



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

Board Meeting Package

February 16, 2011
4:30 p.m.

Meeting Location:

Withlacoochee Regional Planning Council
Headquarters Conference Room
1241 SW 10th Street (SR 200)
Ocala, Florida 34474-0323



WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY

MEMORANDUM

To: Water Supply Authority Board of Directors and Interested Parties
From: Jackson E. Sullivan, Executive Director
Date: February 3, 2011

Subject: Monthly Meeting of the Withlacoochee Regional
Water Supply Authority

The next meeting of the Withlacoochee Regional Water Supply Authority will be on **Wednesday, February 16, 2011, 4:30 p.m.**, at the **Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 SW 10th Street (SR 200), Ocala, Florida 34474-0323**

Enclosed for your review are the following items:

- Agenda
- Minutes of the January 19, 2011 meeting
- Board Package*

* Copies of the Board Package are available through the Internet. Log on to 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 is a button for the current Board Package. Click on the Board Package to download and print the Board Package.

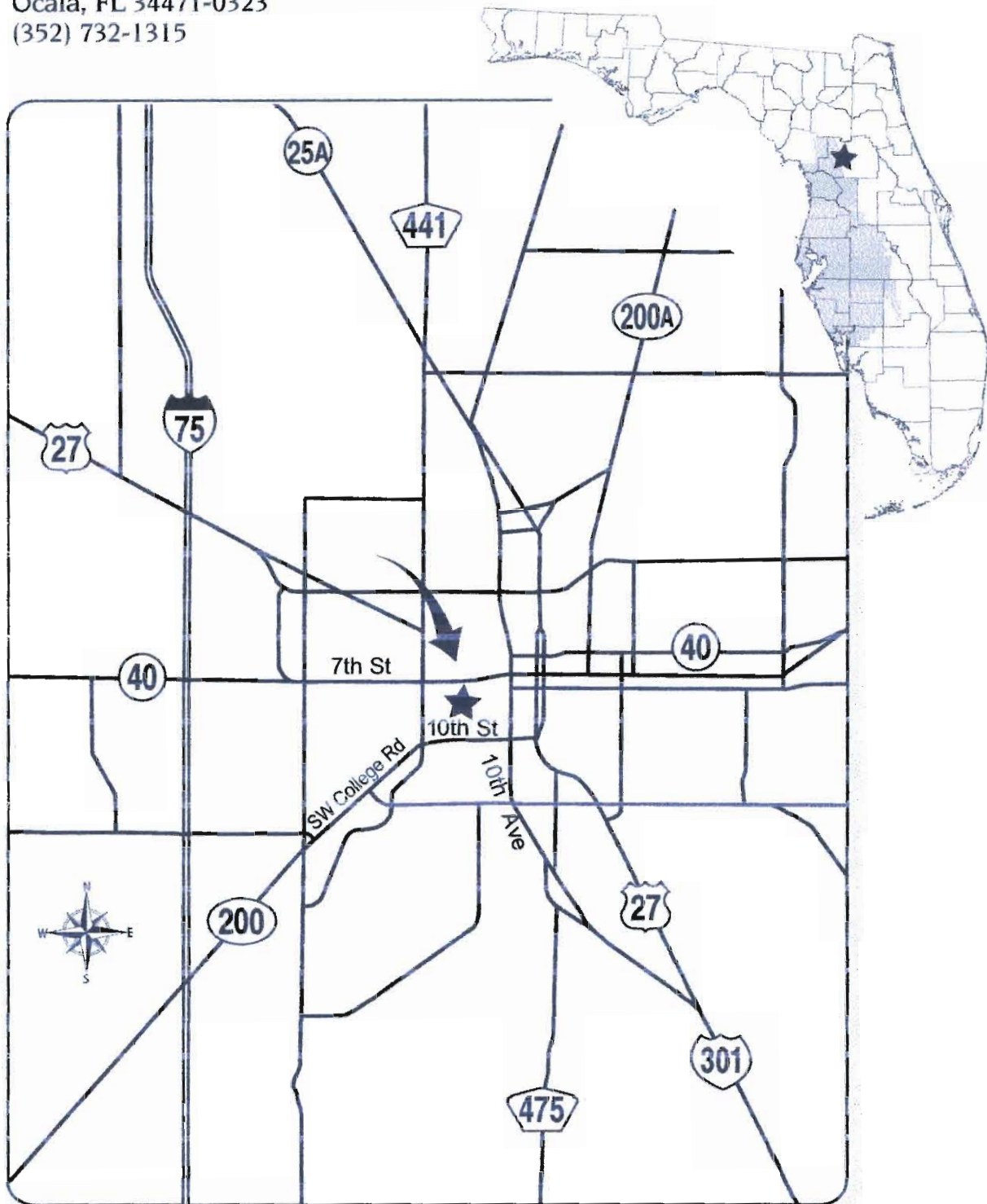
Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

Enclosures

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Withlacoochee Regional Planning Council
1241 S.W. 10th Street (SR 200)
Ocala, FL 34471-0323
(352) 732-1315



Note:

The Council's office is located approximately 2.6 miles east of Interstate 75 on State Road 200 and approximately .5 miles west of Pine Street, which is also US Highway 27, 301 & 401.

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

**WITHLACOOCHEE REGIONAL PLANNING COUNCIL
HEADQUARTERS CONFERENCE ROOM
1241 SW 10TH STREET (SR 200)
OCALA, FLORIDA 34474-0323**

**February 16, 2011
4:30 p.m.**

- Item #1 Call to Order**
 - Item #2 Roll Call**
 - Item #3 Introductions and Announcements**
 - Item #4 Approval of Minutes of January 19, 2011 Meeting**
 - Item #5 Orientation of New Board Members and Discussion of Role of Authority**
 - Item #6 Executive Director's Report ... Jack Sullivan, WRWSA**
 - a. Bills to be Paid**
 - b. 1st Quarter Financial Report**
 - c. Water Conservation Coalition Initiative**
 - d. Correspondence**
 - e. News Articles**
 - Item #7 Legislative Update ... Diane Salz, Legislative Consultant**
 - Item #8 Attorney's Report ... Larry Haag, WRWSA Attorney**
 - a. Contract with The Villages CDDs for Irrigation Audit Program**
 - b. Other**
 - Item #9 Other Business**
 - Item #10 Public Comment**
 - Item #11 Next Meeting Time and Location ... March 16, 2011, 4:30 p.m., SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899**
- Note: The Technical Review Committee will also meet at 1:00 p.m. on March 16 in the SWFWMD Governing Board meeting room to begin the development of the Regional Framework analysis.
- Item #12 Adjournment**

4. 1/1911 Minutes

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
January 19, 2011**

TIME: 4:30 p.m.
PLACE: Southwest Florida Water Management District (SWFWMD)
2379 Broad Street (SR 41)
Brooksville, Florida 34604

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

1. Call to Order

Chairman Richard Hoffman called the Withlacoochee Regional Water Supply Authority (WRWSA) meeting to order at 4:35 p.m. and asked for a roll call.

2. Roll Call

Mr. Jack Sullivan, Executive Director, called the roll and a quorum was declared present.

MEMBERS PRESENT

Richard Hoffman, Chairman, Sumter County Commissioner
Stan McClain, New Chairman, Marion County Commissioner
Dennis Damato, Vice-Chair, Citrus County Commissioner
John Druzbeck, Treasurer, Hernando County Commissioner
Rebecca Bays, Citrus County Commissioner
Mike Amsden, Marion County Commissioner
Gary Ernst, Belleview City Councilman
Maureen McNiff, Inverness City Councilwoman
Mary S. Rich, Ocala City Councilwoman
Dale Swain, Bushnell City Councilman
Winn Webb, Citrus County Commissioner

MEMBERS ABSENT

Jim Adkins, Hernando County Commissioner
Joe Bernardini, Brooksville City Councilman
Wayne Dukes, Hernando County Commissioner
Randy Mask, Sumter County Commissioner
John Priester, Ocala City Councilman
David Russell, Hernando County Commissioner
Carl Zalak, Marion County Commissioner

3. Introductions and Announcements

Mr. Sullivan introduced others in the audience.

OTHERS PRESENT

Jack Sullivan, WRWSA Executive Director
Larry Haag, WRWSA Attorney
Diane Salz, WRWSA Legislative Liaison
Peter Hubbell, Water Resource Associates
Alys Brockway, Hernando County Utilities

Kim Dinkins, Marion County
Dr. Burt Eno, Rainbow River Conservation Group
David Hornsby, SJRWMD
John Ferguson, SWFWMD
Cara Martin, SWFWMD
Joseph Quinn, SWFWMD
Miki Renner, SWFWMD
Brent White, SWFWMD
Jeff Halcomb, City of Ocala
Darryl Muse, City of Ocala
Robert Knight, Citrus County Utilities
Flip Mellinger, Marion County Utilities
Connie Mullis, Legislative Assistant Senator Evelyn Lynn
Ryan Tucker, Purvis Gray & Company
Mark White, Purvis Gray & Company
Tahla Paige, Recording Secretary

4. Approval of Minutes of November 17, 2010 Meeting

A copy of the minutes was provided in the board packet for review.

Following consideration, **a motion was made by Mr. Swain to approve the minutes for the November 17, 2010 meeting. The motion was seconded by Mr. McClain and carried unanimously.**

5. Election of Officers

Mr. Swain nominated Mr. McClain for Chairman, Mr. Damato for Vice Chairman, and Mr. Druzbiek for Treasurer. Mr. Amsden seconded the motion. Chairman Hoffman asked that each office be voted on individually and after the position of Chairman was elected he would turn the meeting over to the new Chairman.

Chairman Hoffman called for the vote for the Office of Chairman. **The motion was carried unanimously**, and Mr. Hoffman passed the gavel to the new Chairman McClain.

Chairman McClain presented a plaque to Mr. Hoffman in appreciation of his service as Chairman for the year 2010.

Chairman McClain called for a vote to approve Mr. Damato to the Office of Vice Chairman. **The motion was carried unanimously.**

Chairman McClain called for a vote to approve Mr. Druzbiek to the Office of Treasurer. **The motion was carried unanimously.**

6. 2009-10 Fiscal Year Audit

Mr. Mark White, Purvis Gray & Company, reviewed the Financial Report for Fiscal Year 2009-10. He stated the WRWSA's assets had decreased and a significant portion was caused by the depreciation of the plant equipment for the Charles A. Black Water Supply Facility. However, operating expenses were down. Mr. White reviewed the Statement of Revenues, Expenses and Changes in Net Assets.

Following consideration, a motion was made by Mr. Damato to approve the Annual Financial Report and Fiscal Year 2009-10 Financial Audit Report. The motion was seconded by Mr. Webb and carried unanimously.

7. Briefing on Work Programs for 2011

a. Inglis Hydropower Operation Plan

Mr. Peter Hubbell, Water Resource Associates, gave an overview of the Inglis Hydropower Plant Proposal and Operation Plan. It is estimated the Withlacoochee River flow would be over 500 cubic feet per second (cfs) over 90 percent of the time, which would equal 600 kilowatts (kW); there would be over 1,000 cfs over 50 percent of the time, equaling 1,200 kW; and the average output would be approximately 1,400 kW. Project concerns include:

- The setting of minimum flows for the lower Withlacoochee River and Lake Rousseau;
- Alteration of regulation schedule for the Lake Rousseau pool;
- Establishment of prior rights through a SWFWMD Water Use Permit allocation;
- Does it conflict with water supply plans of SWFWMD and the WRWSA?
- And, potential impact to the Authority's ability to develop Rousseau or other Withlacoochee River projects as alternative water supplies.

Mr. Hubbell presented language to clarify that future water supply projects on the Withlacoochee River and Lake Rousseau would take precedence over generation of hydroelectric power. The language was reviewed and approved by both Mr. Edwards, President of Inglis Hydropower and the SWFWMD staff. The language is as follows:

2.3.6 Operations in Consideration of Future Water Supply Development

The Withlacoochee River and Lake Rousseau have been identified by SWFWMD and the Withlacoochee Regional Water Supply Authority (WRWSA) as potential alternative water supplies for future development. The ultimate quantities required for potable water supply and their potential impact to lake stage and flows through the Lake Rousseau Bypass Structure are not known at this time. However, IH is aware of the of this possibility for water supply development and the resultant potential for lowered flows and the impact that reduced flows may have on electrical power production from the IH plant.

IH will not contest, challenge or petition the planning, design, permitting or development of water supply projects on either the Withlacoochee River or Lake Rousseau with respect to the potential impact to power generation from the IH plant.

Mr. Hubbell asked for approval of the following recommendations:

1. Concur with the WRWSA proposed language and request Inglis Hydropower add the language to their Operations Plan that will become part of the Federal Energy Regulation Commission (FERC) permit for hydropower certification.

2. Submit language to the FERC Secretary so it may be considered as part of the Environmental and Economic Assessment of the project.

Following consideration, **a motion was made by Mr. Damato to approve the recommendations. The motion was seconded by Mr. Druzick and carried unanimously.**

b. Chassahowitzka Minimum Flows and Levels (MFLs) Designation

Mr. Hubbell stated the WRWSA periodically reviews the MFLs to determine if they have been developed properly and if they affect the water supply projects of the WRWSA. He stated MFLs are required by Chapter 373.042 Florida Statutes. Mr. Hubbell reviewed criteria SWFWMD uses to establish level of significant harm and also necessitates the establishment of a regulatory approach to implement the MFLs. He added that the SWFWMD proposal determined a 15 percent of loss of habitat would be significant harm which equates to an 11 to 12 percent reduction of flow. Mr. Hubbell stated there are concerns the present environmental conditions were currently causing degradation, so why allow any reductions?

Mr. Webb asked if a drought condition would affect the setting of the MFL. Mr. Hubbell stated a drought would be considered a single event by the SWFWMD and the SWFWMD looked at averages. Mr. Webb also expressed concerns about salt water intrusion. Mr. Hubbell stated that SWFWMD explained the intrusion was caused by six inches increase of the sea level. Ms. Bays asked what impact private wells had on MFLs. Mr. Hubbell stated due to the current low growth there was minimal impact, but it was a concern for future development. Discussion continued.

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

c. Marion County Water Conservation/Reclaimed Water Work Program

d. Regional Framework Work Program

Mr. Hubbell stated he would combine items c. and d. He stated when the study began in 2005 there was a building boom with water demand projections skyrocketing and concerns about the availability of groundwater being unable to keep up with demand. Mr. Hubbell stated the perspective changed with the recession in 2010 which caused supply and demand to level off. He said the emphasis was now on prevention of impact through conservation and reuse. Mr. Hubbell stated the Master Plan focuses on data collection, water conservation/reclaimed water, and water supply project development.

Mr. Hubbell stated the conceptual Regional Framework Initiative was to identify the groundwater supply facilities that can provide a framework for an interconnected system; identify pipeline alignments, rights-of-way and land acquisition needed for the interconnected system; provide for agreements that the facilities will be dedicated to be part of the interconnected regional framework when required; monitor development, make adjustments and interconnect system over time; and introduce alternative water supplies into the system when needed.

Mr. Druzick asked how the funding would be obtained. Mr. Hubbell said the WRWSA was looking to the SWFWMD to help with funding.

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

e. Regional Irrigation Audit Work Program

Ms. Diane Salz, WRWSA Legislative Liaison, gave a presentation on Regional Irrigation Audit Work Program application for SWFWMD Cooperative Funding. She said the program will consist of three main elements:

- (1) Training and certification of irrigation auditors to ensure the qualified auditors are available to undertake the 250 audits envisioned in the program.
- (2) Field audits of residential irrigation systems and water conservation education through recommendations of the auditors and prepared conservation materials distributed to the homeowners.
- (3) Follow-up surveys to determine whether the recommendations by the auditors and water conservation measures have been implemented.

Ms. Salz stated the program service area would include Hernando and Citrus Counties, portions of Marion (west of I-75) and the portion of The Villages in Sumter County.

