbell said the Program has targeted home irrigation systems by setting up free inspections by a certified irrigation contractor who evaluates systems for leaks and other wasteful conditions, inspects irrigation controllers for their working order, rain sensor/shut off evaluation and replacement, controller timer education to resident, irrigation zone review and possible adjustment, controller battery replacement, a general review of the turf and landscape requirements of the yard, and an audit report provided to the homeowner. Recommendations are made to the homeowner on repairs and modifications to the irrigation system that will conserve water and ultimately save the property owner money. To date, the Program results include reaching over 530 homeowners, estimated savings of

approximately 183,000 gallons per day (67 million gallons per year), estimated cost/benefit of \$1.74 per 1,000 gallons saved, and continued consistency with the SWFWMD Strategic Plan.

Mr. Hubbell said the Core Program (all audits) includes rain sensor/shut off evaluation and replacement, controller timer education to resident, irrigation zone review and possible adjustment, controller battery replacement, and audit report to homeowner.

At this time, Mr. Arnett arrived.

Mr. Hubbell said the Authority staff has met with the conservation coordinators and discussed the program and potential modifications that would make it better. The proposed Enhanced Program (added services if warranted by community needs) is recommended in the application for fiscal year 2017 and will include catch-can water audits, sprinkler head replacements (broken & mixed heads), capping unnecessary heads, rain sensors replacement with solar sync sensors, replace outdated-obsolete controllers with smart controllers, and homeowner water savings analysis and report.

Staff recommendation is (1) approval of SWFWMD FY2017 CFI Application Submittal and total funding of \$200,000 (\$100,000 SWFWMD, \$50,000 WRWSA, \$50,000 Member Utilities: Citrus \$8,000 / Hernando \$12,000 / Marion \$18,000 / VCCDD \$4,000 / NSCUDD \$8,000), as presented; (2) approval of funding letter from WRWSA Executive Director to SWFWMD; and (3) commitment for WRWSA matching funds.

Following consideration, **Mr. Damato moved for Board approval of the staff recommendation. Mr. Mellinger seconded the motion.**

Discussion ensued regarding local utilities funding commitments and concern to accomplish the Program elements.

Following discussion, **Chair Butler called the question and it carried unanimously.**

Chair Butler noted that his neighbors are motivated by their personal cost savings.

**8. Charles A. Black Wellfield Contract for Water Supply**

Mr. Owen noted that the purpose of this item was to acquaint the Board with the existing agreements between the Authority and Citrus County governing the Charles A. Black (CAB) wellfield and the need to enter into a new agreement. He noted that Mr. Ken Cheek with Citrus County and Mr. Hubbell have been providing assistance. Mr. Owen then reviewed why the CAB Water Supply Facility (WSF) was built, how the facilities were funded and constructed, how the Citrus/Authority Agreement was negotiated, what the revenue stream from the CAB WSF means to the Authority's future, Board actions taken to-date, and recommendations for future action. The staff presentation was included in the Board's meeting materials.

Mr. Owen noted that conditions have significantly changed since the original Agreement was executed. Most importantly, Citrus County has grown its customer base and expanded its water use from the CAB wellfields significantly over the past 25-years, including selling water to the Ozello Water Association and potentially the City of Crystal River. Potential future expansion of the CAB service area, such as in sections of northwest Citrus County, and interconnection with other County facilities could cause an increase in future demand for CAB wellfield water.

Mr. Owen provided a review of the Authority's future funding needs to develop and fund water conservation programs, assist member governments in water supply planning and permitting, monitor and provide input to minimum flows and levels, fund hydro-geologic studies, update the Regional Water Supply Plan, continue to develop long-range programs to develop and utilize traditional as well as alternative water supply sources, and monitor water supply planning and development of adjacent regions.

Mr. Owen said the County and Authority staff have developed a draft new Agreement that would replace key provisions of the existing agreements. The new agreement will address operation, maintenance, capital facility replacement funds, water rates and payments. The schedule for completing the new agreement is to allow sufficient time for the County and the Authority to incorporate these changes as they prepare their respective 2016-17 fiscal year budgets. This schedule will require approval of the new agreement in the January – March 2016 time frame.

Mr. Owen provided the Board with further information on the current Agreement, the various aspects that have become out-of-date and need to be amended or replaced, and key components of the proposed new purchase agreement which include:

- The County continues to be responsible for operation and maintenance of the CAB facilities.
- The current amortization and administration fixed payments are replaced with a volume-based, per-thousand gallons charge.
- The County continues to make contributions to the renewal and replacement (R&R) fund, but at a significantly reduced rate based upon experience to-date and the latest CAB Engineering Evaluation report.
- The R&R fund is transferred to the Authority for administration and future County R&R payments are made to the Authority for inclusion in the R&R fund.
- The County would notify the Authority in advance for anticipated utilization of R&R funds and would request reimbursement of costs incurred. The Authority in-turn would review the request to determine whether it was an eligible for cost recovery from the R&R fund.
- Total costs to the County (amortization, administration and R&R combined) will remain relatively stable in the initial transition to the volume-based rate. The new agreement is intended to have impact on the County's water rates to its customers.

Mr. Damato thanked Mr. Owen for the excellent presentation on the history of the CAB WSF and the need for a new agreement.

Following consideration, **Mr. Damato moved approval of the staff recommendation for (1) Board concurrence with the major components of the proposed new purchase agreement with Citrus County; and (2) Board direction to staff to continue negotiating with Citrus County for a mutually acceptable new Water Supply Contract on the volume-based methodology and to finalize the new agreement for Board consideration at a future meeting in early 2016. Mr. Arnett seconded the motion.**

Discussion ensued regarding generators, how contributions to the R&R fund are determined, lower Floridan aquifer wells, interconnects, and Citrus County three-year rate structure transition.

**Chair Butler called the question and it carried unanimously.**

**9. Board Policy – Charges for Copying and Electronic Information**

Mr. Owen said the purpose of this item is for the Board to adopt a new Board policy entitled "Charges for Copying and Electronic Information." The benefit of adopting a policy will be to provide clarity and consistency to the Board and staff as to when and how much to charge for the costs associated with providing copies of Authority documents. A copy of the draft policy was included as an exhibit.

Following consideration, **Mr. Damato moved for the Board to adopt Board Policy 2015-05, Charges for Copying and Electronic Information, as shown in Exhibit A included in the Board's meeting materials. The motion was seconded by Mr. Nicholson and it carried unanimously.**

## 10. Executive Director's Report

### a. Bills to be Paid

Mr. Owen requested Board concurrence with payment of July 2015 bills totaling \$29,192.

Following consideration, **a motion was made by Mr. Damato for Board concurrence for payment of the July 2015 bills in the amount of \$29,192. The motion was seconded by Mr. Nicholson and it carried unanimously.**

Mr. Owen presented the August 2015 bills and requested approval of payment totaling \$21,399.42. He noted payment for Item 10.b. for renewal of liability insurance is included.

Following consideration, **a motion was made by Mr. Damato for payment of the August 2015 bills in the amount of \$21,399.42, as presented and including payment for renewal of public official liability insurance (Item 10.b.) in the amount of \$2,378.01. The motion was seconded by Mr. Nicholson and it carried unanimously.**

### b. Public Officials Liability Policy

Mr. Owen said the Authority is continuing with VanAllen Insurance for renewal of officers and liability insurance for members of the WRWSA Board and its officers, including the Executive Director, at a cost of \$2,378.01.

### c. Third Quarter Financial Report

Mr. Owen recommended approval of the third quarter financial report as contained in the Board's meeting materials. He briefly reviewed the three tables provided by Purvis Gray & Company.

Following consideration, **Mr. Damato moved to approve the third quarter financial report as presented. The motion was seconded by Mr. Nicholson and it carried unanimously.**

### d. Correspondence

Mr. Owen noted that 1000 Friends of Florida requested the Authority participate in funding education webinars in the amount of \$250. He said he does not see a correlation with the Authority and recommended declining funding this request.

Following consideration, **Mr. Nicholson moved to approve declining the request for funding participation. The motion was seconded by Mr. Arnett and it carried unanimously.**

### e. News Articles

Mr. Owen noted that the Board's packet includes several news articles. This item was presented for the Board's information and no action was required.

### f. Other

- *Per Capita.* Mr. Owen said the Southwest Florida Water Management District's Strategic Plan has introduced a new goal of achieving 113 gallons per person per day in the northern region. This is in addition to the existing rule requirement that utilities achieve a per capita rate of 150 by the end of 2019 for the Northern District. Mr. Owen said he has met with District staff to discuss per capita for this portion of the District which is different than the Tampa Bay area for reasons such as large irrigated lots and no shallow aquifer. Although more can still be done in water use efficiency and the Authority wants to continue to partner with the District on conservation initiatives, he said he is concerned that the 113 goal cannot be met. Mr. Damato agreed that areas to the south have different comprehensive land use plans and counties are tied to land use already in place. Mr. Mellinger noted that Tampa Bay's 85 per capita is due to reclaimed water. Ms. Brockway said there is also a difference due to water being offset by reclaimed water and population density.

Mr. Nicholson departed the meeting.

- *SJRWMD Case.* Mr. Owen provided an update on this challenge regarding projects for surface water should be for high flows and thereby limits projects. He said he is monitoring this item for implications within the Authority's area.
- *SWFWMD Public Workshop.* Mr. Owen said he was asked to participate on the SWFWMD regional water supply plan update. The workshop was well attended and there was good discussion.
- *SJRWMD Executive Director.* Mr. Owen noted he and Ms. Salz met with Dr. Anne Shortelle to familiarize her with the Authority. He said he has requested that she attend a WRWSA Board meeting to introduce herself.
- *Reclaimed Water.* Mr. Owen noted that, in response to Mr. Damato's comment at the July WRWSA Board meeting, he spoke with Department of Environmental Protection staff to confirm that the level of waste water treatment depends on its intended use.