Mr. Sullivan stated that the Board had included funding for the project in its 2011 Fiscal Year budget. He stated that he had just received the contract for the program from the SWFWMD staff and included it in the handout board packet supplement. He indicated that both he and Mr. Haag had reviewed the contract and it meets all of the requirements set out for the program. Mr. Sullivan recommended approval of the contract.

Following consideration, **a motion was made by Ms. Rich to approve the contract. The motion was seconded by Mr. Webb and carried unanimously.**

Mr. Sullivan also recommended the WRWSA Board approve a budget amendment of \$5,000 to fund a training session for irrigation auditors in order to develop a wider group of auditors to compete for the auditing contracts.

Following consideration, **a motion was made by Ms. McNiff to approve the recommendation. The motion was seconded by Mr. Damato and carried unanimously.**

8. Executive Director's Report

a. Bills to be Paid

Mr. Sullivan provided a handout to the WRWSA detailing January 2011 bills, which totaled \$12,899.13. Mr. Sullivan requested the WRWSA approve the payment of those bills.

Following consideration, **a motion was made by Mr. Damato to approve payment of the January 2011 bills totaling \$12,899.13. The motion was seconded by Mr. Ernst and carried unanimously.**

b. Proposed Briefing for New Board Members

Mr. Sullivan informed the new board members that today's presentation on the Regional Work Program was for their benefit and a presentation on the history of the WRWSA would be given at the next meeting. He stated the WRWSA Webpage at www.wrwsa.org has been updated and was a great informational resource/tool for the new board members.

c. Correspondence

Mr. Sullivan reviewed the correspondence enclosed in the meeting handouts.

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

d. News Articles

Mr. Sullivan provided news articles on water supply issues relating to areas both regional and statewide.

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

9. Legislative Update

Ms. Salz stated a list of current issues before the Legislature was included in the packet and a list of various Committees and the Legislative members participating on them.

10. Attorney's Report

Mr. Haag stated he did not have any additional items to report to the WRWSA.

11. Other Business

None.

12. Public Comment

None

13. Next Meeting Time and Location

Next meeting is scheduled for February 16, 2011 at 4:30 p.m., Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 Southwest 10th Street (SR 200), Ocala, Florida 34474-0323.

14. Adjournment

Chairman McClain announced there was no further business or discussion to come before the Board and adjourned the meeting at 6:14 p.m.

Stan McClain, Chairman

Jackson E. Sullivan, Executive Director

5. Board Member Orientation



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

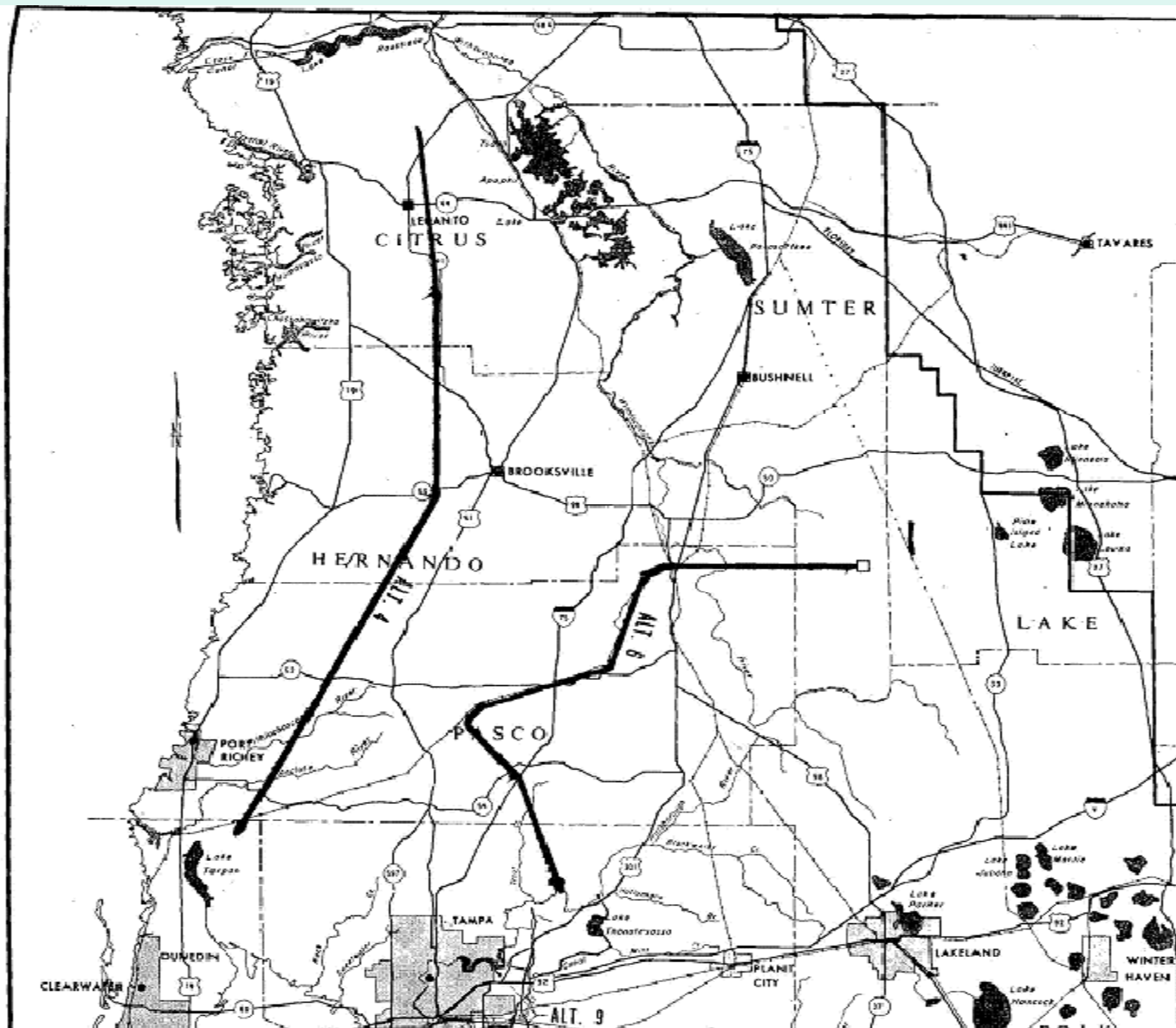
New Board Member Orientation

- History of Authority
- Funding
- Comparison of Water Organizations
 - Water Management Districts
 - Basin Boards
 - Regional Water Supply Authorities
- Current Master Planning Efforts
- Future Work Efforts

History of Authority

(1976-77)

- FORMATION IS A REACTION TO THE ISSUE OF "WATER TRANSFER"
- STUDIES OF CONCERN:
 - ◇ ACOE 4 RIVERS BASIN PLAN- WRMS
 - ◇ SWFWMD WATER USE PLAN
 - ◇ WCRWSA 40 YEAR MASTER PLAN



Formation

- 1976 - WRPC staff discovered water transfer proposal in 4 Rivers Basin Study (WRMS) and the WCRWSA 20 Year Master Plan.
- 1976-77 - Study Group examined methods to insert our Region's concerns into water transfer issue. Rep. McKay (Ocala) suggested creating own Regional Water Supply Authority.
- 1977 - Application for designation of WRWSA submitted and approved in November 1977

Formation (con't)

- Before consideration of transfers taking place, the WRWSA needed information on:
 - ◇ The state of our water resources
 - ◇ Our long-term water needs
- The Authority has continued to oppose water transfers from our region while it plans for the future water supply needs of the region
- Latest proposals for water transfer out of the region include the Ocklawaha River and the Withlacoochee River.

Organization

- Authority authorized by s.373.1962 F.S. in 1977
- Created by Designation Order #99 by FDER (now the FDEP)
- Actual organization is created by Interlocal Agreement among member governments

Organization (con't)

- Originally included Citrus, Hernando, Sumter, Marion and Levy Counties.
- All cities were added in 1984 - Large (over 25,000) and small (less than 25,000).
- Levy withdrew in 1982; Marion became inactive in 1991. Marion rejoined Board in 2008.
- Ocala joined - separate from Marion County - in 1994

Organization (con't)

- Counties pay all assessments for county and cities to avoid dual taxation issue
- City of Ocala is an exception. When Marion County withdrew, Ocala paid its own assessments to belong

Representation

- Proportional Representation
 - Counties = 1/50,000 or increment
 - Small cities = 1 rep/county based on caucus of cities of less than 25,000 pop.
 - Large cities of 25,000 or larger = 1/50,000 or increment (Ocala)
- Population based on latest published figures from U. of Fla. BEBR

Board Representation

- Citrus = 3 BoCC + 1 small city rep - Total - 4
- Hernando = 4 BoCC + 1 small city rep - Total - 5
- Marion = 3 BoCC + 2 Ocala + 1 small city rep - Total - 6
- Sumter = 2 BoCC + 1 small city rep - Total - 3
- Summary = 12 BoCC reps; 2 large city reps and 4 small city reps.
- 18 total board members

Funding

Sources

- Local Assessments
- Citrus Wellfield
 - Amortization of wellfield construction
 - Administrative contribution to Authority
- Cooperative Funding from SWFWMD

Local Assessments

- Assessments are provided for in Interlocal Agreement; currently 19¢ per capita
- Based on latest published BEBR population estimates
- Provide for administration of the Authority
- Current total is \$139,350/yr

Citrus Wellfield

- Citrus Water Supply Facility - aka Charles A. Black WSF
- Constructed in 1988-1992
- Facility built with grant of \$4.7 million from SWFWMD as seed money to the Authority
- Citrus to pay back cost of facilities over 35 years at “0” interest

CAB WSF (Con't)

- First 5 years (92-97) Authority reduced payments by 50% with 10% increase each year to help Citrus achieve customer base
- Since 1997 Citrus has paid \$163,587/year in amortization, and
- \pm \$55-60,000/year in Administrative costs

CAB WSF AGREEMENTS

- 1987 interlocal agreement with SWFWMD that monies would only be used for water supply projects in SWFWMD area - expired in 1999
- 1989 interlocal agreement with Citrus to allow County to operate and maintain the facility and establish an R&R fund for Authority
- Authority contracts with Engineering firm every 3 years to examine maintenance of facility and compliance with permits

Cooperative Funding

- SWFWMD has provided significant funding to all of its RWSA's in grants and cooperative funding
- SWFWMD is providing an office, staff support and use of Board room
- WRWSA has received grant funding for:
 - County and Regional Long-Range Water Supply Plans
 - Proposed water supply projects
 - Wellfield development
- WRWSA has cooperatively funded with SWFWMD:
 - Hydrogeologic drilling to fill data gaps in region
 - Development of a Master Water Supply Plan

Current Cooperative Projects

- Continuation of Master Water Supply Planning -- Phases II and VII - \$57,000 remaining of \$450,000 program
- North Sumter Data Collection Effort - This is a shared \$100,000 project with the Villages, the WRWSA and SWFWMD. The WRWSA share is \$33,333.
- Also received \$145,000 from Marion County to bring the County's water studies into regional water supply plan

Expenditures – 2010-11

- Total -- \$486,583
- General Administration - \$198,350 (41%)
- Regional Master Plan - \$125,000 (25%)
- North Sumter Data Collection - \$33,333 (7%)
- Local Gov't Water Conservation Grants - \$129,900 (27%)

Water Organizations Compared

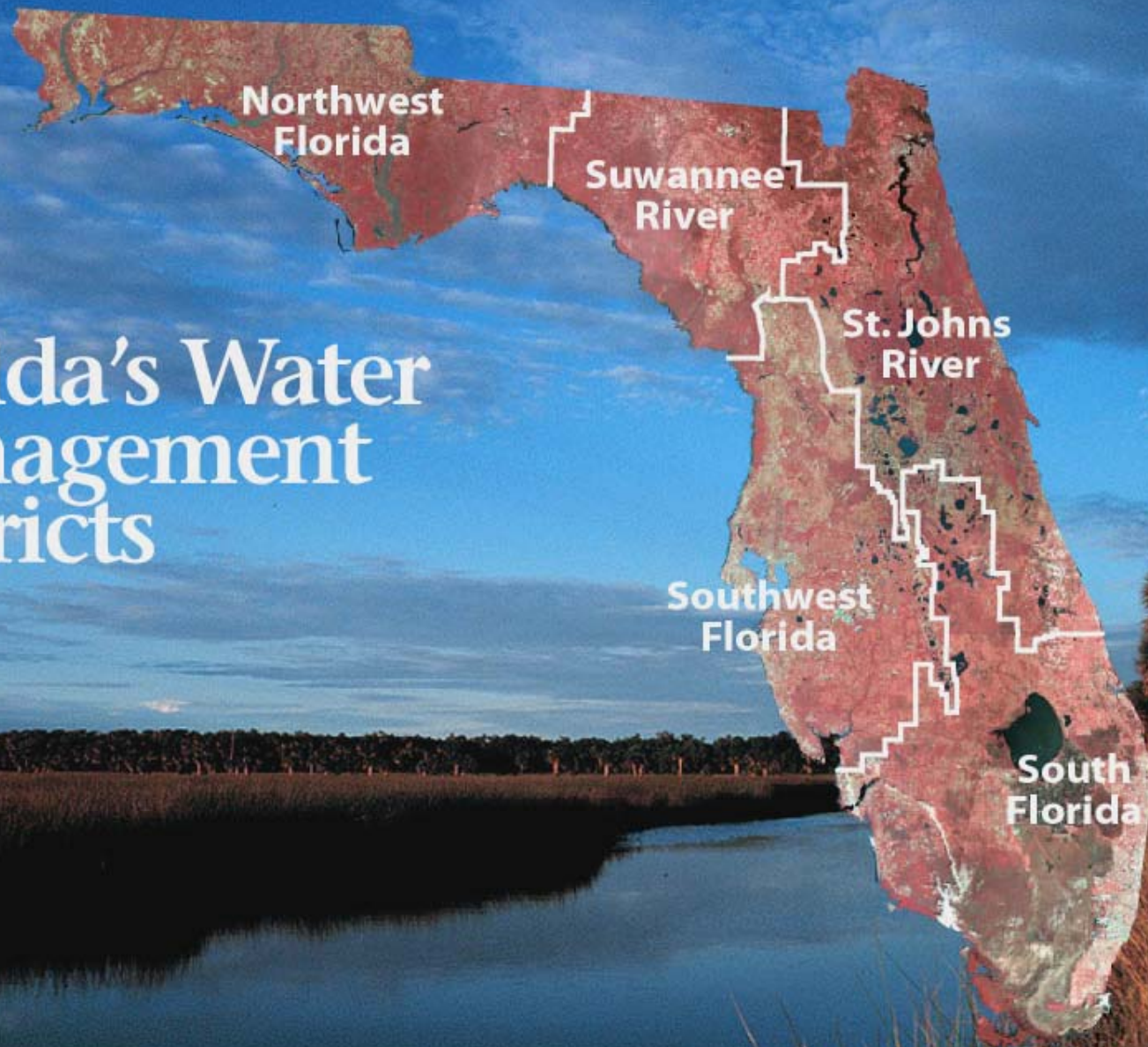
Water Management Districts

WMD Basin Boards

Regional Water Supply Authorities

Water Management Districts

Florida's Water Management Districts



Areas of Responsibility

Water Supply
Flood Protection
Water Quality
Natural Systems



Water Management District

- To Manage Water Supply
- Permit and regulate the use of water
 - Since they regulate utilities, they do not engage in the water utility business
- Utilize a wide variety of measures to accomplish management of water supply
 - develop and mentor regional water supply authorities to bring local governments to the table to work cooperatively to develop regional utility systems.