#### **11. Legislative Report**

Mrs. Salz provided a review of the draft policy matrix on key issues. She reiterated that no comprehensive water policy was enacted last session so there are a number of issues waiting for consideration such as a new water resource advisory council be established creating a new level of bureaucracy for review of water project proposals statewide and decide which warrant funding. She noted she heard there may be an appointment shortly to the SWFWMD Governing Board. She noted that, once the Board approves this matrix, it will be sent to legislators within the Authority's four-county area. Mr. Owen suggested adding surface water issues such as the SJRWMD case challenge and reclassification of surface water bodies. Mrs. Salz said she will revise the policy matrix and present it at the Board's October meeting.

#### **12. Attorney's Report**

Mr. Haag noted that he no report to make at this time.

#### **13. Other Business**

No other business was brought before the Board.

#### **14. Next Meeting Time and Location**

The next monthly meeting is scheduled for October 21, 2015 at 3:30 p.m. The meeting location is the Lecanto Government Building, Room 166 (3600 W. Sovereign Path, Lecanto).

#### **15. Adjournment**

Chair Butler announced there was no further business or discussion to come before the Board and adjourned the meeting at 5:07 p.m.

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Al Butler, Chairman

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Richard S. Owen, Executive Director

**Item 6. SWFWMD Springs Coast Initiative . . . Dr. Chris Anastasiou, SWFWMD**

Dr. Chris Anastasiou, Chief Environmental Scientist with the SWFWMD, will provide a status report to the Board of the District's ongoing Springs Coast Initiative.

The Springs Coast Steering Committee is scheduled to approve the Rainbow River Surface Water Improvement and Management (SWIM) Plan at its November 4, 2015 meeting. This is the first updated or newly created SWIM Plan scheduled for approval by the Steering Committee. Other waterbodies with SWIM Plans under development include the Crystal River/Kings Bay, Weeki Wachee, Homosassa and Chassahowitzka springs and river systems.

These Plans are intended to guide not only the District's future management actions, but also those actions of the many stakeholders involved, including many of the Authority's member governments.

Staff Recommendation:

**This item is presented for information only and no action is required.**

**Item 7. 2015-16 Water Conservation Grant Agreement with Citrus County . . . Debra Burden, Citrus County and Robin Grantham, SWFWMD**

At its July 15, 2015 meeting, the WRWSA Board approved entering into an Agreement with Citrus County to provide grant monies to the County for its ongoing water conservation activities. Citrus County has requested a modification to the water conservation activities that were approved as a part of the 2015-16 Grant Agreement. These changes are intended to provide for a Florida Water Star<sup>SM</sup> component to the County's conservation program and are described in the correspondence included as an Exhibit to this item. There is no change in the overall cost of the program.

Staff Recommendation:

**Staff recommends Board approval of the County's request to modify the project activities funded as a part of the 2015-16 Grant Agreement, as outlined in the County's written request included as an exhibit to this item.**





**Citrus County Board of County Commissioners  
DEPARTMENT OF WATER RESOURCES**

Water Conservation Office  
3600 W. Sovereign Path, Suite 202  
Lecanto, Florida 34461  
Phone: (352) 527-7669 Fax: (352) 527-5429  
www.citrusbocc.com

September 22, 2015

WRL-2015-07

Mr. Richard Owen, Executive Director  
Withlacoochee Regional Water Supply Authority  
3600 W Sovereign Path, Suite 228  
Lecanto, FL 34461

Re: 2016 Grant Line Item Modification

Dear Mr. Owen,

I am requesting a modification to the proposed projects identified within the 2016 approved grant that has no effect on the total budget amount. I would like to propose offering Florida Water Star<sup>SM</sup> (FWS) program rebates to builders meeting FWS certification requirements. FWS is a voluntary water conservation certification program for new homes and commercial developments that meet specific water efficiency criteria. This entails installation of water-saving fixtures and appliances inside the home and water-efficient landscape designs and irrigation systems outside. Across Florida, more than 1,700 residential homes have already achieved FWS certification.

Pre-construction implementation of water conservation measures is less expensive than retrofitting a property post-construction. Therefore, FWS takes a proactive approach to saving water. Rather than reacting to inefficiencies after a home is built, the FWS program addresses the causes of high water consumption up front and demands greater efficiency in both indoor and outdoor building design. FWS homes offer 20 percent greater efficiency than standard construction requirements, as well as decreased utility bills and increased home value.

I am requesting to offer up to eight rebates of \$1,000 each to builders of newly constructed residential homes that achieve FWS certification. These rebates will be marketed to areas with high construction activity and/or high water-use trends. Attached is the revised 'Exhibit A', which incorporates the initiative into the 2016 Citrus County Utilities conservation program. Again, this initiative requires no increase to Citrus County's approved budget.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "D.R. Burden".

Debra R. Burden  
Water Conservation Manager  
Citrus County Department of Water Resources

Encl: Revised Exhibit "A" Scope of Work  
Cc: Ken Cheek, Director, Department of Water Resources

| Original - Exhibit A                                  |  |          |          |          |
|---|--|----------|----------|----------|
| PROJECT   | TASKS  | COUNTY   | WRWSA    | TOTAL    |
| Rebate Incentive Program                              | Offer rebates to customers for installing water efficient toilets, rain sensors, high-efficiency clothes washers, and WaterSense® approved irrigation controllers. | \$21,000 | \$21,000 | \$42,000 |
| Faucet Aerator & Low-flow Showerhead Retrofit Program | Install/give away kitchen and bathroom faucet aerators and low-flow showerheads to reduce indoor water consumption.  | \$3,375  | \$3,375  | \$6,750  |
| Water Conservation Education & Programming            | Bill inserts, advertisements, youth conservation education, retrofit and promotional items, and water conservation workshops.                                      | \$12,500 | \$12,500 | \$25,000 |
| Total:  |  | \$36,875 | \$36,875 | \$73,750 |

| Proposed - Exhibit A  |  |          |          |          |
|---|--|----------|----------|----------|
| PROJECT   | TASKS  | COUNTY   | WRWSA    | TOTAL    |
| Rebate Incentive Program  | Offer rebates to customers for installing water efficient toilets, rain sensors, high-efficiency clothes washers, WaterSense® approved irrigation controllers and achieving Water Star home certification. | \$24,375 | \$24,375 | \$48,750 |
| Faucet Aerator & Low-flow Showerhead Retrofit Program   | Install/give away kitchen and bathroom faucet aerators and low-flow showerheads to reduce indoor water consumption.  | \$2,500  | \$2,500  | \$5,000  |
| Water Conservation Education & Programming  | Bill inserts, advertisements, youth conservation education, retrofit and promotional items, and water conservation workshops.  | \$10,000 | \$10,000 | \$20,000 |
| Total:  |  | \$36,875 | \$36,875 | \$73,750 |
| Programming will begin October 2015. Citrus County intends to expend all grant funding by September 30, 2016. |  |          |          |          |

**Item 8. Charles A. Black Well #7 Pump and Motor Replacement . . . Ken Cheek, Citrus County**

Pursuant to the Contract for Water Supply between Citrus County and the Authority, Citrus County is responsible for all operation and maintenance of the Authority's Charles A. Black wellfield. The County has been experiencing repeated problems with well number 7, one of the seven production wells at the wellfield. The County has investigated a number of options to correct this problem, including repairing the existing motor and pump, replacing the existing pump and motor with new submersible equipment, and replacing the existing submersible equipment with an in-ground pump and above-ground vertical turbine motor.

The County is recommending replacement of the existing submersible equipment with an in-ground pump with above-ground vertical turbine motor. Although this may be the alternative with the greatest up front cost (in excess of \$100,000), the long-term costs, including future down-time due to maintenance and repairs, will be minimized. The final approach taken, whether submersible or above-ground equipment, will likely set a precedent for future pump and motor replacement. Funds for this work will come from the Authority's Renewal and Replacement Fund.

Mr. Ken Cheek, Water Resources Director, Citrus County, will provide a briefing to the Board regarding this important work on the Authority's capital infrastructure.

The Authority has a number of consultants under contract to provide as-needed technical and engineering services. It is recommended that the Authority issue a work order to an appropriate consultant to review the problems with well #7, evaluate the options and selected remedial action chosen by Citrus County and present a recommendation to the Authority on the best approach to take, including the option selected by the County. It is further recommended that the Authority utilize C&D Engineering for these services. No previous work orders have been issued to C&D Engineering to-date.

Staff Recommendation:

**Staff recommends Board authorization for the Executive Director to issue a Work Order to C&D Engineering for an amount not to exceed \$2,500 for review and recommendations regarding Repair and Replacement of Well # 7. The Work Order will be provided at the meeting.**

**Item 9. Charles A. Black Wellfield Contract for Water Supply . . . Richard Owen, WRWSA**

The Authority has been working with Citrus County to develop a new Contract for Water Supply to govern the Charles A. Black Water Supply Facilities. Staff last reported on progress to-date at the Board's August 2015 meeting. There remain a number of issues to be resolved with the County to complete these negotiations.

The draft revised Water Supply Contract is intended, to the greatest extent possible, to replace all previous contracts and to provide for reliable, cost effective and sustainable long-term water supply for Citrus County. In order to ensure all necessary topics are appropriately addressed in the new Contract, and to assist in reaching a Contract that is mutually acceptable to the County and Authority, it is proposed that special counsel be retained to contribute to the Authority's expertise, to help facilitate discussions among the County and Authority representatives, and to participate in drafting the new Contract.

Included as an Exhibit to this item is a proposed Contract for special counsel and an associated scope of work.