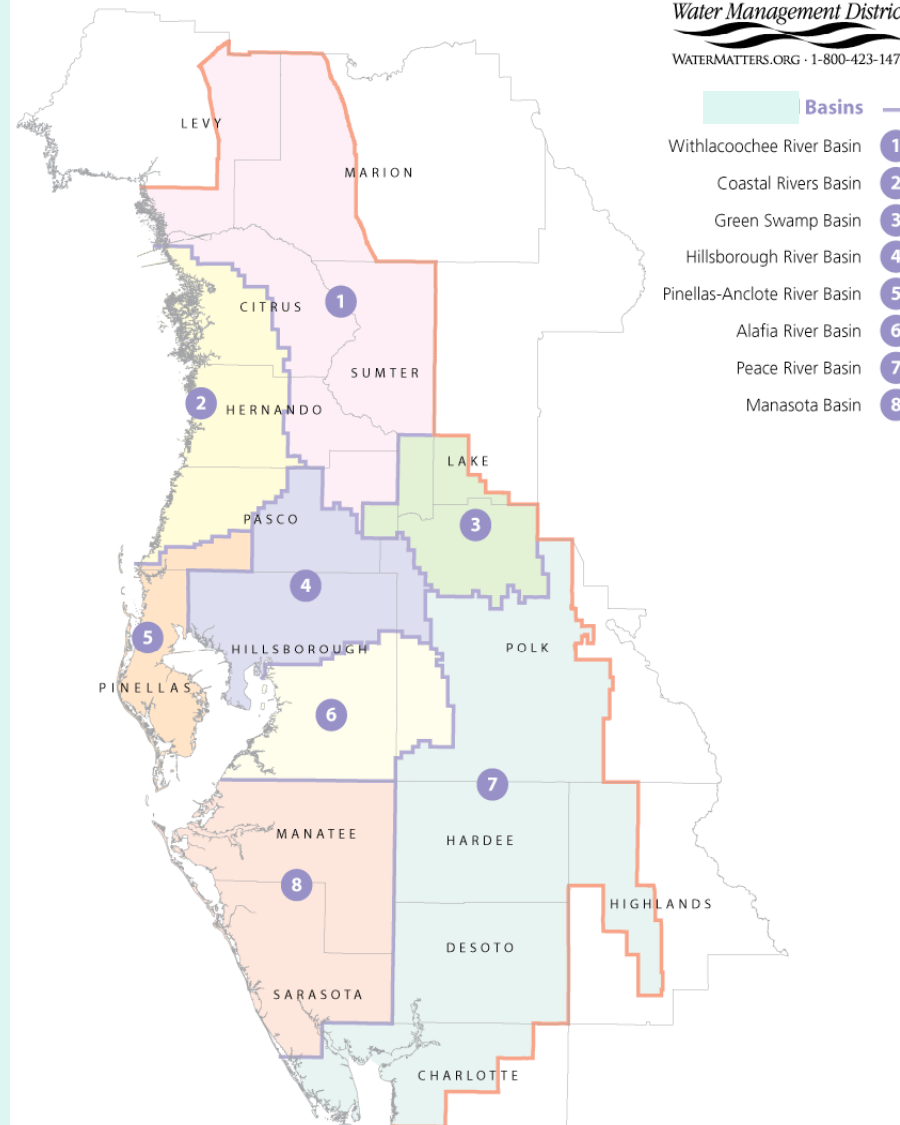
Basin Boards

Duties of the Basin Boards (SWFWMD)

- Each basin has its own ad valorem tax base for funding
- Design and maintain water control structures
- Provide technical, scientific and financial support for projects (Cooperative Funding program); and
- Assist local governments and water supply authorities with planning and development of water supply projects.

Southwest Florida
Water Management District

WATERMATTERS.ORG · 1-800-423-1476



Water Supply Authorities

Mission

- Plan for future water supplies for member governments
- Locate, develop, deliver wholesale water supply to member governments

373.1962 Powers

- Develop, recover, store and supply water for county and municipal purposes
- After approval of electors, can levy ad valorem taxes up to .5 mills
- Collect, treat, store waste water
- Not engage in local distribution
- Exercise eminent domain
- Issue revenue bonds
- Sue and be sued
- Borrow money & incur indebtedness

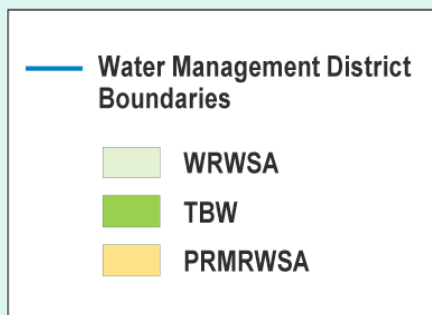
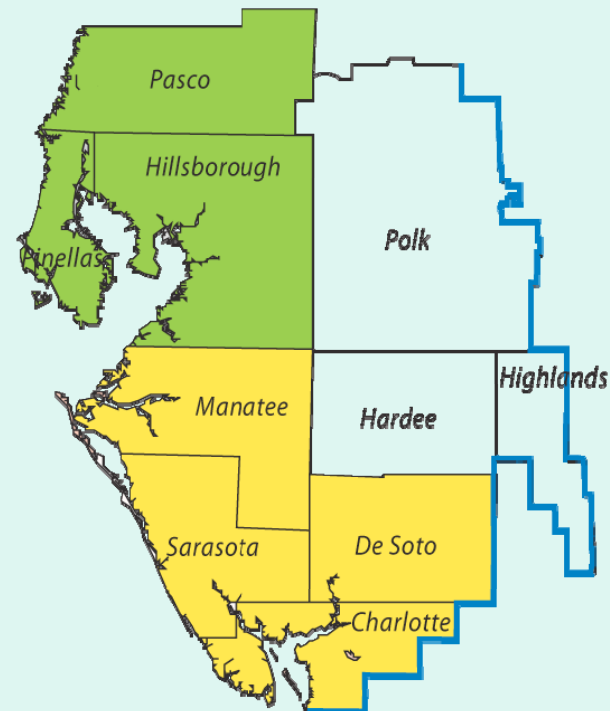
Other Functions

- Forum to discuss regional/state water issues
- Provide for long-range water supply planning
- Provide a presence and input to State legislative process
- Assist local governments in water supply issues

Southwest Florida Water Management District Water Supply Planning Regions and Water Supply Authorities



Central and Southern Region



Current Master Planning Efforts

2005

Master Water Supply Planning and
Implementation Program

Long-Term Master Water Supply Planning & Implementation Program

- Phase I – WRWSA 2005 Master Regional Water Supply Plan Update - *Identify Water Demands & Projects*
- Phase II – *Feasibility Analysis and Prioritization* of Proposed Water Supply Projects, Reclaimed Water Projects and Water Conservation Programs within the WRWSA
- Phase III – *Detailed Design* of Selected Water Supply, Reclaimed Water and Water Conservation Projects within the WRWSA

MWSPIP (con't)

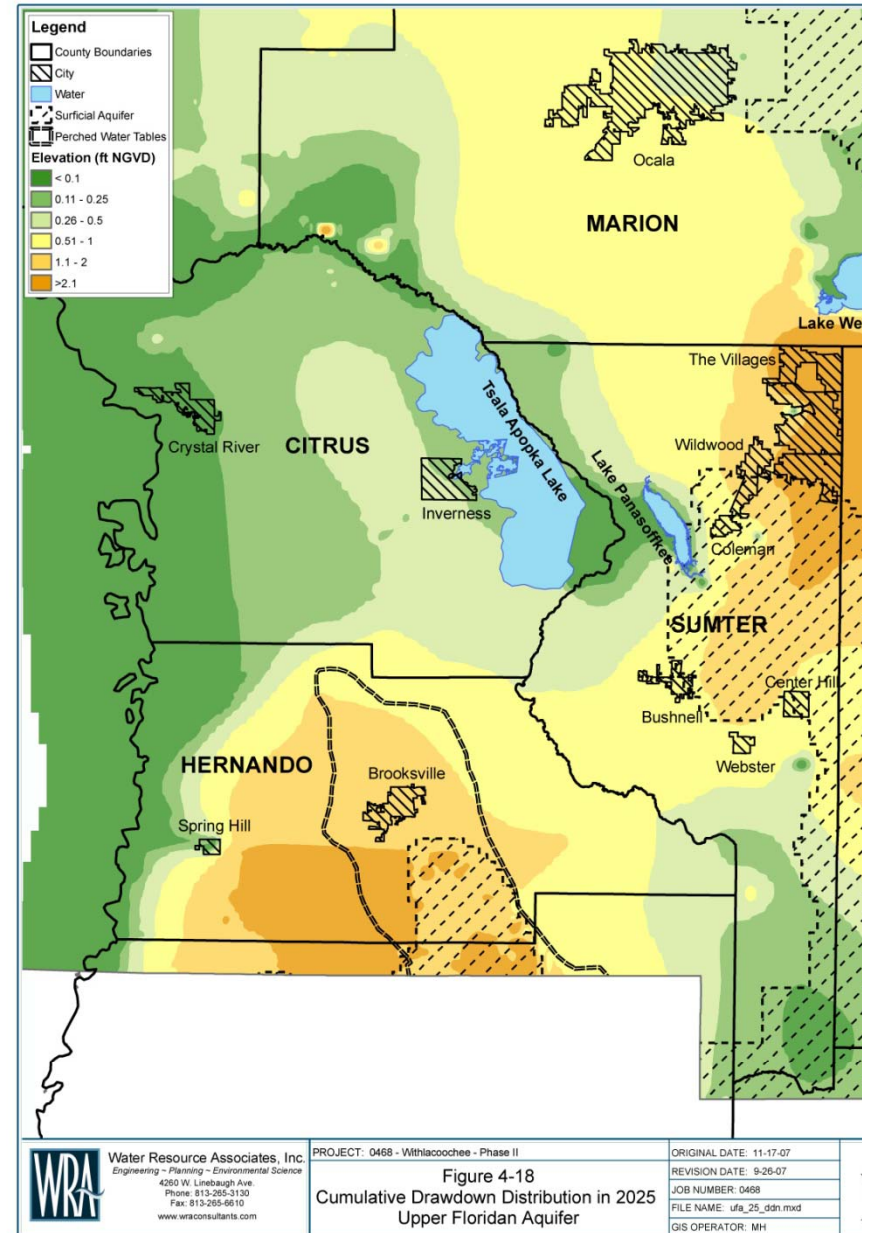
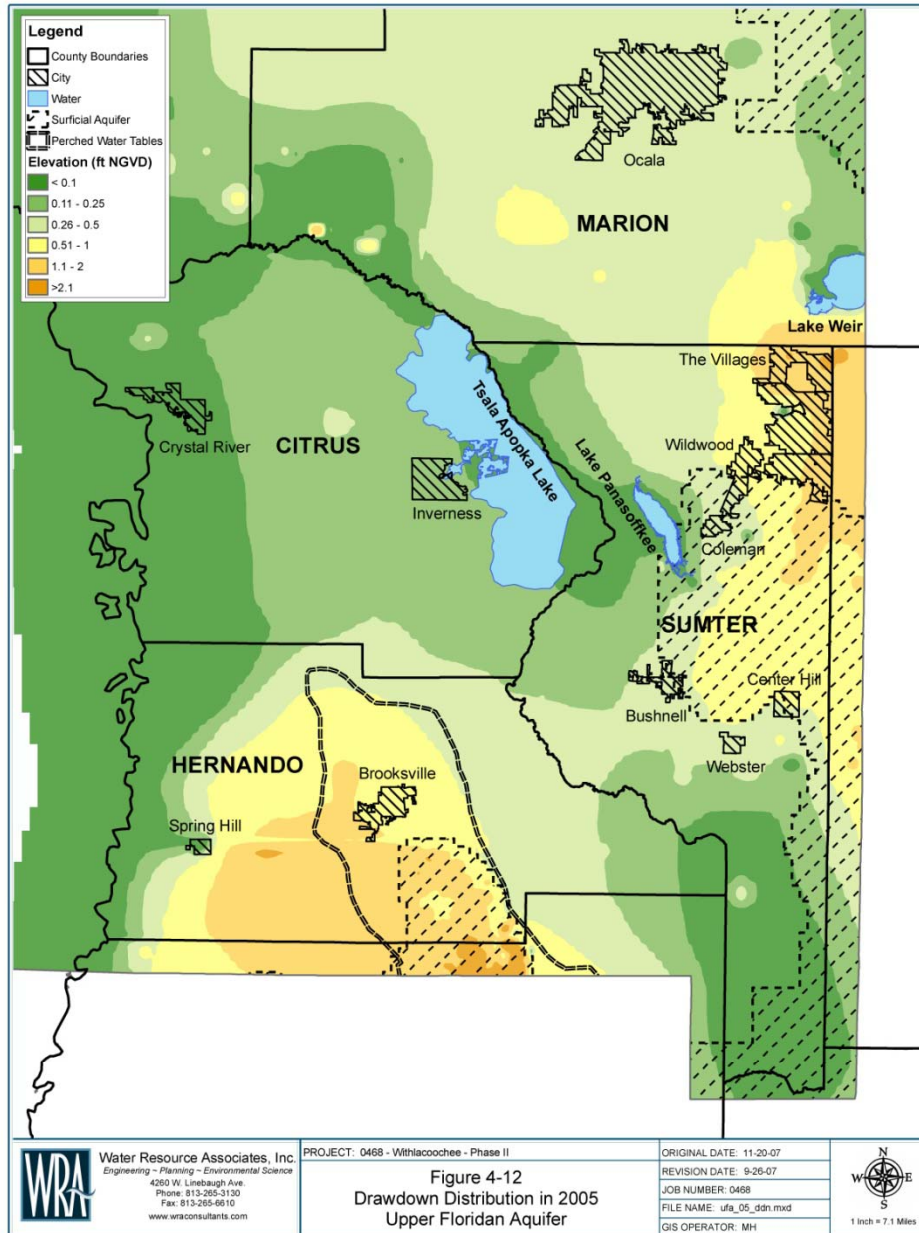
- Phases IV - V – *Construction and/or Implementation* of Recommended Projects
- Phase VI - *Update of WRWSA Regional Water Supply Plan* (Every 5 years)
- Phase VII - Northern District Modeling & Technical Support for Local Communities
 - *More detailed modeling and*
 - *Analyze impacts of MFLs on Water Supply Facilities.*

The MWSPIP - Where are we now?

- **Phase I - Prepared the 2005 Regional Water Supply Plan Update for Hernando, Citrus, Sumter Counties and City of Ocala- Completed Early 2007**
- **Phase II - Feasibility Analysis and Prioritization of Water Supply Projects – Completed in 2010**
- **Marion County rejoined Authority (9/8/08); revised Phases I and II to incorporate County into Master Plan – Completed in 2010**
- **Phase VII - Update Groundwater Modeling using Northern District Model – Completed Modeling in 2010; currently working on Regional Framework**

Problem Areas Identified

- South and West Hernando County
 - Impact of wellfields in Pasco County and west Hernando County growth
 - Groundwater withdrawals on the brink of exceeding MFLs set for Weekiwachee Springs and River
 - No additional significant amounts of GW available in west Hernando County
- Northeast Sumter County
 - Impact of Villages development
 - Impact from Lake County development
 - Future impact of DRIs in Wildwood
 - MFLs set on lakes are highly susceptible to additional GW withdrawals

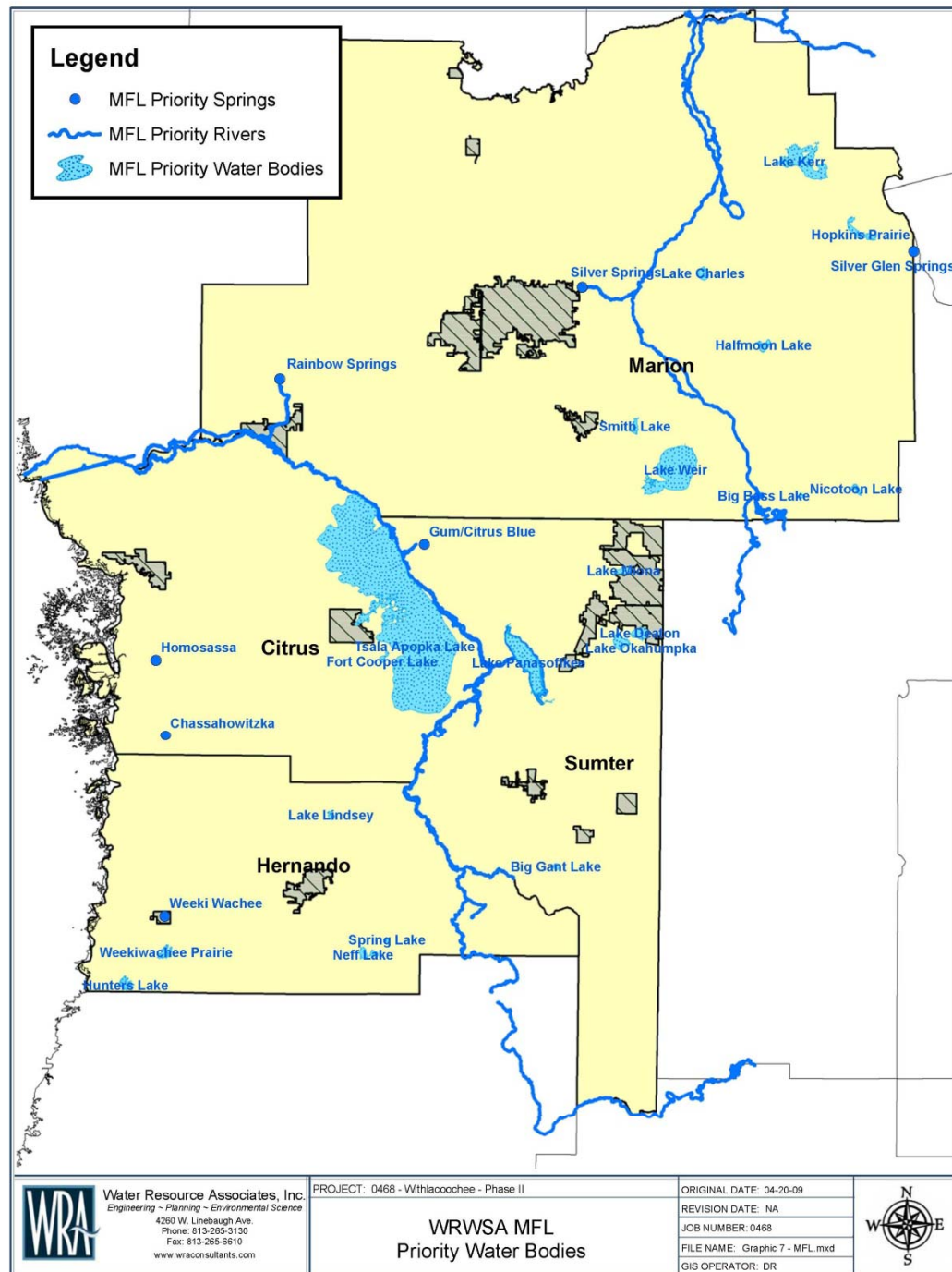


Problem Areas (Con't)

Impact of setting MFLs on future ground
and surface water supplies throughout
region

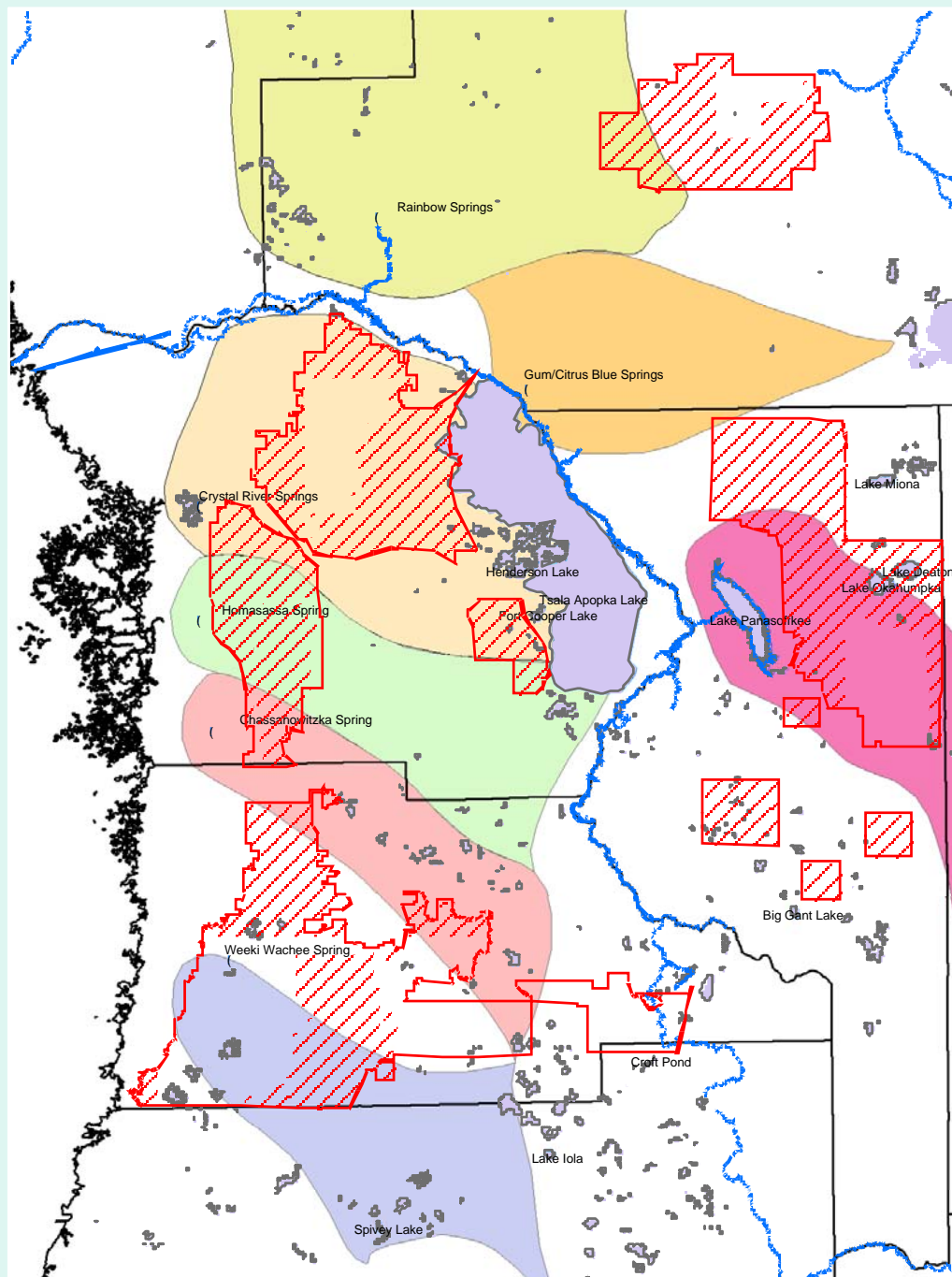
What is a Minimum Flow or Level?

- Section 373.042 Florida Statutes:
 - “The limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area.”



Significant Groundwater Challenge

- District(s) will set MFLs over the next few years
- Currently, almost all water supply is from groundwater
- How much will MFLs reduce available groundwater?
- Alternative groundwater scenarios may be needed or alternative water supplies may need to be developed sooner.

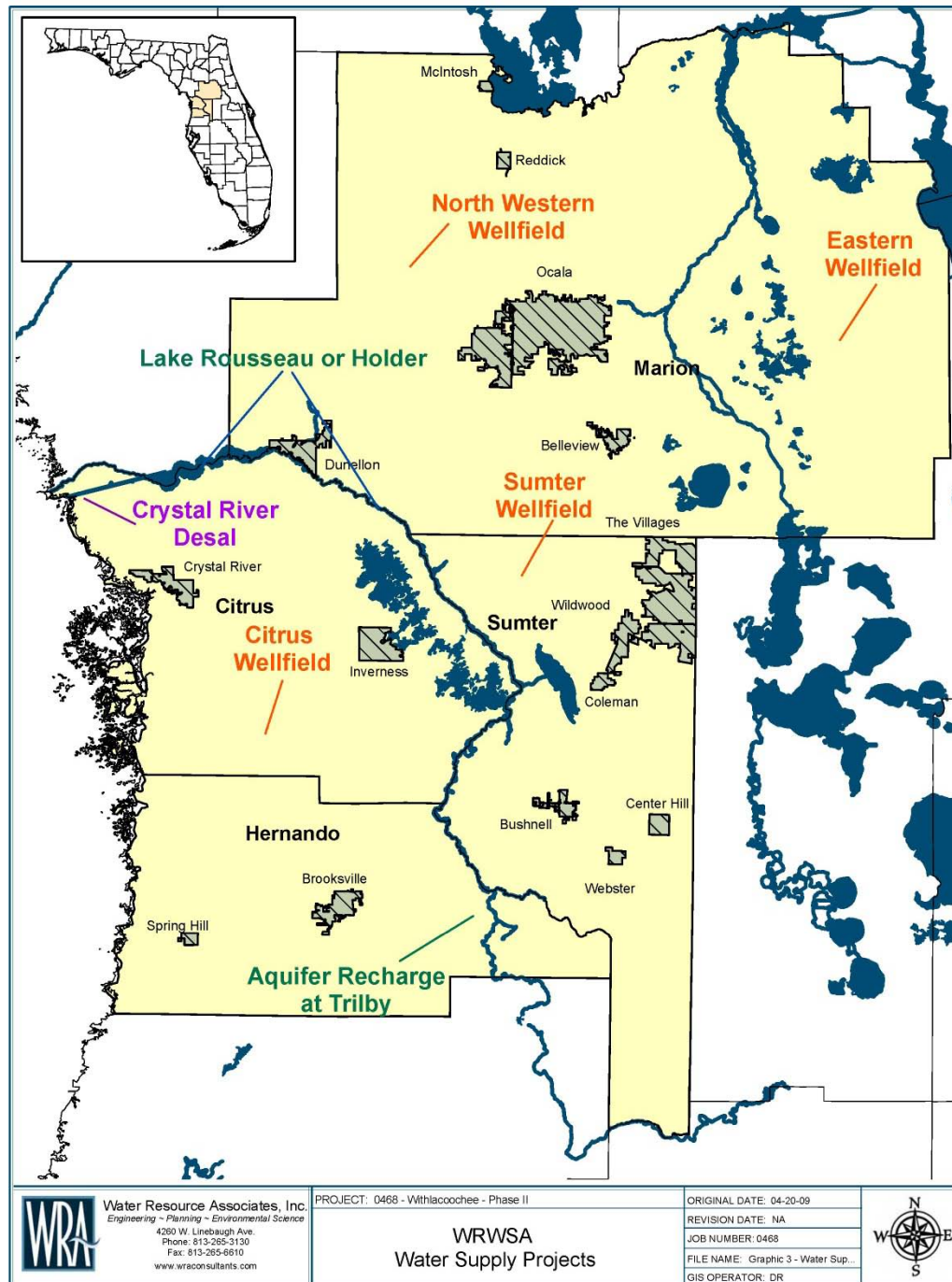


Identified Water Supply Projects

- **Conservation Projects**
 - These projects will extend the use of lower cost GW in the region
 - Authority Co-Funds Water Conservation Coordinators in each County
 - Regional Water Supply Plan Identifies Water Reuse/Reclaimed Water Projects in Every County
- **Regional Groundwater**
 - Southern Citrus Wellfield
 - Northern Sumter Wellfield
 - Eastern & Western Marion Wellfields

Identified Water Supply Projects

- **Surface Water - Withlacoochee River**
 - Lake Rousseau Impoundment
 - Holder
- **Surface Water – Ocklawaha River**
 - SJRWMD Project (not a WRWSA project)
- **Seawater Desalination**
 - Co-location at Crystal River Power Plant



Master Plan Recommendations

- The Plan's 30 recommendations are summarized under eight (8) major categories:
 - Population and Water Demand
 - Hydro-geologic Data Collection and Monitoring
 - Regional Groundwater Assessment
 - Water Conservation
 - Reclaimed Water
 - Water Supply Project Options
 - Water Supply Partnership Opportunities
 - Water Supply Regional Framework



Plan Recommendations

- For budgetary and staffing purposes, these categories have been further summarized as:
 - Data Collection
 - Water Conservation/Reclaimed Water
 - Water Supply Project Development



Data Collection Recommendations

- Population and Water Demand
- Hydro-geologic Data Collection and Monitoring
- Regional Groundwater Assessment

These recommendations deal with updating the Master Plan population and water use data and ensuring that comprehensive and consistent groundwater analyses are prepared and applied in the region.



Water Conservation/Reclaimed Water Recommendations

- Water Conservation
- Reclaimed Water

These recommendations deal with proposed initiatives to:

- *Survey and identify high water use utilities and use the SWFWMD water conservation model to identify appropriate conservation projects for each individual utility.*
- *Work with remaining WWTPs where “beneficial reuse” has not been implemented.*
- **Note: SWFWMD staff are pursuing these same programs as a “utility outreach” program. We will monitor and liaison with SWFWMD staff. WRWSA will target the SJRWMD portion of Marion County to implement these recommendations.**



Water Supply Project Development Recommendations

- Water Supply Project Options
- Water Supply Partnership Opportunities
- Development of the Regional Framework Concept

These recommendations deal with the Authority:

- *Working with local governments to implement the short, mid and long-term water projects identified in the Master Plan.*
- *Determining land requirements for water supply development and infrastructure in the future.*
- *Developing a conceptual plan for the WRWSA Regional Framework concept; develop alternatives for interconnections between partners; and, consider potential routes for pipelines and other utility infrastructure*



Future Work Efforts

- **Promotion of water conservation and reuse projects** within each County to extend use of groundwater
- Work with member governments to **develop regional groundwater sources** to make use of remaining available regional groundwater resources
- Continue to develop long-term plans for **future introduction of alternative water sources**

Promotion of Water Conservation and Reuse Projects

- Water Conservation Grants to Member Governments
 - \$130,000 per year in 50/50 matching program up to \$50K per grant
- Regional Irrigation Audits to Reduce Outdoor Water Use
 - 3-year, \$200,000 cooperative program with SWFWMD to conduct 250 audits;
 - provide water conservation educational information and material; install moisture sensors as needed;
 - evaluate the water savings after one full year
- Marion County Water Conservation/Reclaimed Water Project
 - Work with Marion County public and private utilities to identify high water users (30K gal+/month)
 - Evaluate each individual utility and provide list of conservation programs suited to that utility
 - Assist utilities in applying for matching funds to implement conservation program

Develop Regional Groundwater Sources

- Partnership with SWFWMD, The Villages and the Authority to fund hydro-geologic analysis in north Sumter County to fill in information gaps.
- Coordinate with The Villages and Wildwood in development of a wellfield in north Sumter County to supply future needs in the area.
- Coordinate with SJRWMD on behalf of Marion County to provide for additional groundwater in eastern Marion County.

Future Introduction of Alternative Water Sources

- **Current Work Program** - \$80,000 program
- **Facilitate a workshop** for TRC members and other utility/planning personnel to gather input on the development of a regional framework for an AWS system.
- **Develop a conceptual plan** for the regional framework that would show:
 - **Water demand numbers** considering water conservation and the 150 gpcpd cap
 - **Sequence and timing** of projects, demand areas and potential water supply partners
 - **Land requirements** for water supply development and infrastructure
 - **Conceptual options for interconnections** between partners
 - **Potential pipeline and other utility routes**
 - **Implementation plan** with scheduled phases



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

6.a. Bills to be Paid

**The Bills to be Paid for February will be
Provided to Board Members at the Board Meeting**

**6.b. Financial
Report**

ACCOUNTANTS' COMPILATION REPORT

To The Governing Board
Withlacoochee Regional Water Supply Authority
Ocala, Florida

We have compiled the accompanying financial statements of the business-type activities and major fund of Withlacoochee Regional Water Supply Authority, an Independent Special District, as of and for the three months ended December 31, 2010, which collectively comprise the District's basic financial statements. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or provide any assurance about whether the financial statements are in accordance with accounting principles generally accepted in the United States of America.