Staff Recommendation:

**Staff recommends Board approval of the following:**

- (1) The transfer of \$30,000 in funds from the Authority's Water Resource Development Reserves Account to Legal Services and an associated amendment of the Authority's Fiscal Year 2015-16 Budget; and**
- (2) Authorization for the Chairman to sign the Agreement for Professional Legal Services included as an Exhibit to this item.**

**AGREEMENT FOR  
PROFESSIONAL LEGAL SERVICES**

**THIS AGREEMENT**, is made and entered into this 18<sup>th</sup> day of November, 2015, by and between the **WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY** (hereinafter referred to as AUTHORITY), and **Jack Pepper, P.A.**, (hereinafter referred to as SPECIAL COUNSEL), wherein it is agreed as follows:

**WITNESSETH**

**WHEREAS**, the AUTHORITY is currently involved in certain complex, legal matters requiring expert legal services; and,

**WHEREAS**, the AUTHORITY has investigated the qualifications of SPECIAL COUNSEL and found same to be an expert in the area of representing the AUTHORITY in the pending legal matter, which is the subject of the SCOPE OF SERVICES, attached hereto as EXHIBIT A and made a part hereof; and,

**WHEREAS**, the AUTHORITY, desires to employ SPECIAL COUNSEL to represent the AUTHORITY with respect to said Scope of Services;

**NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:**

1. **RECITALS INCORPORATED:** The above recitals are true and correct and incorporated into this Agreement.

2. **SCOPE OF SERVICES:** SPECIAL COUNSEL will perform such legal services as the AUTHORITY may, from time to time, request relative to said Scope of Services.

3. **COMPENSATION:** The AUTHORITY herein agrees to pay to SPECIAL COUNSEL a sum of \$150.00 per hour for the services outlined in said Scope of Services.

Travel expenses to SPECIAL COUNSEL shall be reimbursed pursuant to the AUTHORITY's Travel Policy.

4. **TERMINATION:** The AUTHORITY or SPECIAL COUNSEL may terminate this Agreement upon thirty (30) days written notice to the other party.

5. **TERM:** This Agreement shall terminate on September 30, 2016.

6. **ENTIRETY OF AGREEMENT:** This Agreement embodies the entire agreement and understanding between the parties and is subject to change, alteration and modification, only upon a written agreement of the parties.

**IN WITNESS WHEREOF,** the AUTHORITY and SPECIAL COUNSEL have executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTESTED:**

\_\_\_\_\_  
RICHARD OWEN  
Executive Director

**WITHLACOOCHEE REGIONAL  
WATER SUPPLY AUTHORITY**

By: \_\_\_\_\_  
AL BUTLER  
Chairman

**SPECIAL COUNSEL**

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Firm: \_\_\_\_\_

## EXHIBIT A

### Charles A. Black Water Supply Facilities Revised Rate Agreement

#### LEGAL SERVICES SCOPE OF WORK

| TASK  | WORK EFFORT            | HOURS |
|---|------------------------|-------|
| 1. Meet with Team (or ED) to understand Objectives  | Up to 4 hrs            | 4     |
| 2. Review Existing WRWSA – Citrus County Contracts  | Up to 16 hrs           | 16    |
| 3. Review Current Draft Contract  | Up to 8 hrs            | 8     |
| 4. Participate in negotiation sessions between WRWSA and Citrus County  | Up to 4, 4-hr sessions | 16    |
| 5. Recommendations on Changes to Current Draft Revised Contract – additions, deletions, new topics, etc.                                | Up to 24 hrs           | 24    |
| 6. Responding to Past Citrus County Comments  | Up to 8 hrs            | 8     |
| 7. Develop Recommendations on how the New Rate Agreement can be drafted such that all existing contracts can be replaced and terminated | Up to 40 hrs           | 40    |
| 8. Develop Recommendations Re: County's Past Capital Expenditures not Reimbursed from R&R Fund  | Up to 16 hrs           | 16    |
| 9. Attend County Commission Meetings  | Up to 4, 4-hr meetings | 16    |
| 10. Attend WRWSA Board Meetings   | Up to 4, 4-hr meetings | 16    |
| 11. Miscellaneous   | Up to 36 hrs           | 36    |
| TOTAL HOURS   |                        | 200   |

The Authority Executive Director is authorized to approve adding to and deleting from the number of hours assigned to each task as long as the total number of hours does not exceed 200.

Travel expenses reimbursed pursuant to WRWSA Travel Policy.

**Item 10. Phase II Irrigation Audit Program Final Report . . . Richard Owen, WRWSA**

Phase II of the Irrigation System Audit Program was conducted over the past several years as part of the Authority's ongoing water conservation initiative. The Phase II of the Irrigation Audit Program was funded by and completed in cooperation with the Southwest Florida Water Management District (SWFWMD), Citrus, Hernando, and Marion counties, and two of the Villages utilities in Sumter County. Phase II has been completed and the final report on the program will be provided at the Board meeting. The final report is due to the SWFWMD by November 30, 2015.

**Staff Recommendation:**

**Staff recommends the Board accept the Phase II Regional Irrigation System Evaluation Program Final Report, dated November 18, 2015, and authorize staff to submit the Final Report to the SWFWMD.**



**Withlacoochee Regional Water Supply Authority**  
**3600 W. Sovereign Path, Suite 228**  
**Lecanto, Florida 34461**

**Bills For Payment**  
**10/21/2015**

| <u>Administrative Invoices</u>                        | <u>Invoice Number</u> | <u>Invoice Date</u> | <u>Amount</u>      |
|---|-----------------------|---------------------|--------------------|
| Richard S. Owen, AICP                                 | 2015-09               | 10/5/2015           | \$7,240.96         |
| Haag, Friedrich & Williams, PA                        | 31255                 | 9/25/2015           | \$698.74           |
| Diane Salz, Governmental Affairs Consultant           | 93015                 | 9/30/2015           | \$4,285.00         |
| C. LuAnne Stout, Administrative Assistant             | 001-Sept-2015         | 10/1/2015           | \$3,125.00         |
| Al Butler (Sept Board mtg)                            | Travel                | 9/16/2015           | \$27.59            |
| Gary Ernst (Sept Board mtg)                           | Travel                | 9/16/2015           | \$36.49            |
| Nick Nicholson (Sept Board mtg)                       | Travel                | 9/16/2015           | \$19.58            |
| Citrus Board of Co Commissioners - Office Space Use   | 001-362010            | 10/15/2015          | \$2,047.68         |
| Purvis Gray & Company (quarter ended 6/30/2015)       | 24731                 | 10/1/2015           | \$500.00           |
| FL Dept of Economic Opportunity Special District Fee  | 34402                 | 10/1/2015           | \$175.00           |
| FL Dept of State FAR (advertise/2016 Board mtg dates) | 600862                | 9/15/2015           | \$37.80            |
| FL Dept of State FAR (advertise/cancel Oct 2015 mtg)  | 601054                | 9/29/2015           | \$38.50            |
| Karen Allen, Web Maintenance                          | #0067                 | 10/4/2015           | \$75.00            |
| Tech Support Services                                 | 1482                  | 9/30/2015           | \$95.00            |
| Sun Trust Business Card Statement (Sept Bd pkts)      | 10.2.2015             | 10/2/2015           | \$45.15            |
| <b>Total Administrative Invoices</b>                  |                       |                     | <b>\$18,447.49</b> |

| <u>Water Supply Studies and Facilities (FY 15-16)</u> | <u>Contract/<br/>Budget</u> | <u>Balance<br/>Remaining</u> | <u>Current<br/>Invoice</u> |
|---|-----------------------------|------------------------------|----------------------------|
| General Services Contract                             | \$75,000.00                 | \$47,645.76                  |                            |
| Work Order 14-03. Water Resource Associates           | \$27,354.24                 | \$12,172.00                  | \$4,353.56 (1)             |
| FY14-15 Local Government Water Supply Projects        |                             |                              |                            |
| Citrus Water Conservation Pgm                         | \$40,250.00                 | \$13,221.48                  | \$0.00                     |
| Hernando Water Conservation Pgm                       | \$48,150.00                 | \$48,150.00                  | \$0.00                     |
| Marion Water Conservation Pgm                         | \$32,350.00                 | \$32,350.00                  | \$0.00                     |
| Phase 2 Irrigation Program (2013-2015)                | \$69,584.00                 | \$66,384.00                  | \$0.00                     |
| Phase 3 Irrigation Program                            | \$57,000.00                 | \$20,170.65                  | \$4,289.18 (2)             |
| Purvis Gray CAB Rate Analysis Work Order              | \$12,000.00                 | \$9,900.00                   | \$0.00                     |
| <b>Total FY 14-15</b>                                 | <b>\$334,334.00</b>         | <b>\$237,821.89</b>          | <b>\$8,642.74</b>          |

|                               |                    |
|-------------------------------|--------------------|
| <b>Total Bills to be Paid</b> | <b>\$27,090.23</b> |
|-------------------------------|--------------------|

|                                      |                                       |                    |
|--------------------------------------|---------------------------------------|--------------------|
| <b>State Board of Administration</b> | <b>Transfer from SBA2 to SBA1</b>     | <b>\$8,643.00</b>  |
| <b>State Board of Administration</b> | <b>Transfer from SBA1 to SunTrust</b> | <b>\$27,090.00</b> |

Notes:

(1) WRA - WO 14-03

\$4,353.56 Invoice 15-1000.8R

(2) Breakdown of charges for Phase 3 (N640)

|   |                   |                           |
|---|-------------------|---------------------------|
| Jack Overdorff, evaluations:              | \$3,735.00        | Invoice 206               |
| C. LuAnne Stout, administration:          | \$450.00          | Invoice 2015-N640-09      |
| 1-Stop Prints (Hernando Co letter/app):   | \$36.00           | Invoice 15-01526          |
| Sun Trust Business Card (labels, stamps): | \$68.18           | October 2, 2015 Statement |
|   | <u>\$4,289.18</u> |                           |

**Item 11.b. 2015-2016 Regulatory Plan . . . Richard Owen, WRWSA**

Amendments to Chapter 120, Florida Statutes, enacted during the 2015 legislative session revised the requirements for agency rulemaking plans. The WRWSA is now required to file a regulatory plan annually by October 1<sup>st</sup>.

The regulatory plan must identify laws enacted or amended during the previous 12 months that affect the duties or authority of the agency, and for each such law, the agency must state whether it must adopt rules to implement the law and provide details about the proposed rulemaking schedule. If rulemaking is not necessary to implement the identified laws, the agency must provide a concise written explanation of why that is so. Regulatory plans must also include a listing of other laws the agency expects to implement by rulemaking in the coming year and it may include an update or supplement to prior regulatory plans. Finally, the regulatory plan must include certifications by the presiding officer and principal legal advisor to the agency.

As shown in proposed 2015-2016 Regulatory Plan contained in the Exhibit, no new laws were enacted during the pertinent time period that affect the duties or authority of the WRWSA. In addition, no rulemaking activities are planned for the 2015-2016 timeframe. Upon approval by the Board, the WRWSA will submit the Authority's 2015-2016 Regulatory Plan and publish it on the Authority's website.

Staff Recommendation:

**Staff recommends Board approval of the WRWSA's proposed 2015-2016 Regulatory Plan.**

ANDY GARDINER  
President



Representative W. Travis Cummings, Chair  
Senator Denise Grimsley, Vice Chair  
Senator Aaron Bean  
Senator Dwight Bullard  
Senator Nancy C. Detert  
Senator Geraldine F. "Geri" Thompson  
Representative Matt Hudson  
Representative Lake Ray  
Representative Hazelle P. "Hazel" Rogers  
Representative Barbara Watson

THE FLORIDA LEGISLATURE  
**JOINT ADMINISTRATIVE  
PROCEDURES COMMITTEE**

STEVE CRISAFULLI  
Speaker



RECEIVED OCT 26 2015

KENNETH J. PLANTE  
COORDINATOR  
Room 680, Pepper Building  
111 W. Madison Street  
Tallahassee, Florida 32399-1400  
Telephone (850) 488-9110  
Fax (850) 922-6934  
[www.japc.state.fl.us](http://www.japc.state.fl.us)  
[joint.admin.procedures@leg.state.fl.us](mailto:joint.admin.procedures@leg.state.fl.us)

October 20, 2015

Mr. Richard S. Owen  
Executive Director  
Withlacoochee Regional Water Supply Authority  
Lecanto Government Building  
3600 West Sovereign Path  
Lecanto, Florida 34461

**Re: Agency Regulatory Plan**

Dear Mr. Owen:

Please be advised that the Committee has not yet received a copy of the certification for the Withlacoochee Regional Water Supply Authority's 2015 regulatory plan as required by section 120.74(2)(a)2., Florida Statutes. Furthermore, the Committee can find no evidence that the regulatory plan was prepared and published in accordance with sections 120.74(1) and (2), Florida Statutes. Please advise as to the status of the regulatory plan and the certification. Please let me know if you have any questions.

Yours truly,

A handwritten signature in blue ink that reads "Kenneth J. Plante".

Kenneth J. Plante  
Coordinator

KJP:tbm

**2015-2016 Regulatory Plan  
of the  
Withlacoochee Regional Water Supply Authority  
(WRWSA)**

A. RULEMAKING TO IMPLEMENT NEW LAWS

List laws enacted or amended during the previous 12 months which create or modify the duties or authority of the WRWSA:

None.

B. OTHER RULEMAKING

List each law not otherwise listed under A., which the WRWSA expects to implement by rulemaking before July 1, 2016, except emergency rulemaking:

None.

C. UPDATE OF PRIOR YEAR'S REGULATORY PLAN OR SUPPLEMENT

No update or supplement of any prior year's regulatory plan is needed.

D. CERTIFICATIONS

**Certification of Chairman of WRWSA Board of Directors:**

As Chairman of the Board of Directors, I certify that I have reviewed the WRWSA's 2015-2016 Regulatory Plan, that the WRWSA repealed all of its rules effective June 29, 2014, that no rulemaking has been conducted by the WRWSA subsequent to that repeal and further, as of November 18, 2015, that the WRWSA has no plans for rulemaking in the 2015-2016 fiscal year.

\_\_\_\_\_  
Al Butler  
Chairman

Date: \_\_\_\_\_

**Certification of the WRWSA General Counsel:**

As General Counsel to the WRWSA, I certify that I have reviewed the WRWSA's 2015-2016 Regulatory Plan, that the WRWSA repealed all of its rules effective June 29, 2014, that no rulemaking has been conducted by the WRWSA subsequent to that repeal and further, as of November 18, 2015, that the WRWSA has no plans for rulemaking in the 2015-2016 fiscal year.

\_\_\_\_\_  
Larry Haag  
General Counsel

Date: \_\_\_\_\_

# City of Brooksville



352.540.3810 Phone  
352.544.5424 Fax

RECEIVED SEP 22 2015

August 27, 2015

Withlacoochee Regional Water Supply Authority  
Lecanto Government Building  
3600 W. Sovereign Path  
Suite 228  
Lecanto, FL 34461

RE: Appointment of Replacement / Alternate Voting Members

To whom it may concern:

During the August 17, 2015 Brooksville City Council Meeting, it was necessary that Council appoint the City's representative/voting member as vacated by Vice Mayor Johnston. Council Member Robert Battista was appointed to serve as the Brooksville City Council voting member.

Mr. Richard Radacky, the City of Brooksville's Director of Public Works, was reappointed as the alternate voting member to the WRWSA in the absence of Council Member Robert Battista.

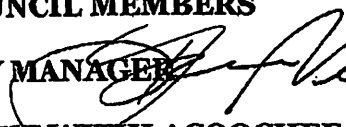
Regards,

Jennene Norman-Vacha  
City Manager  
City of Brooksville



# **CONSENT AGENDA ITEM MEMORANDUM**

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** T. JENNENE NORMAN-VACHA, CITY MANAGER 

**SUBJECT:** ALTERNATE VOTING MEMBER TO THE WITHLACOOCHEE  
REGIONAL WATER SUPPLY AUTHORITY

**DATE:** AUGUST 10, 2015

**GENERAL SUMMARY/BACKGROUND:** The Withlacoochee Regional Water Supply Authority (WRWSA) By-Laws allow voting privileges for an alternate member of the authority in the absence of the Council appointed (elected) member. Council Member Robert Battista is the Council appointed (elected) member for the city.

During early Fiscal Year 2015, the City Council appointed Richard W. Radacky, Public Works Director, as the alternate voting member. It is recommended that Richard W. Radacky be reappointed as the alternate voting member in the absence of Council Member Battista. Mr. Radacky has 42 years of water experience and is intimately knowledgeable of the issues facing our North Central Florida Groundwater Basin and the WRWSA.

**BUDGET IMPACT:** None

**LEGAL REVIEW:** Council has the authority pursuant to Section 2-261 of the City's Code of Ordinances to appoint qualified persons to any advisory board. Official Policy 4-2008, adopted by the City Council, sets forth the procedure for creation, appointment, reappointment, replacement, and removal from office advisory board members.

The Council has the authority, in accordance with the WRWSA By-Laws, to appoint/reappoint members to the Authority Board. The Interlocal Agreement is attached and Section V is highlighted on Page 3 showing the authority-established alternate voting members.

**STAFF RECOMMENDATION:** Staff recommends that the City Council reappoint Richard W. Radacky, Public Works Director, as the alternate voting member to the WRWSA.

**ATTACHMENT:** WRWSA Interlocal Agreement

APPROVED BY BROOKSVILLE  
COMMUNITY REDEVELOPMENT AGENCY  
CO. 8/17/15 BY JN



RECEIVED SEP 22 2015



DATE: September 16, 2015

APPLICATION: Hampton Hills, LLC for Citrus Hills II (AKA Village of Citrus Hills) Development of Regional Impact (DRI)

**NOTIFICATION OF PENDING APPLICATION AFFECTING THE USE OF LAND**

**Description of Proposal:** The applicant is requesting to modify the Citrus Hills Development of Regional Impact Master Plan in multiple areas, as well as amendment of setbacks, and an extension of the build-out and phasing dates. This request is made pursuant to Section 4300, Planned Unit Developments (PUD) of the Citrus County Land Development Code and Florida Statute 380.06, Developments of Regional Impact. This application qualifies as an exemption under F.S. 380.06 and therefore does not require a determination of whether the amendment is a substantial deviation and does not require a Notice of Proposed Change (NOPC).

**Property Location:** Portions of Sections 23, 24, 25, 26, 33, 34 and 35, Township 18 South, Range 18 East; more specifically the Citrus Hills (aka Villages of Citrus Hills) Development of Regional Impact. A complete legal is on file with the Land Development Division.

This notification is being provided to you in accordance with applicable law because records show that you own this property or own property within a 500-foot radius from the property under application. All interested parties may appear and be heard. If you are unable to attend, you may state your position in writing and forward it to the Lecanto address listed below.

**PUBLIC MEETING INFORMATION**

**Planning and Development Commission (PDC)**

DATE: October 1, 2015

MEETING STARTS AT 9:00 A.M.

LOCATION: Lecanto Government Building, Room 166  
Lecanto, Florida 34461

**CONTACT INFORMATION**

**(Please include application number named above on all correspondence)**

Land Development Division  
3600 West Sovereign Path, Suite 141  
Lecanto, Florida 34461

**(352) 527-5239**

Information regarding the Land Development Code or Comprehensive Plan is available on the internet at [www.bocc.citrus.fl.us](http://www.bocc.citrus.fl.us) (Click on Departments, Planning and Development, and then the Land Development link).

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the County Administrator's Office, 3600 W. Sovereign Path, Suite 267, Lecanto, FL 34461, (352) 527-5210, at least two days before the meeting. If you are hearing or speech impaired, dial 7-1-1, 1-800-955-8771 (TTY) or 1-800-955-8770 (v), via Florida Relay Service.

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need a record of the proceedings and, for such purpose, he or she may need to insure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based. Copies of the proposed application will be available for inspection and/or purchase between the hours of 8:00 AM and 5:00 PM, Monday through Friday in the Department of Planning and Development, Land Development Division, 3600 West Sovereign Path, Room 141, Lecanto, Florida 34461.