The management of the Withlacoochee Regional Water Supply Authority is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal controls relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist the management of the Withlacoochee Regional Water Supply Authority in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Management has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Entity's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

The budgetary comparison information is not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have compiled the supplementary information from information that is the representation of management, without audit or review. Accordingly, we do not express an opinion or provide any assurance on the supplementary information.

Purvis, Gray and Company

February 2, 2011
Tallahassee, Florida

Certified Public Accountants

443 East College Avenue • Tallahassee, Florida 32301 • (850) 224-7144 • FAX (850) 224-1762

MEMBERS OF AMERICAN AND FLORIDA INSTITUTES OF CERTIFIED PUBLIC ACCOUNTANTS
MEMBER OF AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS PRIVATE COMPANIES AND S.E.C. PRACTICE SECTIONS

Withlacoochee Regional Water Supply Authority

BALANCE SHEET

As of December 31, 2010

ASSETS

CURRENT ASSETS

Cash in Bank - SunTrust	\$ 717.70
Cash in Bank - LGIP	549,099.29
Cash in Bank - Fund B	6,973.61
Cash in Bank - LGIP/Citrus Revenue	969,202.84
Cash in Bank - Fund B/Citrus Revenue	17,840.45

Total Current Assets **1,543,833.89**

FIXED ASSETS

Equipment	1,559.85
Accum Deprec - Equipment	(1,559.85)
Citrus Co. Wellfield	4,895,231.21
Accum Deprec - Wellfield	<u>(2,937,141.81)</u>

Total FIXED ASSETS **1,958,089.40**

TOTAL ASSETS **3,501,923.29**

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

Accounts Payable - General	12,899.13
----------------------------	-----------

Total Current Liabilities **12,899.13**

NET ASSETS

Unrestricted	1,530,934.76
Investment in Capital Assets	<u>1,958,089.40</u>

Total Net Assets **3,489,024.16**

TOTAL LIABILITIES AND NET ASSETS **3,501,923.29**

See Accountants' Compilation Report

Withlacoochee Regional Water Supply Authority

STATEMENT OF REVENUES AND EXPENSES

For the Period Ended December 31, 2010

	<u>3 months ended</u> <u>December 31, 2010</u>	<u>%</u>
REVENUE		
Citrus Co. Assessments	\$ 6,773.93	7.28 %
Hernando Co. Assessments	7,839.78	8.43 %
Sumter Co. Assessments	4,527.99	4.87 %
City of Ocala Assessments	2,593.45	2.79 %
Marion County Assessment	13,102.45	14.09 %
Citrus Co Facilities Recovery	40,896.75	43.97 %
Citrus County Wflld Admin Recov	14,773.26	15.88 %
SWFWMD 07-08 Ph II & VII Fund	2,500.00	2.69 %
Total Revenue	<u>93,007.61</u>	<u>100.00 %</u>
OPERATING EXPENSES		
Consulting Executive Director	24,999.99	26.88 %
Advertising	105.40	0.11 %
Bank Charges	107.88	0.12 %
Registration/Dues	175.00	0.19 %
Legal - Monthly Meeting	1,000.00	1.08 %
Legal - Other Services	428.60	0.46 %
Office Supplies	328.43	0.35 %
Printing & Reproduction	6.80	0.01 %
Postage	277.19	0.30 %
Web Page/Internet Services	749.70	0.81 %
Telephone	797.06	0.86 %
Travel	2,289.92	2.46 %
Legislative Consultant	9,999.00	10.75 %
FY10 Citrus Water Conservation	29,684.31	31.92 %
FY11 WRA General Services	6,079.35	6.54 %
FY11 WRA Marion Conservation	1,451.98	1.56 %
Total Operating Expenses	<u>78,480.61</u>	<u>84.38 %</u>
Operating Income (Loss)	<u>14,527.00</u>	<u>15.62 %</u>
OTHER INCOME		
Unrealized Gain/Loss on SBA	0.00	0.00 %
Inteest Income - LGIP	149.53	0.16 %
Interest Income - LGIP/Citrus Rev	963.16	1.04 %
Total Other Income	<u>1,112.69</u>	<u>1.20 %</u>
Net Income (Loss)	<u>15,639.69</u>	<u>16.82 %</u>

See Accountant's Compilation Report

ACCOMPANYING SUPPLEMENTARY INFORMATION

Withlacoochee Regional Water Supply Authority
INCOME STATEMENT
BUDGET TO ACTUAL
For the Period Ended December 31, 2010

	<u>December 31, 2010</u>	<u>December 31, 2010</u>	<u>Variance</u>	<u>Annual Budget</u>	<u>Budget</u>
	<u>Actual</u>	<u>Budget</u>			<u>Remaining</u>
REVENUE					
Citrus Co. Assessments	\$ 6,773.93	\$ 6,773.93	\$ 0.00	\$ 27,095.72	\$ 20,321.79
Hernando Co. Assessments	7,839.78	7,839.78	0.00	31,359.12	23,519.34
Sumter Co. Assessments	4,527.99	4,527.99	0.00	18,111.96	13,583.97
City of Ocala Assessments	2,593.45	2,593.45	0.00	10,373.80	7,780.35
Marion County Assessment	13,102.45	13,102.45	0.00	52,409.80	39,307.35
Citrus Co Facilities Recovery	40,896.75	40,896.75	0.00	163,587.00	122,690.25
Citrus County Wifld Admin Recov	14,773.26	14,773.26	0.00	59,093.04	44,319.78
SWFWMD 07-08 Ph II & VII Fund	2,500.00	6,250.02	(3,750.02)	25,000.08	22,500.08
Total Revenue	93,007.61	96,757.63	(3,750.02)	387,030.52	294,022.91
OPERATING EXPENSES					
Consulting Executive Director	24,999.99	25,000.02	(0.03)	100,000.08	75,000.09
Advertising	105.40	249.99	(144.59)	499.98	394.58
Bank Charges	107.88	99.99	7.89	199.98	92.10
Registration/Dues	175.00	249.99	(74.99)	499.98	324.98
Legal - Monthly Meeting	1,000.00	1,500.00	(500.00)	3,000.00	2,000.00
Legal - Other Services	428.60	3,500.01	(3,071.41)	7,000.02	6,571.42
Office Supplies	328.43	375.00	(46.57)	750.00	421.57
Printing & Reproduction	6.80	249.99	(243.19)	499.98	493.18
Postage	277.19	375.00	(97.81)	750.00	472.81
Bookkeeping/Financial Asst.	0.00	450.00	(450.00)	900.00	900.00
Publications/Software	0.00	124.98	(124.98)	249.96	249.96
State Fees/Assessments	0.00	49.98	(49.98)	99.96	99.96
Web Page/Internet Services	749.70	675.00	74.70	1,350.00	600.30
Telephone	797.06	1,062.48	(265.42)	2,124.96	1,327.90
Travel	2,289.92	3,499.98	(1,210.06)	6,999.96	4,710.04
Legislative Consultant	9,999.00	10,000.02	(1.02)	20,000.04	10,001.04
06-07 RWSP Ph VII MFL Anal	0.00	19,999.98	(19,999.98)	39,999.96	39,999.96
08-09 North Sumter Data Coll.	0.00	8,333.25	(8,333.25)	16,666.50	16,666.50
FY10 Citrus Water Conservation	29,684.31	0.00	29,684.31	-	(29,684.31)
FY11 WRA General Services	6,079.35	6,250.02	(170.67)	12,500.04	6,420.69
FY11 WRA Marion Conservation	1,451.98	4,999.98	(3,548.00)	9,999.96	8,547.98
FY11 Citrus Wtr Conservation	0.00	11,250.00	(11,250.00)	22,500.00	22,500.00
FY11 Hernando Wtr Conservation	0.00	11,850.00	(11,850.00)	23,700.00	23,700.00
FY11 Marion Wtr Conservation	0.00	9,375.00	(9,375.00)	18,750.00	18,750.00
Total Operating Expenses	78,480.61	119,520.66	(41,040.05)	289,041.36	210,560.75
Operating Income (Loss)	14,527.00	(22,763.03)	37,290.03	97,989.16	83,462.16
OTHER INCOME					
Interest Income - LGIP	149.53	0.00	149.53	0.00	(149.53)
Interest Income - LGIP/Citrus Rev	963.16	0.00	963.16	0.00	(963.16)
Total Other Income	1,112.69	0.00	1,112.69	0.00	(1,112.69)
Net Income (Loss)	15,639.69	(22,763.03)	38,402.72	(61,165.75)	82,349.47

See Accountant's Compilation Report

6.c. Water Conservation Initiative

**MEMORANDUM**

February 2, 2011

To: Board of Directors, WRWSA
From: Jack Sullivan, Executive Director
Re: Water Conservation Coalition

The SWFWMD adopted rules in 2008 requiring that every utility in the northern part of the District, which includes all of our counties, must achieve 150 gallons per capita per day (gpcd) by 2018. In addition, using 2008 as the base year, each utility that exceeds 150 gpcd must be half way to the required 150 gpcd by 2014. In 2008, the average daily per capita consumption for all utilities was 187 gpcd. A significant number of utilities in the region are in the 200-300 gpcd range.

The Authority has committed money to Citrus, Hernando and Marion Counties for their water conservation programs to help reduce per capita consumption. In addition, the Authority will undertake this year a regional program of residential irrigation audits to reduce outdoor consumption of potable water. Finally, both the Authority and the Southwest Florida Water Management District is currently working on a utility outreach program to assist utilities in identifying and implementing water conservation programs specifically directed to the demographic characteristics of each utility.

However, there is still concern that the individual water supply utilities in the region may not be able to meet the 150 gpcd requirement by 2018. To help utilities in their efforts, I propose that the WRWSA begin a water conservation initiative that has been used successfully in both the Tampa Bay Water and the Peace River/Manasota Regional Water Supply Authorities. The objective of this initiative would be to bring together on a regular basis all the utilities that wish to participate in a region-wide effort to exchange ideas and information. In addition, as in Tampa Bay and Peace River/Manasota, the Authority would put together speakers and presentations that would be directed toward water conservation programs and coordinate with both the SWFWMD and the SJRWMD to present specific programs and services that they provide to assist utilities in reducing water consumption.

I would propose that the Authority organize and advertise an initial meeting of the public and private utilities in the region to be held in the spring (March/April). I would work with the SWFWMD and SJRWMD staff to put together an interesting program for the utilities. As part of the meeting, we would gauge the interest of the utilities in the concept and in the number of meetings they would want to attend each year. Based on feedback, I could then determine how to budget for the activity in the 2011-12 fiscal year.

This memorandum is directed to the Board to determine its interest and commitment to sponsoring and funding the administrative effort for this water conservation effort.

Withlacoochee Water Conservation Initiative

Goal:

The Withlacoochee Water Conservation Initiative (WWCI) is proposed as a program within the Withlacoochee Water Supply Authority (WRWSA). The WWCI will provide WRWSA members and private utilities within its boundaries a forum to promote, support and enhance water conservation programs within the region.

Objectives:

- To advocate on behalf of the WRWSA members with the WMDs with regard to water demand reduction and water conservation;
- To support local governments and private utilities within the WRWSA jurisdiction in achieving water conservation to meet and exceed per capita compliance standards enforced by the Southwest Florida Water Management District (SWFWMD) and contemplated by the St. Johns River Water Management District (SJRWMD);
- To provide assistance and promote water conservation projects for members and private utilities for funding from Federal, state, regional, local government and private sources;
- To assist these funding organizations in prioritizing requests from within the WRWSA to assure the largest conserving benefit for the dollars invested;
- To promote conservation techniques applicable to the WRWSA region;
- To provide a forum for speakers and technical experts to pass along information to members. Also an avenue for participants to share experiences;
- To assist WRWSA members decrease demand through water conservation to extend existing water supplies and potential groundwater sources; and
- To help implement the conservation goals and recommendations from the Phase II – Detailed Water Supply Feasibility Analyses

Proposed Framework:

- Membership: Generally recommend one representative per member government and private utility. Additional utility representatives could attend if meeting locations will accommodate them. Could include the utility director or conservation coordinator. Recommend a decision maker;
- Meetings: Organized and facilitated by the WRWSA with support of the WMDs;
- Governance: Informal with a consensus base structure;
- Kickoff: Organizational meeting this spring to determine interest. Possible quarterly meeting structure to follow; and
- Funding: Programmatic line item in the WRWSA budget.

6.d. Correspondence



January 29, 2011

Jon Wellinghoff, Chairman
Federal Energy Regulatory Commission
888 First St. NE
Washington, DC 20426

RE: Inglis Hydropower Project (P-12783-003)

Dear Chairman Wellinghoff:

The Withlacoochee Regional Water Supply Authority (WRWSA) represents an area of west-central Florida incorporating cities within and counties including Citrus, Hernando, Marion and Sumter. Our responsibilities include the planning, design and development of water projects to meet the public supply demand of our region. As traditional water supplies such as groundwater have become limited due to water resource and environmental issues, alternative water supplies including surface water are being reviewed and planned for future development.

As you may be aware, the Federal Energy Regulatory Commission (FERC) is currently reviewing the Inglis Hydropower (IH) project for certification. The project is a hydroelectric plant that utilizes water flow down the bypass canal of Lake Rousseau, which is fed by the Withlacoochee River, one of main rivers within this region of Florida.

A recently adopted water supply plan by the WRWSA and the Southwest Florida Water Management District (SWFWMD) identifies three (3) potential water supply projects for the Withlacoochee River, one including Lake Rousseau itself. The demand for this water is some years down the road; nonetheless its availability to supply the public health and safety needs of the region is vitally important. So the potential conflict between flows generating hydropower and water supply have been under review by the WRWSA once we became aware of the project and where it stood in the certification process.

Based on this, we have met with the SWFWMD and with Dean Edwards, President, IH, to discuss options to address this potential conflict. Resolution of this issue resulted in the proposed attached language that IH will add to the project's Operation Plan. As you can see, the language recognizes that the Withlacoochee River and Lake Rousseau have been identified as a potential water source and that water supply will take precedent over hydropower when and if the river is utilized for that purpose.

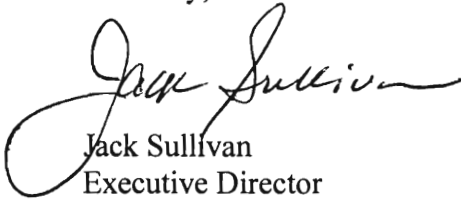
Both IH and the SWFWMD have concurred with the language and where it will appear. It is our understanding that the IH Operations Plan will become part of the FERC certification record and if the project is ever amended to readdress this proposed language that the WRWSA will have an opportunity to review the changes and if warranted contest them.

Page 2
Inglis Hydropower

We have been in contact with Mr. Mark Pawlowski, from your office of Energy Projects, and he suggested that we put this request and language in the public record by writing you. This would coincide with the review and deliberations that are ongoing with the environmental and economic assessments regarding the IH project.

If you have any questions or need additional information, don't hesitate to contact me.

Sincerely,



Jack Sullivan
Executive Director

Enclosure

cc: WRWSA Board Members
Larry Haag, WRWSA Attorney
Pete Hubbell, Water Resource Associates
David Moore, Executive Director, SWFWMD
Joe Quinn, SWFWMD

2.0 Operations Plan

2.1 Water flow Operations Plan

2.1.1 Normal Operation

2.1.2 Upstream Flooding Operations

2.1.3 Downstream Flooding Operations

2.3.4 Lake Drawdown Operations

2.3.5 Summary of Flow Release Guidelines

2.3.6 Operations in Consideration of Future Water Supply Development

The Withlacoochee River and Lake Rousseau have been identified by SWFWMD and the Withlacoochee Regional Water Supply Authority (WRWSA) as potential alternative water supplies for future development. The ultimate quantities required for potable water supply and their potential impact to lake stage and flows through the Lake Rousseau Bypass Structure are not known at this time. However, IH is aware of the of this possibility for water supply development and the resultant potential for lowered flows and the impact that reduced flows may have on electrical power production from the IH plant.

IH will not contest, challenge or petition the planning, design, permitting or development of water supply projects on either the Withlacoochee River or Lake Rousseau with respect to the potential impact to power generation from the IH plant.



January 27, 2011

Mr. Dean Edwards
Inglis Hydropower, LLC
5400 Downing Street
Dover, FL 33527

RE: Inglis Hydropower Proposed Language

Dear Mr. Edwards:

This letter is in regard to our ongoing discussions on the proposed Inglis Hydropower (IH) hydroelectric power project and the Withlacoochee Regional Water Supply Authority (WRWSA) water supply planning efforts for our four (4) county region. As you are aware, the WRWSA is responsible and has been actively involved in water supply planning and development for our region. A recently adopted water supply plan by the WRWSA and the Southwest Florida Water Management District (SWFWMD) identifies three (3) potential water supply projects for the Withlacoochee River. The demand for this water is some years down the road; nonetheless its availability to supply the public health and safety needs of the region is vitally important.

The WRWSA has developed proposed language (attached) that we believe will protect the right to potentially develop the resource in the future with respect to the IH project. In essence the language recognizes that a water supply project may be developed on the Withlacoochee River and that the ultimate quantities that may be required are not known at this time. However, it could impact the flows in the Lake Rousseau Bypass Structure that the IH project relies on to generate power. It goes on to say that IH will not contest the planning, design, permitting or development of such a project.

This language was endorsed by the SWFWMD (attached) and at their January meeting also approved by the WRWSA Board. At your suggestion, our consultants Water Resource Associates (WRA) contacted Mr. Mark Pawlowski of the Federal Energy Regulatory Commission (FERC) to discuss this language and the power certification process. Mr. Pawlowski did not have a problem with the language and suggested that it be included in the public record.

With regard to the above, we are formally requesting that IH amend the project Operations Plan to include the proposed language and submit the revised plan to FERC for its inclusion into the certification process. We have submitted the language to the Secretary of FERC for inclusion in the public record as recommended by Mr. Pawlowski.

Page 2
Inglis Hydropower

If you have any questions, please do not hesitate to contact me regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Sullivan". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jack Sullivan
Executive Director

Enclosure

cc: WRWSA Board Members
Larry Haag, WRWSA Attorney
Pete Hubbell, Water Resource Associates
David Moore, Executive Director, SWFWMD
Joe Quinn, SWFWMD

2.0 Operations Plan

2.1 Water flow Operations Plan

2.1.1 Normal Operation

2.1.2 Upstream Flooding Operations

2.1.3 Downstream Flooding Operations

2.3.4 Lake Drawdown Operations

2.3.5 Summary of Flow Release Guidelines

2.3.6 Operations in Consideration of Future Water Supply Development

The Withlacoochee River and Lake Rousseau have been identified by SWFWMD and the Withlacoochee Regional Water Supply Authority (WRWSA) as potential alternative water supplies for future development. The ultimate quantities required for potable water supply and their potential impact to lake stage and flows through the Lake Rousseau Bypass Structure are not known at this time. However, IH is aware of the of this possibility for water supply development and the resultant potential for lowered flows and the impact that reduced flows may have on electrical power production from the IH plant.

IH will not contest, challenge or petition the planning, design, permitting or development of water supply projects on either the Withlacoochee River or Lake Rousseau with respect to the potential impact to power generation from the IH plant.

6.e. News Articles

FOR IMMEDIATE RELEASE

Contact: Jack Sullivan

850.591.7422

WITHLACOOCHEE WATER AUTHORITY WELCOMES FIVE NEW BOARD MEMBERS

Slate of New Officers Elected and Past Chairman honored

BROOKSVILLE, FL, January 19, 2011 -- Withlacoochee Regional Water Supply Authority representing Citrus, Hernando, Marion and Sumter counties welcomed five new board members, including Citrus County Commissioner Rebecca Bays, Hernando County Commissioner Wayne Dukes, Marion County Commissioner Carl Zalack, City of Crystal River Councilwoman Maureen McNiff and City of Belleview Councilman Gary Ernst. A slate of 2011 Officers were elected: Marion County Commissioner Stan McClain elected Chairman, Citrus County Commissioner Dennis Damato elected Vice-Chairman, and Hernando County Commissioner John Druzbeck elected Treasurer. Sumter County Commissioner Richard Hoffman was honored for his service as past chairman of the board. For the benefit of new members, briefings were made on key components of the 2011 Work Program, including a new Regional Residential Irrigation Audit and Education Pilot Program funded in part by Southwest Florida Water Management District, the Coastal Rivers Basin Board and the Withlacoochee River Basin Board, matched by the Authority and participating members. Although statistics for the region indicate a much larger market for residential irrigation audits, the new pilot program will undertake 250 site-specific evaluations of inefficient landscaping practices and irrigation devices. Residential water users with monthly usage in excess of 30,000 gallons will be eligible to participate as early as June of this year, according to Mr. Jack Sullivan, Executive Director for the Authority. "There's a great deal of enthusiasm for the new water conservation pilot program which may serve as a model for other areas of the water management district and the state."

###

From: Diane Salz <disalz@yahoo.com>
Subject: **septic tank delay bill becomes law...**
Date: January 20, 2011 10:18:52 AM EST
To: Jack Sullivan <jesull@comcast.net>

Septic tank delay bill becomes law

NEWS HERALD STAFF REPORT

2011-01-19 22:39:23

PANAMA CITY — A bill that would delay controversial statewide septic tank inspections has become law, according to area lawmakers.

Senate Bill 2A was passed by the Legislature on Nov. 16 after residents of the Florida Panhandle protested the implementation of Senate Bill 550, which would have required mandatory septic tank inspections every five years.

The bill went to Gov. Rick Scott's desk this month. Scott indicated earlier that he favored the delay. The governor's office did not make an announcement about the septic tank delay, but state law allows the law to go into effect if the governor doesn't sign it within 15 days, which was Wednesday.

Rep. Brad Drake, R-Eucheeanna, released a statement late Wednesday saying that Scott called to tell him he was allowing the law to go into effect.

"Gov. Scott called me today to inform me that he would be allowing the legislation regarding the delay of implementation of septic tank regulations, passed during Special Session 2010A, to become law," Drake said in his statement. "I told him 'thank you,' and that the Legislature would be working on a permanent resolution to correct this over-burdensome regulation that I voted against when it passed the first time."

Also releasing statements Wednesday were Rep. Jimmy Patronis, R-Panama City, and Rep. Marti Coley, R-Marianna.

"By the showing of the tremendous bipartisan support of the six-month suspension of the inspections, a willingness to work together to form a non-burdensome process is almost certain," Patronis said.

Coley also applauded Scott for allowing SB 2A to become law.

"This bill allows the Legislature proper time to review these burdensome inspections that would hurt so many Florida families and businesses and change the language passed during the 2010 legislative session," Coley said.

She added, "This is the first step in protecting our property rights, and will be my top priority as we move into the 2011 session. I have already filed legislation to repeal this burdensome requirement altogether in the 2011 regular session. Government should be lifting financial burdens from homeowners, not placing more on them. I'm committed to making sure that some commonsense is put back into our environmental regulations."

The Florida Department of Health estimated that inspections would cost \$150 to \$200, according to a Senate bill analysis. Replacing failing septic systems could cost \$5,000 to \$7,000. DOH estimates that 10 percent of Florida's 2.6 million septic tanks are failing.

Former Gov. Charlie Crist signed Senate Bill 550 in June, which contained septic tank inspection requirements. But Senate Bill 2A was passed in November calling for a delay in the implementation of SB 550 from Jan. 1 to July 1. SB 2A was never sent to then-Gov. Crist's desk by the Legislature in fear he would veto the bill.

Proponents for repealing SB 550 reportedly delayed sending the SB 2A bill to the governor's desk until after Gov. Scott took office.

SB 550 had been supported by Sierra Club of Florida and the Florida Home Builders Association.

Earlier this month, Douglas Buck, governmental affairs director for the Florida Home Builders Association, said he was willing to work with the new administration in implementing new septic tank system requirements.

"We believe septic systems should be in proper working order," Buck said. "What we want to do is make sure the cost of putting in a septic system is cost effective."

From: Diane Salz <dialz@yahoo.com>
Subject: **Remarks form Gov. Scott on a host of topics...**
Date: January 20, 2011 10:15:55 AM EST
To: Jack Sullivan <jesull@comcast.net>

FYI.

----- Forwarded Message -----

From: Diane Salz <dialz@yahoo.com>
To: Diane Salz <dialz@yahoo.com>
Sent: Thu, January 20, 2011 10:12:57 AM
Subject: Remarks form Gov. Scott on a host of topics...

Scott was among several Cabinet officials and legislative leaders along with U.S. Sen. Bill Nelson, D-Fla., who spoke at the Associated Press Florida Legislative Planning Session in the Capitol. They answered questions on a wide range of topics.

Scott's transition team last month recommended merging the Florida Department of Community Affairs, the Department of Environmental Protection and the Department of Transportation into a single "Department of Growth Leadership."

"I don't have a proposal today to merge those agencies," Scott said Wednesday.

"We are going to look at -- we clearly need -- growth management," Scott said. "But we ought to do growth management in a way that is not just merely slowing things down and killing jobs."

In an [article](#) published Sunday in the Ocala Star-Banner, former DCA Secretary Tom Pelham said claims by Scott and industry officials that growth management is killing jobs "do a disservice to DCA and mislead the public." He resigned prior to Gov. Charlie Crist leaving office on Jan. 4.

On Wednesday, Scott also mentioned hearing complaints about the state during a business roundtable Tuesday in Destin.

"A lot of people complained about DCA," Scott said. "And some people complained about the Department of Environmental Protection."

Rep. Ron Saunders, D-Key West and the House Democratic leader, said Democrats will consider supporting merger proposals. But he said merging DEP, DCA and DOT doesn't make sense.

"If you're just trying to save money, that is one thing," Saunders said. "If you are trying to eliminate the function and it is a good function, we have a problem with that. Growth management is good -- smart growth management is good. Just saying 'no' [to growth] is bad."

Oil drilling also was raised on Wednesday as an issue with several speakers during the AP session. Following the Gulf oil spill in April, House Speaker Dean Cannon and Senate President Mike Haridopolos said the issue of allowing drilling in state waters won't come up while they are legislative leaders.

Cannon, R-Winter Park, on Wednesday reiterated that the issue won't be heard. He spearheaded a bill amendment late in the 2009 legislative session to allow drilling in state waters.

"That's off the table during my time," Cannon said.

But Scott, while recounting his meeting with former Gov. Bob Graham last week to discuss a federal commission's report on the oil spill, said the nation still must figure out how to safely drill offshore.

"We have to continue to look at offshore drilling," Scott said. "But again, we are not going to take a risk with our environment or our economy if drilling is not safe."


Saunders, the Democratic leader, said, "If they [Republicans] try to pass oil drilling again, we will fight them."

On the issue of water, Cannon has created the House Select Committee on Water Policy but said Wednesday he did not determine what issues the panel should take on. Rep. Trudi Williams, R-Fort Myers and committee chairman, said last week the panel may examine water management districts and the state's "local sources first" policy.

"I have a lot of confidence in Rep. Trudi Williams, who is chairing that committee," Cannon said. "I'm generally going to look to her for guidance."

Agriculture Commissioner Adam Putnam, however, said that reconsidering the "local sources first" policy as a prelude to potential piping of water downstate would cause a great deal of dissension, especially among North Floridians.

Putnam said that building water pipelines would "put us on the brink of a civil war."

(Story provided by the [Florida Tribune](#). Story copyrighted by Bruce Ritchie and [FloridaEnvironments.com](#). Do not copy or redistribute without permission, which can be obtained by contacting brucebritchie@gmail.com.) Posted by Bruce Ritchie at [1/19/2011 10:19:00 PM](#) 

From: Diane Salz <disalz@yahoo.com>
Subject: local sources first...
Date: January 20, 2011 2:13:17 PM EST
To: Jack Sullivan <jesull@comcast.net>

EDITORIAL: Simmering water issue

2011-01-19 17:33:55

The proposal by Bay County and the Northwest Florida Water Management District to drill 10 wells near the Washington County border as a backup water supply has encountered intense opposition from residents and landowners in that area who fear damage to their water resources.

Opponents contend Bay County and NFWMD have not been upfront about the plan and have filed suit to stop it. The acrimony is just starting.

One thing that could unite them, though, is any attempt to repeal the state's "local sources first" water policy.

The chairman of the Florida House's Select Committee on Water Policy recently said that her panel this year will review the policy, which should send a shiver down the Panhandle's collective spine.

"Local sources first," instituted in 1998, requires the Department of Environmental Protection and the state's five water management districts to evaluate local water supply plans with an emphasis on developing more expensive local water supplies rather than building pipelines.

It was set up to protect water-rich North Florida from water-starved South Florida.

Northerners feared that Southerners would build pipelines to transfer northern water southward. The situation is similar to, although not yet as severe as, the one involving Atlanta.

Massive growth in Georgia's largest metropolitan area over the last 30 years has created excessive demand for water, particularly from Lake Lanier and the Apalachicola-Chattahoochee-Flint river basin. The drawdown on those resources has had negative consequences for the ecosystems they support in neighboring Alabama and Florida. For two decades the three states have been locked in a battle over who should have access to that water.

Three-fourths of Florida's population lives in the southern part, a region that receives less than half of the state's rainfall. Like Atlanta, the demand for water is straining the supply. Lake Okeechobee's levels have been declining precipitously. The South Florida Water Management District projects that by the end of this month the lake could drop low enough to trigger tougher watering restrictions.

So when Rep. Trudi Williams, R-Fort Myers, chairman of the House water committee, says she wants to take a look at "local sources first," it's time to start paying attention. Everyone north of Interstate 4 should be concerned about South Florida hungrily eyeing their water.

It's not the first time the policy has been under assault. In 2003, the Florida Council of 100, a powerful business lobbying group, recommended creating a statewide water authority and allowing transfers of surface water from north to south — basically gutting "local sources first." Public response in the North was explosive. Then-Senate President Jim King, R-Jacksonville, said that "this is as close as North vs. South you're going to get since the Civil War."

The council backed down and the issue went dormant. But South Florida's water demands remain, and it appears "local sources first" might be back on the table.

Rep. Williams told the Florida Tribune that she doesn't think a review of the policy should touch off fears about water pipelines.

Nevertheless, we expect Reps. Jimmy Patronis and Marti Coley and Sen. Don Gaetz to keep a close eye on the situation and to fight to protect the Panhandle's water interests.

From: Diane Salz <disalz@yahoo.com>
Subject: **concerns raised on septic tank inspection program**
Date: November 5, 2010 11:47:17 AM EDT
To: Jack Sullivan <jesull@comcast.net>

Jack,
Senate President-Elect Mike Haridopolis and House Speaker Designate Dean Cannon have agreed to consider delaying the septic tank inspection requirements enacted in the omnibus water bill, SB 550, during a Special Session of the Florida Legislature planned for November 16th. The proposal will delay the implementation of the program until July, 2011 moving it back 6 months from the original January, 2011 date. This will give the Legislature the time to go back and examine the program in the upcoming Regular Session. The proposed action to be taken during the Special Session will need to be affirmed by Governor Crist. He has previously indicated that he supports the current program and does not support a delay.

The following are concerns expressed by stakeholders regarding the program:

- Inspections require a "cookie cutter" approach, with no regard to location, proximity to wetlands, type of soil, or previous performance; and no regard for county or regional protections or programs that might be in place;
- Program is unfunded; there are not enough inspectors to review the 2.5 million tanks – only 700 certified entities to inspect;
- Not enough inspectors available in all locations of the state to get this off to an appropriate start.
- State training program not approved yet; exams not ready; new inspectors have to pass exam; fees are unknown.
- Grants program for "financial hardships" will not be funded until 2012.

Please let me know if you have any questions.