If you have any questions regarding this application, please call the Land Development Division main number listed above.

JLC/sf/jah - PL2-15-223 *sf*







[Print](#) | [Close Window](#)

**Subject:** RE: newly elected alternate member - S. Goebel-Canning

**From:** richardowen@wrwsa.org

**Date:** Wed, Oct 07, 2015 11:44 am

**To:** "Doris Cupeles" <dcupeles@co.hernando.fl.us>

**Cc:** "Luanne Stout" <lstout@wrwsa.org>

Doris, thanks very much for letting us know. Nothing further is necessary to formalize Susan's appointment.

Richard S. Owen, AICP

Executive Director

Withlacoochee Regional Water Supply Authority

[richardowen@wrwsa.org](mailto:richardowen@wrwsa.org)

[www.wrwsa.org](http://www.wrwsa.org)

Mobile: 352-293-5955

----- Original Message -----

**Subject:** newly elected alternate member - S. Goebel-Canning

**From:** Doris Cupeles <[dcupeles@co.hernando.fl.us](mailto:dcupeles@co.hernando.fl.us)>

**Date:** Wed, October 07, 2015 10:42 am

**To:** "[richardowen@wrwsa.org](mailto:richardowen@wrwsa.org)" <[richardowen@wrwsa.org](mailto:richardowen@wrwsa.org)>

Good Morning Richard,

On September 22<sup>nd</sup>, the Board of County Commissioners approved our request to have Susan Goebel-Canning appointed as an alternate member for WRWSA. Angel Roussel is no longer with Hernando County Utilities and Susan was appointed to take his place.

Let us know if you need anything else to formalize Susan's appointment to the WRWSA.

Thank you,  
Doris

**Doris Cupeles**

**Administrative Assistant III**

Division of Environmental Services

21030 Cortez Boulevard

Brooksville, FL 34601

Office: 352-754-4037 Ext. 35510

Fax: 352-754-4485

[dcupeles@hernandocounty.us](mailto:dcupeles@hernandocounty.us)

<http://hernandocounty.us/utills/>

## Water, spring bills mirror bills from last session

By Chris Curry

Staff writer

Published: Tuesday, October 20, 2015 at 6:04 p.m.

Last Modified: Tuesday, October 20, 2015 at 6:04 p.m.

Water policy and springs bills introduced for the 2016 session in Tallahassee closely resemble measures that died in the final acrimonious days of the 2015 session, when the Florida House adjourned three days early.

“So far it is largely the end of last year's session, when everything blew up...,” said David Cullen, a lobbyist for the Sierra Club Florida.

For springs-protection advocates, that may be a mix of good and bad news.

The new bills introduced by State Sen. Charlie Dean, R-Inverness, and the House's State Affairs Committee both point to the declining flow and reduced water quality of the state's groundwater and springs and say that “action is urgently needed.”

The bills set a July 1, 2017 deadline to set minimum flows in levels for outstanding Florida springs that do not yet have those protections in place, call for five-year work programs that detail projects for springs and other water bodies with high pollution or reduced flow and would require multiple water management districts and the Department of Environmental Protection to work together on recovery plans for springs that are impacted by groundwater pumping withdrawals in a neighboring water management district.

The impact of groundwater pumping within the jurisdiction of the St. Johns River Water Management District on springs and groundwater levels within the Suwannee River Water Management District has been a topic of concern and discussion for several years.

Since the bills closely resemble the measures from the end of the 2015 session, several protections from the bill that Dean originally filed at the start of 2015 have been watered down.

Under the bills introduced for 2016, any time a water management district denies an application for a groundwater pumping permit on the basis that the withdrawal would push a river or spring below its adopted minimum flow level, the state will review the regional water supply plan of that district and require an update if the plan is found to be deficient. Those updates typically take place every five years.

The new language says the review will take place because those water supply plans are intended to make sure enough water is available for all existing and future “reasonable-beneficial uses and natural systems.”

The amended bill also states that any restoration plan for a spring with flow below the adopted minimum-flow level cannot rely solely on conservation measures.

The Senate and House bills also stay in line with current state law and define minimum-flow levels as the point from which any additional groundwater pumping will be deemed “significantly harmful” to a water body. Dean's initial bill from last year dropped the word “significantly” and,

in doing so, would have allowed less environmental harm before groundwater pumping permit-holders had to take part in projects to try to restore the springs.

But industry groups, such as the Associated Industries of Florida, objected to the more stringent standard saying it was a potentially costly regulation that did not have enough science to support it. The word “significantly” was added back into Dean's bill as it moved through the committee process last year and remains in this year's proposal.

There are concessions to groundwater pumping permit-holders. If a permitted pumping operations holder, such as an agricultural business, reduces its actual water usage as a result of conservation, the fact that its usage is below its permitted level cannot be used as a reason to reduce the amount of water it is legally allowed to pump under its current permit.

Bob Palmer, the legislative committee chairman for the Gainesville-based Florida Springs Council, said the bills do more to protect the springs and aquifer than last session's House bill.

"We do have concerns about these bills, especially the way in which they rely on the accelerated application of existing regulatory tools (total maximum daily loads, basin management action plans, minimum flows and levels) which are not currently working to protect springs," Palmer wrote in an email. "If the relevant state agencies were to apply the provisions of these proposed bills vigorously, there is no doubt that the health of springs would rebound from its currently compromised condition. However, we are all too familiar with the ways in which the state misapplies these tools today, which leads us to question whether passage of these bills will fundamentally change springs protection in Florida."

Palmer noted that, in this area of the state, the state has already concluded that spring-fed lower Santa Fe River exceeds its targeted total maximum daily load for nitrate pollution and that the lower Santa Fe and Ichetucknee rivers are flowing below their set minimum-flow levels.

He said the state's basin management action plan to reduce those nitrate levels relies heavily on agricultural businesses voluntarily deciding to implement pollution-reducing best management practices and has not yet improved water quality.

While the Ichetucknee and lower Santa Fe are both already below the minimum-flow levels finalized for them in June, the state has pushed back the timeline for recovery projects for the rivers to as late as 2019, until after a new computer model for regional groundwater flow is in place.

# **SJRWMD WATER NEWS**

Oct. 30, 2015

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## **Cost-share project applications accepted Nov. 3-Dec. 15**

PALATKA, Fla., Oct. 28, 2015 -- The St. Johns River Water Management District will accept applications Nov. 3-Dec. 15, 2015, to share in \$5 million in cost-share funding for rural communities and innovative projects that support the District's core missions.

The District's Governing Board on Oct. 14 approved selection criteria and funding for the Cost-Share Program for innovative projects and Rural Economic Development Initiative (REDI) communities.

Project proposals considered for funding should help benefit water supply (including water conservation, alternative water supplies, and maintenance or enhancement of REDI community supply systems), improve water quality, provide flood protection, or protect or enhance natural systems. Project criteria, application instructions and additional information about the program are available on the District's website at [floridaswater.com/funding](http://floridaswater.com/funding).

Informational workshops about the cost-share opportunity will be held at:

10 a.m. on Nov. 3 at District headquarters, 4049 Reid St., Palatka

10 a.m. on Nov. 4 at the District's Maitland Service Center, 601 South Lake Destiny Road, Suite 200, Maitland

An innovative project in Florida that will be considered for funding is one that uses emerging or proven technology in a unique way to promote alternative water supply development or to expand available quantities to offset groundwater withdrawal, or to otherwise demonstrate projects to improve the water resources of the District in support of the core missions.

A REDI community is economically disadvantaged with an employment base dominated by traditional agriculture or resource-based industries and a population of 25,000 or less. As of Sept. 1, 2015, REDI-designated communities include Baker, Flagler, Nassau, Putnam and Okeechobee counties and the communities of Bunnell, Callahan, Crescent City, Fellsmere, Fernandina Beach, Flagler Beach, Glen St. Mary, Hawthorne, Hilliard, Macclenny, Palatka, Interlachen, Palm Coast, Pomona Park and Welaka. District staff will evaluate each project based on the evaluation criteria recently approved by the Board and prepare a recommended list for Board approval in February 2016.

## **Irrigation limited to one day a week beginning Nov. 1**

PALATKA, Fla., Oct. 29, 2015 -- Starting Sunday, Nov. 1, landscape irrigation will be limited to one day a week across the 18 counties of the St. Johns River Water Management District.

Plants and grass need less water in cooler months and watering restrictions ensure the efficient use of water for lawn and landscape irrigation. One of the most important ways to help meet Florida's water supply needs for today and the future is through conservation.

Lawn and landscape irrigation often accounts for more than half of residential water use. Watering wisely promotes healthier lawns and landscapes and conserves Florida's water resources.

Because lawns need significantly less water in Florida's winter months, landscape irrigation is limited to one day a week on the following schedule when Eastern Standard Time is in effect:

- Saturday at addresses that end in an odd number or have no address
- Sunday at addresses that end in an even number
- Tuesday for nonresidential landscape irrigation
- No irrigation allowed between 10 a.m. and 4 p.m.

In addition, irrigation is limited to 3/4 inch of water per irrigation zone and to no more than one hour per irrigation zone.

The one-day-per-week restrictions will be in place until daylight saving time returns on March 13, 2016.

The restrictions apply to water withdrawn from ground or surface water, from a private well or pump, or from a public or private water utility, but they do not apply to irrigation using reclaimed water or storm water.

For complete information about the District's watering restrictions and exceptions to the rule, visit [floridaswater.com/wateringrestrictions](http://floridaswater.com/wateringrestrictions) on the District's website.

## **CFWI Steering Committee accepts updated CFWI planning documents, clearing the way for consideration by water management district leadership**

KISSIMMEE, Fla., Oct.30, 2015 -- The Central Florida Water Initiative (CFWI) Steering Committee today accepted the amended Regional Water Supply Plan (RWSP) and the draft 2035 Water Resources Protection and Water Supply Strategies Plan (Solutions Plan). Today's action sends the documents to the Governing Boards of three central Florida water management districts for consideration.

The RWSP charts a long-term course for water supply in Orange, Osceola, Polk, Seminole and south Lake counties through 2035.

Today's actions are the culmination of more than five years of a coordinated effort involving experts in the water-supply field, and the contributions of more than 6,000 stakeholders who attended public meetings and provided comments that helped shape the plans.

Three water management districts will now consider approval of the documents at the following meetings:

- St. Johns River Water Management District Governing Board -- Nov. 10 meeting in Palatka.
- South Florida Water Management District -- Nov. 12 meeting in West Palm Beach.
- Southwest Florida Water Management -- Nov. 17 meeting in Tampa.

The CFWI is a collaborative effort that engaged the three water management districts, Florida Department of Environmental Protection, Department of Agriculture and Consumer Services, the central Florida utilities and stakeholders representing agricultural interests, the business community, local governments and the environmental community.

The CFWI process led to the creation of a regional groundwater model. It found that the potential water-supply needs of 2035 could exceed the sustainable limits of the Floridan aquifer by as much as 250 million gallons a day. The Regional Water Supply Plans, and the more-detailed 2035 Water Resources Protection and Water Supply Strategies Plan call for more aggressive water conservation programs, expansion and more efficient water reuse projects and a comprehensive menu of alternative water-supply projects to ensure adequate water supplies for the regional through 2035.

## District seeks public input about Upper Ocklawaha River Basin lakes

The St. Johns River Water Management District is seeking public input as part of its work to develop minimum flows and levels (MFLs) for the Upper Ocklawaha River Basin (UORB), including lakes Apopka, Beauclair, Dora, Eustis, Harris and Griffin, in Lake, Marion and Orange counties.

MFLs are the minimum water flows and/or levels adopted by the District's Governing Board as necessary to prevent significant harm to the water resources or ecology of an area resulting from permitted water withdrawals.

An important part of setting MFLs is the development and calibration of surface water models. Surface water models are computer programs that use continuous rainfall and other meteorologic records to simulate water levels and/or flows within water bodies. The use of models allows the District to evaluate whether MFLs are met under different water management scenarios, such as potential future water withdrawals that may lower lake water levels.

The District is initiating the formal peer review of the UORB hydrologic model (HSPF — Hydrological Simulation Program—Fortran) and invites stakeholders to participate in that review process.

Review documents:

- The HSPF Calibration Model
- The HSPF Baseline Model
- Documentation report
- Directions for use of model

More detailed information about MFLs is also available at this [web page](#).

The model review period will be Oct. 30, 2015–Jan. 4, 2016. The District asks that all comments be sent by email to Dr. Andrew B. Sutherland at [asutherl@sjrwmd.com](mailto:asutherl@sjrwmd.com) by Jan. 4, 2016, 5 p.m. Please put "UORB HSPF Model Review Comments" in the subject line of the email. The District will place all comments received from the peer review panel and stakeholders on the District web page by Jan. 6, 2016, 5 p.m. for public review.

A public workshop is currently scheduled for Feb. 3 and 4, 2016, to discuss all peer review panel and stakeholder comments received.

For more information or questions, please contact Dr. Sutherland by email or (386) 329-4201.

## OTHER VOICES

### **Nathaniel Reed: Putnam protects Big Ag more than water**

By Nathaniel Reed  
Special to the Star-Banner  
Published: Sunday, November 1, 2015 at 6:30 a.m.

I read with interest Florida's Commissioner of Agriculture Adam Putnam's comments to the Star-Banner's Oct. 5 editorial, "Water policies need real change."

There is not a thoughtful, well-informed Floridian who is not concerned with the proposed, complex "water bill" that will be presented to the Florida Legislature when it convenes. I have been a critic of the commissioner for a number of years, as Florida's public waters — rivers, lakes, and estuaries — have all suffered from excessive amounts of agricultural pollution. Incredibly for an outspoken "water conservationist, Commissioner Putnam indicates that "Florida's springs have played second fiddle to South Florida's complex and expensive plumbing issues far too long."

Yes, the water issues that South Florida faces are complex and costly. The Biscayne Aquifer supplies drinking and irrigation water for 7 million South Floridians. The combination of agriculture and the 7 million residents and the millions of tourists who visit South Florida should be of major concern to Commissioner Putnam.

His interests regrettably have shown primary concern for protecting the subsidized sugar plantation owners whose drainage has been a major source of pollution of the Everglades system. It took major federal legal action to force the state and water district to acquire thousands of acres of expensive land and construct a series of so-called Stormwater Treatment Areas to reduce the tons of excess phosphorus flowing from the sugar plantations into the Everglades.

The commissioner has been all too silent on the issues of Everglades agricultural pollution. The vast majority of the costs of land acquisition, construction of the STA's — in reality Pollution Control Treatment areas — and the management of the system to cleanse the polluted drainage has been borne by the taxpayers of the 16 counties that comprise the South Florida Water Management District. So much for the amendment requiring that "Polluters shall pay the full cost of cleansing their pollution"! Without effective litigation before federal courts, the industry would never have complied with strict water quality standards.

Commissioner Putnam avoids the “costly issue” of saving billions of gallons of water desperately needed to recharge the Biscayne Aquifer and restore a functioning Everglades ecosystem. He ignores the wasting of billions of gallons of excess Lake Okeechobee water by having to release it down the lake's two outlets — the Caloosahatchee and St. Lucie rivers — constantly destroying their estuaries. He simply cannot support acquisition of a major land area within the Everglades Agricultural Area; the construction of a major reservoir to hold the lake's excess water, cleanse it and allow it to flow south to Florida Bay, which is in desperate need of the once natural runoff from the Everglades system. He is “blinded by the usual suspects.”

No one would deny the needs for major statewide water management improvements. No one would object to the polluters being required to dramatically reduce their discharges to the publicly owned “waters of the state.” We would all hope that water managers will take serious concern over the needs of Florida's unique natural systems as a legitimate co-equal partner as our state's water priorities are divided up.

We all will watch with curiosity Commissioner Putnam's claims of keen interest in the management of our state's most precious asset — plentiful supplies of clean fresh water — in the months ahead as a water bill will be fiercely debated.

*Nathaniel Reed has served seven governors. He is best known as the chairman of the Commission on Florida's Environmental Future. He also served as assistant secretary of the Interior for Fish and Wildlife and Parks in the Nixon and Ford administrations. He is a member of the Board of the Everglades Foundation. He lives in Hobe Sound.*



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BY FLORIDA WATER DAILY · NOVEMBER 2, 2015

From the SWFWMD Press Release:

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# Springs Restoration Continues with \$20.4 million investment in District Projects

From the SWFWMD Water Matters Blog  
October 7, 2015

The Florida Department of Environmental Protection and District have approved five springs restoration projects in Citrus, Hernando and Marion counties. These projects will receive more than \$13.4 million in state funding from Governor Rick Scott's 2015-16 "Keep Florida Working" budget. This funding is expected to leverage over \$7 million in matching funds.

These five selected projects will benefit Homosassa, Kings Bay, Rainbow and Weeki Wachee springs.

"I would like to thank Governor Scott and the Florida Legislature for providing record funding for springs restoration, and for securing the recurring funding that will allow us to continue to protect springs in the future," said DEP Secretary Jon Stevenson. "Combining efforts and resources with local governments, stakeholders and the water management districts enables us to take a more comprehensive and efficient approach to springs protection."

The project development process is a collaborative effort among the department, water management districts, community leaders and local stakeholders. Projects are selected based on pollutant reduction, water conservation, cost effectiveness and available matching dollars.

Robert Beltran, executive director of the Southwest Florida Water Management District, said, "We appreciate the Governor's and the Legislature's commitment to springs in our district. This funding will allow us to complete significant restoration projects that will allow the citizens of Southwest Florida to continue to enjoy these unique natural resources."

District projects include:

*Garcia Point Septic Project (Citrus County):* Through the connection of 88 residential septic systems to Citrus County's central wastewater collection system, this project will improve water quality within the Homosassa Springs springshed by reducing nonpoint source nutrient loads. The project will be a continuation of efforts to provide wastewater service to residential and commercial developments adjacent to the Homosassa River.

*Citrus County Private Package Plant Interconnection Project (Citrus County):* This project will connect several private wastewater package plants to Citrus County's central wastewater collection system. The project will reduce nutrient loading to the Crystal River/Kings Bay and Homosassa Springs springsheds and will also increase the availability of reclaimed water for potential reuse or aquifer recharge.

*Fort Island Trail Septic Interconnection Project (Citrus County):* The project will extend Citrus County's wastewater collection system and eliminate approximately 250 septic systems. This project will reduce nutrient loading to Kings Bay and will also increase the availability of reclaimed water for potential reuse or aquifer recharge.

*Infrastructure Development (Marion County):* The construction of a new wastewater collection system will reduce existing and future wastewater discharges into the Rainbow Springs springshed. This project benefits Rainbow Springs by reducing nutrient loading and supplying reclaimed water for agricultural and other irrigation needs.

*US19 Reclaimed Water Transmission (Hernando County):* This project will construct a reclaimed water main to provide up to 1.7 million gallons of reclaimed water per day to the Timber Pines Subdivision and Golf Course for irrigation use. The Weeki Wachee Springs springshed will benefit from reduced nutrients and reduced potable water use, and the project will help ensure a long-term sustainable water supply for the area.

Including these five District projects, a total of 26 projects statewide have been selected to receive \$41 million in state funding from Governor Rick Scott's 2015-16 "Keep Florida Working" budget, and are expected to leverage another \$41.8 million in matching funds. This brings the total state and local investment springs projects to \$189 million in the last three years.