Thanks,
Diane

7. Legislative Update

From: Diane Salz (disalz@yahoo.com)
To: jesull@comcast.net;
Date: Fri, January 28, 2011 10:15:11 AM
Cc:
Subject: 1/28 WRWSA Bill Tracking Report

----- Forwarded Message -----

From: Diane Salz <info@lobbytools.com>
To: disalz@yahoo.com
Sent: Fri, January 28, 2011 10:07:32 AM
Subject: 1/28 WRWSA Bill Tracking Report

2011 Bills (26)

Num	Title	Sponsor	
HB 0013	Relating to Onsite Sewage Treatment and Disposal Systems	Coley	01/10/11
(C: 0167) (S: 0082 0168) (I: 0130)	Onsite Sewage Treatment and Disposal Systems: Revises legislative intent; eliminates provisions directing DOH to create & administer statewide septic tank evaluation program; eliminates procedures & criteria for evaluation program; terminates grant program for repair of onsite sewage treatment disposal systems identified pursuant to evaluation program, to conform; eliminates provisions authorizing DOH to collect evaluation report fee & provisions relating to disposition of fee proceeds & revenue-neutral fee schedule. Effective Date: upon becoming a law 11/16/10 HOUSE Filed 01/10/11 HOUSE Referred to Agriculture & Natural Resources Appropriations Subcommittee; Health Care Appropriations Subcommittee; State Affairs Committee 01/10/11 HOUSE Now in Agriculture & Natural Resources Appropriations Subcommittee		
SB 0078	Relating to Environmental Surcharge On Bottled Water	Lynn	11/29/10
(I: 0453)	Environmental Surcharge On Bottled Water; Establishes a surcharge on bottled water sold at retail in this state. Provides an exception. Requires that moneys collected from the surcharge be deposited into the Ecosystem Management and Restoration Trust Fund. EFFECTIVE DATE: October 1, 2011 11/23/10 SENATE Filed 11/29/10 SENATE Referred to Environmental Preservation and Conservation; Commerce and Tourism; Budget		
SB 0082	Relating to Onsite Sewage Treatment and Disposal Systems	Lynn	11/29/10
(C: 0167) (S: 0013 0130 0168)	Onsite Sewage Treatment and Disposal Systems; Eliminates provisions directing the Department of Health to create and administer a statewide septic tank evaluation program. Eliminates procedures and criteria for the evaluation program. Eliminates provisions authorizing the department to collect an evaluation report fee. Eliminates provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule, etc. EFFECTIVE DATE: upon becoming a law 11/23/10 SENATE Filed 11/29/10 SENATE Referred to Health Regulation; Environmental Preservation and Conservation; Budget		
HB 0089	Relating to Effective Public Notices by Governmental Entities	Workman	01/10/11
	Effective Public Notices by Governmental Entities: Authorizes local government to use its publicly accessible website for legally required notices & advertisements; defines "publicly accessible website"; provides conditions for utilization of publicly accessible website for such purposes; provides for optional receipt of legally required public notices & advertisements via first class mail or e-mail; provides requirements for legally required advertisements & public notices published on publicly accessible website; provides that specified notice, advertisement, or publication on publicly accessible website constitutes legal notice; provides that advertisements directed by law or order or decree of court to be made in county in which no newspaper is published may be made by publication on publicly accessible website; provides clarifying & conforming language. Effective Date: October 1, 2011 12/17/10 HOUSE Filed 01/10/11 HOUSE Referred to Government Operations Subcommittee; Economic Affairs Committee; State Affairs Committee 01/10/11 HOUSE Now in Government Operations Subcommittee		
HB 0107	Relating to Local Government Accountability	Smith (J)	01/10/11

(I: 0224)	<p>Local Government Accountability: Revises provisions relating to procedures for declaring special districts inactive; specifies level of detail required for local governmental entity's proposed budget; revises provisions for local governmental entity's audit & annual financial reports; requires local governmental entity's budget to be posted online; revises budgetary guidelines for district school boards. Effective Date: October 1, 2011</p> <p>12/30/10 HOUSE Filed</p> <p>01/10/11 HOUSE Referred to Community & Military Affairs Subcommittee; Government Operations Subcommittee; Appropriations Committee; Economic Affairs Committee</p> <p>01/10/11 HOUSE Now in Community & Military Affairs Subcommittee</p>	Dean	11/29/10
(C: 0167) (S: 0082 0168) (I: 0013)	<p>Relating to Onsite Sewage Treatment and Disposal Systems</p> <p>Onsite Sewage Treatment and Disposal Systems; Eliminates provisions directing the Department of Health to create and administer a statewide septic tank evaluation program. Eliminates procedures and criteria for the evaluation program. Repeals a provision to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform, etc. EFFECTIVE DATE: upon becoming a law</p> <p>11/23/10 SENATE Filed</p> <p>11/29/10 SENATE Referred to Health Regulation; Environmental Preservation and Conservation; Budget</p>	Dean	11/29/10
HB 0135 (I: 0276)	<p>Relating to Procurement of Architectural, Engineering, and other Professional Services by a Governmental Agency or School Board</p> <p>Procurement of Architectural, Engineering, and other Professional Services by a Governmental Agency or School Board: Allows compensation to be a considering factor during the competitive selection process for architectural, engineering, & other professional services by a governmental agency or school board; authorizes the agency or board to reopen negotiations with a selected firm following termination of negotiations with other firms. Effective Date: July 1, 2011</p> <p>01/06/11 HOUSE Filed</p> <p>01/25/11 HOUSE Referred to Government Operations Subcommittee; State Affairs Committee</p> <p>01/25/11 HOUSE Now in Government Operations Subcommittee</p>	Costello	01/25/11
HB 0167 (C: 0013 0082 0130 0168)	<p>Relating to Onsite Sewage Treatment and Disposal Systems</p> <p>Onsite Sewage Treatment and Disposal Systems: Revises date by which DOH must create & administer onsite sewage treatment & disposal system evaluation program; revises date by which Surgeon General must determine revenue neutral fee schedule for specified onsite sewage treatment & disposal system services. Effective Date: upon becoming a law</p> <p>01/11/11 HOUSE Filed</p> <p>01/12/11 HOUSE Withdrawn prior to introduction</p>	Coley	01/12/11
HB 0223	<p>Relating to Water and Wastewater Utilities</p> <p>Water and Wastewater Utilities: Provides for recovery through surcharge of costs for water & wastewater system improvement projects; requires PSC approval of surcharge; limits surcharge amount; provides requirements for surcharge billing, reconciliation, & adjustment; provides project eligibility criteria; provides requirements for notice, maintenance, & availability of certain records. Effective Date: July 1, 2011</p> <p>01/18/11 HOUSE Filed</p>	Hudson	01/18/11
SB 0224 (I: 0107)	<p>Relating to Local Government Accountability</p> <p>Local Government Accountability; Amends provisions relating to the Legislative Auditing Committee to clarify when the Department of Community Affairs may institute procedures for declaring that a special district is inactive. Specifies the level of detail required for each fund in the sheriff's proposed budget. Revises the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services. Revises provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund, etc. EFFECTIVE DATE: October 1, 2011</p> <p>12/07/10 SENATE Filed</p> <p>01/05/11 SENATE Referred to Community Affairs; Governmental Oversight and Accountability; Budget</p> <p>01/14/11 SENATE On Committee agenda - Community Affairs, 01/25/11, 8:30 am, 412 K</p> <p>01/25/11 SENATE Favorable by Community Affairs; 7 Yeas, 0 Nays</p> <p>01/25/11 SENATE Now in Governmental Oversight and Accountability</p>	Dean	01/25/11
HB 0239	<p>Relating to Numeric Nutrient Water Quality Criteria</p> <p>Numeric Nutrient Water Quality Criteria; Prohibits implementation of certain federal numeric nutrient water quality criteria rules by DEP, water management districts, & local governmental entities; authorizes DEP to adopt numeric nutrient water quality criteria for surface waters; provides that certain total maximum daily loads & associated numeric interpretations constitute site specific numeric nutrient water quality criteria; provides for effect, governance, & challenge of such criteria. EFFECTIVE DATE: July 1, 2011</p> <p>01/18/11 HOUSE Filed</p>	Williams (T)	01/18/11
SB 0252	<p>Relating to Florida Infrastructure Fund Partnership</p> <p>Florida Infrastructure Fund Partnership; Provides legislative intent to increase the availability of later stage venture equity capital and infrastructure funding. Creates the Florida Infrastructure Fund Partnership. Specifies the purpose and duties of the partnership, which is to facilitate investment in the state's infrastructure. Creates the Florida Infrastructure Investment Trust. Authorizes the trust to issue certificates to investors, which are redeemable as tax credits, etc. EFFECTIVE DATE: July 1, 2011</p>	Ring	01/12/11

12/15/10 SENATE Filed

01/05/11 SENATE Referred to Commerce and Tourism; Governmental Oversight and Accountability; Budget

01/12/11 SENATE Withdrawn from Commerce and Tourism; Governmental Oversight and Accountability; Budget

01/12/11 SENATE Withdrawn prior to introduction

SB 0264	Relating to Economic Development	Ring	12/15/10
(C: 0397)	Economic Development; Provides legislative purpose to promote the commercialization of certain technologies by startup and early stage companies in this state. Provides for the allocation of financial assistance pursuant to the Micro-Targeted Technology Commercialization Tax Credit Transfer Program as income in this state. Creates the Micro-Targeted Technology Commercialization Tax Credit Transfer Program. Requires that the Institute for the Commercialization of Public Research identify examples of micro-targeted technology and compile a list of the technology for OTTED, etc. APPROPRIATION: \$8,000,000 EFFECTIVE DATE: upon becoming a law 12/15/10 SENATE Filed 12/15/10 SENATE Withdrawn from further consideration		
SB 0276	Relating to Procurement of Professional Services	Bennett	01/27/11
(I: 0135)	Procurement of Professional Services; Allows compensation to be a considering factor during the competitive selection process for architectural, engineering, and other professional services. Authorizes the governmental agency or school board to reopen negotiations with a selected firm following termination of negotiations with other firms. EFFECTIVE DATE: July 1, 2011 12/16/10 SENATE Filed 01/05/11 SENATE Referred to Governmental Oversight and Accountability; Education Pre-K - 12; Budget 01/27/11 SENATE On Committee agenda - Governmental Oversight and Accountability, 02/08/11, 11:15 am, 110 S		
HB 0285	Relating to Public Meetings	Eisnaugle	01/20/11
(I: 0310)	Public Meetings; Provides right for members of public to be heard at meetings of certain governmental boards & commissions; prescribes conditions qualifying, & exceptions to, such right; provides for adoption of rules governing conduct of, & behavior at, such meetings. Effective Date: July 1, 2011 01/20/11 HOUSE Filed		
HB 0287	Relating to Economic Development	Eisnaugle	01/20/11
(S: 0506)	Economic Development: Revises definitions of new business & expansion of existing business; authorizes board of county commissioners of charter county to call & hold referendum to determine whether to grant economic development ad valorem tax exemptions; revises language of ballot questions relating to authority to grant economic development tax exemptions; provides for application of provision limiting calling of another referendum within certain time period; specifies additional information that must be included in written application requesting adoption of ordinance granting economic development ad valorem tax exemption; specifies factors for board of county commissioners or governing authority of municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; provides legislative intent; limits allowable duration of economic development tax exemption granted by county or municipal ordinance; authorizes written tax exemption agreements consistent with act upon approval of tax exemption application; specifies that written tax agreement must require applicant to report certain information at specific time before expiration of exemption; authorizes board of county commissioners or governing authority of municipality to revoke, in whole or in part, exemption under certain circumstances. Effective Date: July 1, 2011 01/20/11 HOUSE Filed		
SB 0288	Relating to Design Professionals	Negron	01/05/11
	Design Professionals; Provides for limited liability for engineers, surveyors and mappers, architects, interior designers, and registered landscape architects as a result of construction defects resulting from the performance of a contract. Provides that, if a contract requires professional liability insurance, the contract may not limit the liability of the design professional in a manner that is inconsistent with the insurance requirements, etc. EFFECTIVE DATE: July 1, 2011 12/17/10 SENATE Filed 01/05/11 SENATE Referred to Regulated Industries; Judiciary; Budget		
SB 0310	Relating to Public Meetings	Negron	01/05/11
(I: 0285)	Public Meetings; Provides a right for members of the public to be heard at meetings of certain governmental boards and commissions. Prescribes conditions qualifying, and exceptions to, the right. Provides for the adoption of rules governing the conduct of, and behavior at, the meetings. EFFECTIVE DATE: July 1, 2011 12/22/10 SENATE Filed 01/05/11 SENATE Referred to Governmental Oversight and Accountability; Community Affairs; Rules		
HB 0389	Relating to Surface Water Improvement and Management Plans and Programs	Glorioso	01/25/11
	Surface Water Improvement and Management Plans and Programs: Requires water management districts to establish permitting programs for urban redevelopment projects located in specified redevelopment areas; provides for development of stormwater adaptive management plans to address water quantity discharge for such redevelopment areas; provides for certain discharge rates in such redevelopment areas; requires stormwater discharges in such redevelopment areas to meet state water quality standards; provides water quality criteria for such discharges. Effective Date: July 1, 2011 01/25/11 HOUSE Filed		
HB 0397	Relating to Economic Development	Ray	01/25/11

(S: 0264) Economic Development: Creates Commercialization Credit Transfer Program; provides legislative findings; authorizes DOR to share certain confidential information with OTTED; adds certified credits to list of credits available against state corporate income tax; redefines term "adjusted federal income" in relation to net operating losses transferred & payments received for certified credit; provides for allocation of financial assistance as income in this state; provides purpose, intent, goals, & objectives; provides definitions; requires OTTED to certify eligible companies for transfer of corporate income tax net operating loss amounts as certified credits; provides qualifications & application process & requirements; requires application fee; provides for application deadline; requires OTTED to grant or deny application within specified time after receiving completed application; provides for calculating certified credit amount; provides maximum amount that may be transferred; provides penalty; requires certified company to file annual report with OTTED; requires OTTED to create annual report; requires OTTED to adopt rules; authorizes DOR to adopt rules; provides appropriations; provides future repeal of program. Effective Date: July 1, 2011

01/25/11 HOUSE Filed

HB 0421 **Relating to Agricultural-related Exemptions to Water Management Requirements** Bemby 01/25/11

Agricultural-related Exemptions to Water Management Requirements: Revises exemption for agricultural-related activities to include certain impacts to surface waters & wetlands & provides retroactive application; provides exclusive authority to DACS to determine whether certain activities qualify for agricultural-related exemption under specified conditions; requires memorandum of agreement between DACS & water management districts; provides exemption from mitigation requirements for converted agricultural lands under certain conditions; revises definition of term "agricultural activities" to include cultivating, fallowing, & leveling & to provide for certain impacts to surface waters & wetlands. Effective Date: July 1, 2011

01/25/11 HOUSE Filed

HB 0453 **Relating to Environmental Surcharge on Bottled Water** Rehwinkel Vasilinda 01/25/11

(I: 0078) Environmental Surcharge on Bottled Water: Establishes surcharge on bottled water sold at retail in this state; provides exception; requires that moneys collected from surcharge be deposited into Ecosystem Management and Restoration Trust Fund. Effective Date: October 1, 2011

01/25/11 HOUSE Filed

SB 0486 **Relating to Water Management District Governing Boards** Hays 01/25/11

Water Management District Governing Boards: Establishes a water management district governing board nominating commission. Provides criteria for governing board member nominees. Provides for the appointment of commission members by the Governor, the President of the Senate, and the Speaker of the House of Representatives. Provides for terms and duties of commission members. Requires the Executive Office of the Governor to provide administrative support to the commission and to adopt rules, etc. EFFECTIVE DATE: July 1, 2011

01/19/11 SENATE Filed

01/25/11 SENATE Referred to Environmental Preservation and Conservation; Governmental Oversight and Accountability; Budget

SB 0506 **Relating to Economic Development** Bogdanoff 01/25/11

(S: 0287) Economic Development; Authorizes the board of county commissioners of a charter county to call and hold a referendum to determine whether to grant economic development ad valorem tax exemptions. Revises the language of ballot questions relating to the authority to grant economic development tax exemptions. Provides for application of a provision limiting the calling of another referendum within a certain time period, etc. EFFECTIVE DATE: July 1, 2011

01/20/11 SENATE Filed

01/25/11 SENATE Referred to Community Affairs; Commerce and Tourism; Budget

HB 0507 **Relating to Onsite Sewage Treatment and Disposal Systems** Fullwood 01/26/11

Onsite Sewage Treatment and Disposal Systems: Exempts certain systems from permitting & maintenance requirements. Effective Date: July 1, 2011

01/25/11 HOUSE Filed

01/26/11 HOUSE Withdrawn prior to introduction

HB 4021 **Relating to Water Vending Machines** Workman 01/26/11

Water Vending Machines: Repeals provisions relating to regulation of water vending machines & permitting of water vending machine operators; deletes provisions for deposit of operator permitting fees, enforcement of state's water vending machine regulations, penalties, & preemption of county & municipal water vending machine regulations, to conform. Effective Date: July 1, 2011

01/12/11 HOUSE Filed

01/26/11 HOUSE Referred to Business & Consumer Affairs Subcommittee; Economic Affairs Committee

01/26/11 HOUSE Now in Business & Consumer Affairs Subcommittee

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**8.a. Villages CDDs
Irrigation Audit
Contract**

AGREEMENT NO. _____

**COOPERATIVE FUNDING AGREEMENT
BETWEEN THE
WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
AND THE
VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT
FOR
WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY REGIONAL
IRRIGATION EVALUATION PROGRAM (N278)**

THIS COOPERATIVE FUNDING AGREEMENT is made and entered into by and between the WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY, a political subdivision of the State of Florida, whose address is 2379 Broad St., Brooksville, FL 34604, hereinafter referred to as "AUTHORITY", and the VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT, a community development district created under the laws of the State of Florida, whose address is 3201 Wedgewood Lane, The Villages, FL 32162, hereinafter referred to as "DISTRICT".