- See more at: <http://www.swfwmd.state.fl.us/blog/entry.php?blogPRId=114#sthash.gavkU2X5.dpuf>



### **Leaders Celebrate Reclaimed Water Project**

District leaders attended the ribbon cutting of the Crystal River to Duke Energy Reclaimed Water Project. It will provide highly treated wastewater from the City of Crystal River to the Duke Energy power plant facility in Citrus County.



### **Two New Members Join Governing Board**

Governor Rick Scott appointed John Henslick and Kelly Rice to the Governing Board. Henslick represents Manatee County and Rice represents Citrus, Lake, Levy and Sumter counties.

### **District Sees Gains in Seagrass Coverage in Pinellas County**

Pinellas County waters saw an overall increase of 150 acres in seagrass coverage, according to **recently released results** from the District's 2014 seagrass mapping study. Pinellas County waters — St. Joseph Sound, Clearwater Harbor North and Clearwater Harbor South — now collectively support 17,334 acres of seagrass beds.



# Water Bill Attempts to Strike a Balance

Tallahassee / Nov. 5, 2015

A compromise bill that attempts to strike a balance between the agriculture industry's need for water and the public's desire to restore degraded springs received approval from a key Senate committee Wednesday despite warnings from some environmentalists that it does little to reverse the pollution and over-pumping that has caused the damage.

The Senate Environmental Preservation and Conservation Committee unanimously approved SB 552 Wednesday and heralded it as a comprehensive water policy bill that gives farmers predictability and environmentalists some of the independent oversight they have sought.

Sen. Charlie Dean, R-Inverness, the chairman of the committee who has made the bill a top priority for the last three years, said it will "provide transparency" to water policy in Florida and will "show the entire nation that we are challenging the status quo."

But environmentalists complained that while the measure makes some important progress in establishing new standards and definitions, it doesn't do enough to restore Florida's natural springs and aquifers, which have been declining at a rapid rate in the face of nitrate pollution and over-pumping.

"This water bill doesn't go far enough. We need to have the water resources protected better. We need to have less water withdrawals," said Merrilee Malwitz-Jipson of Our Santa Fe River, Inc.

The bill is on a fast-track after a previous version last year became a victim of the infighting that led the session to end last year without a budget.

This year, the House State Affairs Committee unanimously backed an identical version of the Senate bill last week, PCB SAC 16-01.

The bills require the Department of Environmental Protection to establish guidelines by July 1, 2017, such as minimum flow levels, to withdraw water from vulnerable Florida springs that do not yet have those protections in place.

It also directs the agency to adopt a uniform definition of what is considered "harmful" to Florida springs and calls for DEP to work with water management districts to establish five-year recovery plans intended to reduce pollution and pumping from the state's most polluted springs.

And it requires DEP to develop remedies for 20 percent of the septic tanks that are determined to be polluting lakes, springs and waterways.

But Bob Palmer, the legislative committee chairman for the Florida Springs Council, a coalition of 35 groups formed last year to demand action to protect the state's springs, told the committee that requiring more regulations of an agency that has failed to enforce existing laws is shortsighted.

"I think a lot more can be done in terms of oversight, holding the agency's feet to the fire," when regulations don't produce the desired result, he said.

He noted that regulators too often rely on models to justify policies that allow problems to continue. For example, Manatee Springs, Wekiva Springs and other waterways have had regulations relating to minimum flow requirements in place for years and "aren't making it."

“I don’t find a certain amount of harm is acceptable,” he said. “I think there should be no harm.”

But Sen. David Simmons, R-Altamonte Springs, countered that the goal of the committee was to create a new standard that will “prevent groundwater withdrawals that are harmful” and he expects regulators to develop a new definition that the public will have input in.

“I don’t know how much better the Legislature can do to putting something together than this,” he said.

Ryan Smart of 1000 Friends of Florida said that while there are good elements in the bill, some provisions will allow for excessive pumping of water from the state’s aquifers with little or no oversight.

For example, while the bill allows for monitoring of consumptive use permits that use eight-inch pipes — which can withdraw 2 million gallons of water a day — it does not require monitoring of people who draw water using six-inch pipes which can pump more than 1.5 million gallons a day.

“Since this provision will only apply to new or modified permits, anyone can just come in with a six-inch pipe, or two six-inch pipes or three six-inch pipes and get around it,” he said.

The bill makes several concessions to agriculture and business interests, which had opposed a stricter version being pushed in the Senate last year.

For example, one provision that would have put limits on groundwater pumping from water bodies if it was determined that the pumping would have been “significantly harmful” was removed.

*Mary Ellen Klas can be reached at meklas@miamiherald.com and at (850) 222-3095. Follow her on Twitter @MaryEllenKlas*

## Florida Legislature strikes a balance on water rules

Critics warn that bill won't halt harmful policies

Regulators are required to come up with plans to restore polluted springs and waterways

Bill has backing of agriculture and business groups but tepid support of environmentalists

By Mary Ellen Klas

Herald/Times Tallahassee Bureau

A compromise bill that attempts to strike a balance between the agriculture industry's need for water and the public's desire to restore degraded springs received approval from a key Senate committee Wednesday despite warnings from some environmentalists that it does little to reverse the pollution and over-pumping that has caused the damage.

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# Florida Senate Committee Advances Statewide Policy for Water and Natural Resources

By Sunshine State News

November 4, 2015 - 1:30pm

Charlie Dean and Andy Gardiner

Sen. Charlie Dean's Committee on Environmental Preservation and Conservation today passed Senate Bill 552, Environmental Resources, which provides for a statewide policy to restore and preserve Florida's water and natural resources.

Senate President Andy Gardiner's office released the following statement:

"Over the last three years, Senator Dean, Senator Simmons, Senator Simpson, Senator Hays, and Senator Montford have worked with Speaker Crisafulli, our colleagues in the House, Commissioner Putnam, and other dedicated stakeholders from across Florida to develop a statewide policy to restore and protect Florida's water supply and natural resources," said Gardiner, R-Orlando. "I am pleased the legislation includes key provisions from the bills the House and Senate advanced last year and am particularly grateful to Senator Dean for his tireless work on this legislation."

"This legislation represents a comprehensive plan to restore our unique springs to make sure they are preserved for the next generation of Floridians and visitors to our state," said Dean, R-Inverness. "The bill will also help protect Florida's Everglades and estuaries by ensuring we stick to our action plans and implement best management practices that will improve our water quality and make sure we have the clean water supply we need to accommodate the needs of a growing state."

"This bill creates a transparent process to address water quality and quantity projects in Florida, so we can ensure we are making the best use of limited taxpayer dollars," continued Gardiner. "The legislation also expands access to public lands and will make information about conservation areas and recreational opportunities more readily available, so more Floridians will have the opportunity to enjoy the pristine environment the state has worked so hard to conserve."

## Public Access to Public Lands

The bill requires the Department of Environmental Protection (DEP) to publish an online, publicly accessible database of conservation lands on which public access is compatible with conservation and recreation purposes. The bill requires the database to be available online by July 1, 2017. The database must include at a minimum: the location of the lands; the types of allowable recreational opportunities; the points of public access; facilities or other amenities; and land use restrictions.

The bill also directs the DEP to create a downloadable mobile application to locate state lands available for public access using the user's current location or activity of interest. Using a smartphone, users could locate recreational opportunities throughout Florida just as easily as people can currently locate hotels, restaurants, and gas stations.

## Outstanding Florida Springs

SB 552 creates the Florida Springs and Aquifer Protection Act to provide for the protection and restoration of Outstanding Florida Springs (OFSs).

The bill defines "Outstanding Florida Springs" to include all historic first magnitude springs, including their associated spring runs, as determined by the DEP using the most recent version of the Florida Geological Survey's springs bulletin. The following springs and their associated



spring runs are also considered OFSS: Deleon Springs, Peacock Springs, Poe Spring Rock Springs, Wekiwa Springs, and Gemini Springs.

#### Northern Everglades and Estuaries Protection

SB 552 updates and restructures the Northern Everglades and Estuaries Protection Program to reflect and build upon the DEP's completion of basin management action plans for Lake Okeechobee, the Caloosahatchee River and Estuary, and the St. Lucie River and Estuary, and the Department of Agriculture and Consumer Services' implementation of best management practices;

#### Water Conservation and Water Supply

The bill requires additional information related to all water quality or water quantity projects as part of a 5-year work program. The following must be included in the Consolidated Water Management District Annual Report:

- All projects identified to implement a Basin Management Action Plan or recovery or prevention strategy;
- Priority ranking of each listed project, for which state funding through the water resources development work program is requested, which must be available for public comment at least 30 days before submission of the consolidated annual report;
- Estimated cost of each project;
- Estimated completion date for each project;
- Source and amount of financial assistance that will be made available by the DEP, a water management district (WMD), or some other entity for each project;
- A quantitative estimate of each project's benefit to the watershed, waterbody, or water segment in which it is located;
- And, a grade for each watershed, waterbody, or water segment where a project is located representing the level of impairment and violations of adopted or interim minimum flow or minimum water level.

SB 552 also creates a pilot program for an alternative water supply in restricted allocation areas, a pilot program for innovative nutrient and sediment reduction and conservation, and revises certain considerations for water resource permits.

#### Annual Review of Water Supply and Conservation Lands

The legislation requires the Office of Economic and Demographic Research (EDR) to conduct an annual assessment of water resources and conservation lands and modifies water supply and resource planning and processes to make them more stringent.

Concerning water resources, the assessment must include:

- Historical and current expenditures and projections of future expenditures by federal, state, regional, and local governments and public and private utilities based upon historical trends and ongoing projects or initiatives associated with water supply and demand and water quality protection and restoration;
- An analysis and estimates of future expenditures necessary to comply with federal and state laws and regulations;
- A compilation of projected water supply and demand data;
- Forecasts of federal, state, regional, and local government revenues dedicated in current law for the purposes of the water supply demand and water quality protection and restoration, or that have been historically allocated for these purposes, as well as public and private utility revenues;
- And, an identification of gaps between projected revenues and projected and estimated expenditures.

Concerning conservation lands, the assessment must include:

- Historical and current expenditures and projections of future expenditures by federal, state, regional, and local governments based upon historical trends and ongoing projects or initiatives associated with real property interests eligible for funding under the Florida Forever Act;
- An analysis and estimates of future expenditures necessary to purchase lands identified in plans produced by state agencies or WMDs;
- An analysis of the ad valorem tax impacts, by county, resulting from public ownership of conservation lands;
- Forecasts of federal, state, regional, and local government revenues dedicated in current law to maintain conservation lands and the gap between projected expenditures and revenues;
- And, the total percentage of Florida real property that is publicly owned for conservation purposes.

SB 552 also requires the DEP to conduct a feasibility study for creating and maintaining a web-based, interactive map of the state's waterbodies as well as regulatory information about each waterbody.

- See more at: <http://www.sunshinestatenews.com/story/florida-senate-committee-passes-statewide-policy-florida%E2%80%99s-water-and-natural-resources#sthash.PJIDx6Kb.dpuf>

## **Springs bill clears hurdle despite environmental concerns**

By Christopher Curry  
Staff writer

Published: Wednesday, November 4, 2015 at 3:51 p.m.

Last Modified: Wednesday, November 4, 2015 at 3:51 p.m.

Over environmental groups' objections, this year's version of a water policy and springs bill cleared its first committee Wednesday.

The Environmental Preservation and Conservation Committee, whose chairman, State Sen. Charlie Dean, sponsored the bill, passed the measure in a unanimous vote.

For the state's first magnitude and outstanding springs, the bill would put in place timelines for setting minimum flows and levels intended to protect flow and water quantity. It would also set basin management action plans to ensure water quality by reducing pollution produced on the land near springs.

The bill also prohibits some uses in the "priority focus" areas around springs, including hazardous waste disposal facilities, the land application of treated sewage sludge and, with some exceptions, construction of new wastewater treatment plants and the installation of some septic systems on lots less than 1 acre.

Representatives of the Florida Springs Council, Our Santa Fe River, the Sierra Club and 1,000 Friends of Florida all raised objections that the proposed legislation does not do enough to protect springs.

Our Santa Fe River's Merrilee Malwitz-Jipson said the state is not doing enough to require conservation. Water management district officials who say rivers and springs are already flowing below historic levels need to turn down applications for groundwater pumping permits, she said.

"We think the problems for the springs are overpumping and too much nitrogen," said Bob Palmer, with the Gainesville-based Florida Springs Council.

Palmer said flow levels and basin plans are "ineffective tools" because rivers and springs that have them aren't necessarily healthy.

Palmer suggested the state start levying an "aquifer protection fee" for using fertilizer in a spring shed.

During the meeting, committee member State Sen. Darren Soto, D-Orlando, introduced and withdrew four amendments that the Florida Springs Council sought.

One would have changed the language regarding Minimum Flows and Levels, or MFLs, to allow less environmental harm to springs before groundwater pumping permit-holders must take part in trying to restore the springs.

Another would have made a tougher requirement for monitoring groundwater pumping. As it stands, the bill requires groundwater pumping of at least 100,000 gallons per day from an at least 8-inch-wide well to be monitored when a new permit or permit change is approved.

Ryan Smart, the president of 1000 Friends of Florida, questioned if that would effectively monitor withdrawals when more than 100,000 gallons could be pumped from wells less than 8 inches wide.

State Sen. David Simmons, R-Longwood, who has worked with Dean, R-Inverness, on proposed water legislation in the past, said he felt some of the criticism was off base.

Simmons pointed to language in the bill that requires the Florida Department of Environmental Protection to adopt “uniform rules preventing groundwater withdrawals that are harmful to water resources” for areas near springs and allows water management districts to put in place a more restrictive rule for what is “harmful” to those resources.

“I don’t know how much better you can do than that,” Simmons said.

A Nature Conservancy of Florida representative spoke for the bill, saying it set the framework for springs protection.

Two prominent business groups, the Florida Chamber of Commerce and Associated Industries of Florida, also offered support. The state chamber representative said it would protect Florida against the water shortages California now faces.

**Item 12.a. Legislative Policy Positions...**Diane Salz, WRWSA

The Board has historically adopted legislative policy positions prior to the beginning of each Legislative Session. These adopted policy positions are intended to guide Authority staff in policy development discussions during interim committee meetings and the upcoming 2016 Legislative Session, at which legislative leaders have promised to address statewide comprehensive water policy reform, including supply, water quality, and water project funding.

Statewide comprehensive water policy reform remains a high priority for the Senate President Andy Gardiner (R-Orlando) and 2016 Legislative Session, scheduled to begin January 12, 2016, after failing to reach agreement on key provisions during the 2015 Legislative Session. The key benefit of the Board adopting legislative policy positions is to clearly express to the Withlacoochee region legislative delegation members where the Authority stands on these important issues.

At the August Board meeting staff presented a draft 2015-16 Legislative Platform. At that meeting, there was discussion regarding adding an item to monitor efforts regarding the development of a new surface water classification system for surface waters used as potable water supply. Related to this issue, there was also discussion regarding a case in the SJRWMD where a legal challenge has been filed against efforts by the SJRWMD to designate portions of the St. Johns River as an alternative water supply in its regional water supply plan. Staff was directed to update the Legislative Platform to include these issues. The updated Legislative Platform is included as an exhibit to this item.

**See Exhibit.**

**Staff Recommendation:**

**Staff recommends the Board adopt the proposed Legislative Policy Positions, as shown in the Exhibit, including any changes approved by the Board at the meeting.**

**DRAFT**

**Withlacoochee Regional Water Supply Authority  
2016 Legislative/Regulatory Issues**

**November 18, 2015**

| ISSUE   | TYPE OF CHANGE                                     |
|---|--|
| Support the allocation of state funds that promotes regional partnerships for water resource and supply development through existing statutes and not create additional bureaucracy.  | Legislative and Regulatory                         |
| Support enhanced funding for restoration and protection of springs.   | Legislative and Water Management Districts         |
| Support funding for the Water Protection and Sustainability Program (SB 444), and funding for implementing the WRWSA 2014 Regional Water Supply Plan Update.  | Legislative (section 403.890 and 403.891, F.S.)    |
| Southwest Florida Water Management District (SWFWMD) <ul style="list-style-type: none"><li>• Support Senate confirmations of SWFWMD Governing Board Members: Jeff Adams (Pinellas County); Ed Armstrong (Pinellas County); Michael Moran (Charlotte, Sarasota counties); Randall Maggard (Pasco County); Paul Senft, Jr. (Polk County); John Henslick (Manatee County); Kelly Rice (Citrus, Lake, Levy and Sumter counties)</li><li>• Support Senate confirmation of SWFWMD Executive Director Robert Beltran</li></ul> | Legislative (section 373.073, FS)                  |
| St. Johns River Water Management District (SJRWMD) <ul style="list-style-type: none"><li>• Support Senate confirmations of (SJRWMD) Governing Board Members: Ron Howse (At Large); Chuck Drake (St. Johns River Basin above the Ocklawaha River hydrologic unit); Fred Roberts (Ocklawaha River Basin)</li><li>• Support Senate confirmation of SJRWMD Executive Director Ann Shortelle</li></ul>   | Legislative (section 373.073, FS)                  |
| Monitor proposal for multi-source water use permits: <ul style="list-style-type: none"><li>• Applicable to all users;</li><li>• Includes total demand;</li><li>• Prioritizes use of alternative supplies;</li><li>• Allows "conjunctive use" of multiple sources to meet demand.</li></ul>  | Legislative (section 373.236, F.S.) and Regulatory |
| Monitor the Florida Department of Environmental Protection (DEP) Reclaim Water Study to be completed by December 1, 2015, and implemented by DEP and water management districts.  | Legislative and Regulatory                         |
| Support a collaborative approach to water management when there are cross-district impacts for: <ul style="list-style-type: none"><li>• Water supply planning;</li><li>• Setting Minimum Flows and Levels (MFLs), Reservations;</li><li>• Resource recovery or impact prevention strategies.</li></ul>  | Legislative and Regulatory                         |
| Monitor efforts to revise the existing surface water reclassification system or to reclassify surface waters within the region which may limit water resource development opportunities. Related to this, monitor the SJRWMD case involving designating the St. Johns River as an alternative water supply.   | Legislative and Regulatory                         |

**Item 12.b. Florida Water Forum, hosted by Associated Industries of Florida...Diane Salz, WRWSA**

The purpose of this item is to report on the recent Associated Industries of Florida Water Forum 2015 attended by staff on September 25<sup>th</sup> in Orlando. On an annual basis, the Water Forum provides an important venue for key legislative leaders to discuss unresolved legislative issues relating to water management, water supply, and water quality.

Statewide comprehensive water policy reform remains a high priority for the 2016 Legislative Session, scheduled to begin January 12, 2016, after the House and Senate were unable to reach agreement on key provisions during the 2015 Legislative Session. Senator Charlie Dean (R-Inverness); Senator Wilton Simpson (R-Brooksville); Senator Alan Hays (R-Umatilla); Rep. Ben Albritton (R-Bartow); Rep. Ray Pilon (R-Sarasota); Rep. Matt Caldwell (R-Lehigh Acres); Agriculture Commissioner Adam Putnam; and Department of Environmental Protection Secretary Jon Steverson discussed the differences between the unreconciled 2015 House and Senate comprehensive water policy bills.

Other topics included the Central Florida Water Initiative (CFWI); springs protection and restoration; state water project funding distribution; regional water supply planning; setting minimum flows and levels (MFLs) and resource recovery, and prevention strategies; reclaimed water; and water conservation.

The benefit of participating in the annual Water Forum is to engage in the policy development phase of comprehensive statewide water legislation, and to discuss relevant topics informally with speakers and other attendees, as well as networking within a broad professional arena of water experts.

**Staff Recommendation:**

**This item is for information purposes only and no action is required.**