WITNESSETH:

WHEREAS, the AUTHORITY entered into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the Withlacoochee Regional Water Supply Authority for the Withlacoochee Regional Water Supply Authority Regional Irrigation Evaluation Program (N278) on the 19th day of January, 2011; and

WHEREAS, pursuant to the AUTHORITY's work plan, project participants will receive an irrigation system evaluation, site specific recommendations, rain sensor installation if an operable sensor is not present and water wise landscaping education materials; and,

WHEREAS, the AUTHORITY and the DISTRICT wish to enter into a Cooperative Funding Agreement whereby the DISTRICT and AUTHORITY would each fund the sum of \$6,250.00 to conduct 31 irrigation water audits on residential properties which historically use in excess of 30,000 gallons of water per month, hereinafter referred to as the "PROJECT"; and,

WHEREAS, both the AUTHORITY and the DISTRICT consider the PROJECT to be worthwhile and it will ultimately improve the conservation of water resources.

NOW THEREFORE, the AUTHORITY and the DISTRICT, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

1. PROJECT MANAGER AND NOTICES.

Each party hereby designates the individual set forth below as its respective Project Manager. Project Managers will assist with PROJECT coordination and will be each party's prime contact person. Notices and reports will be sent to the attention of each party's Project Manager by U. S. mail, postage paid, to the parties' addresses as set forth in the introductory paragraph of this Agreement. Notice is effective upon receipt.

Project Manager for the AUTHORITY: Jack Sullivan

Project Manager for the DISTRICT: Trey Arnett

Any changes to the above representatives or addresses must be provided to the other party in writing.

1.1 The DISTRICT and AUTHORITY's Project Managers are hereby authorized to approve requests to extend a PROJECT task deadline set forth in this Agreement. Such approval must be in writing, explain the reason for the extension and be signed by the Project Manager. The DISTRICT and AUTHORITY's Project Managers are not authorized to approve any time extension which will result in an increased cost to the DISTRICT or which will exceed the expiration date set forth in Paragraph 5, Contract Period.

1.2 The DISTRICT and AUTHORITY's Project Managers are authorized to adjust a line item amount of the Project Budget contained in the Project Plan set forth in Exhibit "A". The authorization must be in writing, explain the reason for the adjustment, and be signed by the Project Manager. The DISTRICT and AUTHORITY's Project Managers are not authorized to make changes to the Scope of Work and are not authorized to approve any increase in the not-to-exceed amount set forth in the funding section of this Agreement.

2. FUNDING.

The parties anticipate that the total cost of the PROJECT will be Twelve Thousand Five Hundred Dollars (\$12,500.00). The DISTRICT agrees to fund PROJECT costs up to Six Thousand Two Hundred Fifty Dollars (\$6,250.00) and will have no obligation to pay any costs beyond this maximum amount. The AUTHORITY agrees to provide all remaining funds necessary for the satisfactory completion of the PROJECT provided,

however, the AUTHORITY's obligation will be limited to the sum of Six Thousand Two Hundred Fifty Dollars (\$6,250.00). The AUTHORITY will be the lead party to this Agreement and pay project costs prior to requesting reimbursement from the DISTRICT. DISTRICT shall reimburse AUTHORITY its portion of the costs of the PROJECT within 45 days of receipt of an invoice with adequate supporting documentation to satisfy auditing purposes.

3. SCOPE OF WORK.

The AUTHORITY will provide the services necessary to complete the PROJECT in accordance with the work plan which is part of the Cooperative Funding Agreement between the AUTHORITY and the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT for the Withlacoochee Regional Water Supply Authority Irrigation Evaluation Program (N278).

4. COMPLETION DATES.

The AUTHORITY will commence the PROJECT by the 1st day of July, 2011 and will complete the PROJECT by the 31st day of October, 2013. In the event of hurricanes, tornados, floods, acts of God, acts of war or other such catastrophes or other man made emergencies, such as labor strikes or riots, which are beyond the control of the AUTHORITY then the AUTHORITY's obligations to meet the time frames provided in this Agreement will be suspended for the period of time the condition continues to exist. During such suspension, this Agreement will remain in effect. The suspension of the AUTHORITY's obligations provided for in this provision will be the AUTHORITY's sole remedy for the delays set forth herein. In addition to the above, the Project Managers may, by mutual agreement, extend the PROJECT task deadline. Such agreement must be in writing, explain the reason for the extension and be signed by both Project Managers. Neither Project Manager is authorized to approve any time extension which would result in an increased cost to the DISTRICT or the AUTHORITY.

5. CONTRACT PERIOD.

This Agreement will be effective February 16, 2011 and will remain in effect through October 31, 2013 or upon satisfactory completion of the PROJECT and subsequent reimbursement to the AUTHORITY, whichever occurs first, unless amended in writing by the parties. The AUTHORITY will not be eligible for reimbursement for any work that is commenced, or costs that are incurred, prior to the effective date of this Agreement.

6. PROJECT RECORDS AND DOCUMENTS.

Each party, upon request, will permit the other party to examine or audit all PROJECT related records and documents during or following completion of the PROJECT. Payments made to the AUTHORITY under this Agreement will be reduced for amounts found to be not allowable under this Agreement by an audit. The AUTHORITY will refund to the DISTRICT all such disallowed payments. If an audit is undertaken by either party, all required records will be maintained until the audit has been completed and all questions arising from it are resolved. Each party will maintain all such records and documents for at least three (3) years following the completion of the PROJECT. Each party will allow public access to PROJECT documents and materials made or received by either party in accordance with the Public Records Act, Chapter 119, Florida Statutes. Should either party assert any exemption to the Requirements of Chapter 119, Fla. Stat., the burden of establishing such exemption, by way of injunctive or other relief as provided by law, will be upon the asserting party.

7. OWNERSHIP OF DOCUMENTS AND OTHER MATERIALS.

All documents, including reports, drawings, estimates, programs, manuals, specifications, and all goods or products, including intellectual property and rights thereto, purchased under this Agreement with DISTRICT funds or developed in connection with this Agreement will be and will remain the property of the DISTRICT, the AUTHORITY and the Southwest Florida Water Management District.

8. REPORTS.

The AUTHORITY will provide the DISTRICT with copies of any and all reports, models, studies, maps or other documents resulting from the PROJECT. Additionally, two (2) sets, electronic and hardcopy, of any final reports must be submitted to the DISTRICT as Record and Library copies.

9. LIABILITY. Each party hereto agrees to indemnify and hold the other harmless, to the extent allowed under Section 768.28, Florida Statutes, from all claims, loss, damage and expense, including attorney fees and costs and attorney fees and costs on appeal, arising from the negligent acts or omissions of the indemnifying party's officers, employees, contractors and agents related to its performance under this Agreement. The indemnified party will have the right to approve counsel selected by the indemnifying party. This provision does not constitute a waiver of either party's sovereign immunity under Section 768.28, Fla. Stat., or extend either party's liability beyond the limits established in Section 768.28, Fla. Stat. Additionally, this provision will not be construed to impose contractual liability on either party for underlying tort claims as described above beyond the limits specified in Section 768.28, Fla. Stat.

10. RELEASE OF INFORMATION. The parties agree not to initiate any oral or written media interviews or issue press releases on or about the PROJECT without providing advance notices or copies to the other party and the Southwest Florida Water Management District. This provision will not be construed as preventing the parties from complying with the public records disclosure laws set forth in Chapter 119, Fla. Stat.
11. ASSIGNMENT. Except as otherwise provided in this Agreement, no party may assign any of its rights or delegate any of its obligations under this Agreement, including any operation or maintenance duties related to the PROJECT, without the prior written consent of the other party. Any attempted assignment in violation of this provision is void.
12. SUBCONTRACTORS. Nothing in this Agreement will be construed to create, or be implied to create, any relationship between the DISTRICT and any subcontractor of the AUTHORITY.
13. THIRD PARTY BENEFICIARIES. Nothing in this Agreement will be construed to benefit any person or entity not a party to this Agreement.
14. PUBLIC ENTITY CRIMES. Pursuant to Subsections 287.133 (2) and (3), Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two, for a period of 36 months following the date of being placed on the convicted vendor list. The AUTHORITY agrees to include this provision in all subcontracts issued as a result of this Agreement.
15. DISCRIMINATION. Pursuant to Subsection 287.134 (2) (a), Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant

under a contract with any public entity; and may not transact business with any public entity. The AUTHORITY agrees to include this provision in all subcontracts issued as a result of this Agreement.

16. GOVERNING LAW.

All aspects of this Agreement are governed by Florida law and venue will be in Hernando County, Florida.

17. SURVIVAL.

The provisions of this Agreement that require performance after the expiration or termination of this Agreement will remain in force notwithstanding the expiration or termination of this Agreement.

18. ENTIRE AGREEMENT. This Agreement and the attached exhibits listed below constitute the entire agreement between the parties and, unless otherwise provided herein, may be amended only in writing, signed by all parties to this Agreement.

19. DOCUMENTS. The following documents are attached and made a part of this Agreement. In the event of a conflict of contract terminology, priority will first be given to the language in the body of this Agreement, then to Exhibit "A".

Exhibit "A" - Proposed Work Plan

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Agreement on the day and year set forth next to their signatures below.

WITHLACOCHEE REGIONAL WATER SUPPLY AUTHORITY

By: _____
Stan McClain, Chairman Date

VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

By: _____
Steve Drake, Chair Date

Exhibit "A"
PROPOSED WORK PLAN

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY IRRIGATION
EVALUATION PROGRAM (N278)**

PROJECT DESCRIPTION:

The AUTHORITY is proposing an outdoor water conservation education and irrigation evaluation PROJECT that will educate potable; water customers on specific irrigation system modifications that could maximize water savings through efficiency. Focusing on providing customers the understanding of how their individual irrigation system can be modified to maximize water saving through efficiency. PROJECT participants will receive an irrigation system evaluation, site-specific recommendations, rain sensor installation if an operable sensor is not present and water wise landscaping educational materials.

TYPE OF PROJECT:

This PROJECT expects to perform approximately 31 irrigation system evaluations with follow-up meetings at no cost to the customer.

PROJECT OBJECTIVE:

The AUTHORITY has identified the following objectives in order to reduce the current and future demands for potable water:

- Evaluate single-family residential irrigation systems for efficiency improvements
- Install rain sensors where an operable sensor is not present
- Provide water conservation information to encourage other conservation practices.

MEASURABLE BENEFITS:

Based on the provision of 31 irrigation system evaluations, estimated water savings from the PROJECT can be as much as 2.7 million gallons per year.

DELIVERABLES:

Project deliverables will include bi-monthly status reports as required and a final report. The final report will document the program background and implementation, the methodology used to promote the program and collect participant satisfaction data and distribution data. The DISTRICT will be listed as a co-funder on all printed and promotional material and will be referenced in the final report.

PROJECT ESTIMATED* BUDGET:

Audits, educational materials, rain-sensors (including installation) and follow-up will be funded equally by the AUTHORITY (\$6,250) and the DISTRICT (\$6,250) for a total cost of \$12,500. After conducting 31 audits, if monies remain, the AUTHORITY and DISTRICT will jointly determine any additional audits that may be conducted.

COMPLETION SCHEDULE:

<u>Task</u>	<u>Start</u>	<u>End</u>
Audits	July 1, 2011	August 1, 2012
Savings Analysis	August 1, 2012	September 30, 2013
Final Report	October 31, 2013	

IMPLEMENTATION:

The AUTHORITY shall hire qualified contractors to perform the irrigation audit evaluations and install sensors as necessary. The responsibilities of the AUTHORITY will include, but not be limited to:

- Managing the day to day operations of the project
- Working with customers to guide them through the program
- Tracking all program activity in electronic database
- Managing and performing rain sensor installations
- Collecting customer survey data and performing subsequent data analysis in electronic form
- Communication with the DISTRICT's project manager
- Providing project participants with educational information
- Promotion of the project through interaction with the irrigation and landscaping industries

The DISTRICT will be responsible for:

- Identifying the water users (customers) over 30,000/gp month. Identifying the users they desire to have audited.
- Arranging with the potential customers the scheduling and requirements of the audit and the follow-up.
- Accompany the auditors to the customer home during the audit.
- Provide follow-up figures for one year's water consumption for each audited system to determine the effectiveness of the program.

KEY PERSONNEL:

The AUTHORITY'S contact with DISTRICT Staff and Project Manager will be:

Jack Sullivan
Executive Director
Withlacoochee Regional Water Supply Authority
1107 Shalimar Drive
Tallahassee, FL 32312
(850) 385-0220 - Phone
(850) 352-0223 - Fax
JSull@comcast.net

The DISTRICT'S Project Manager will be:

Trey Arnett
Arnett Environmental
1038 Lake Sumter Landing
The Villages FL 32162
(352) 753-4747 - Phone
(352) 753-1296 - Fax
TArnett@ArnettEnvironmental.com

AGREEMENT NO. _____

**COOPERATIVE FUNDING AGREEMENT
BETWEEN THE
WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
AND THE
NORTH SUMTER COUNTY UTILITY DEPENDENT DISTRICT
FOR
WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY REGIONAL
IRRIGATION EVALUATION PROGRAM (N278)**

THIS COOPERATIVE FUNDING AGREEMENT is made and entered into by and between the WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY, a political subdivision of the State of Florida, whose address is 2379 Broad St., Brooksville, FL 34604, hereinafter referred to as "AUTHORITY", and the NORTH SUMTER COUNTY UTILITY DEPENDENT DISTRICT, a community development district created under the laws of the State of Florida, whose address is 3201 Wedgewood Lane, The Villages, FL 32162, hereinafter referred to as "DISTRICT".

WITNESSETH:

WHEREAS, the AUTHORITY entered into a Cooperative Funding Agreement with the Southwest Florida Water Management District for the Withlacoochee Regional Water Supply Authority for the Withlacoochee Regional Water Supply Authority Regional Irrigation Evaluation Program (N278) on the 19th day of January, 2011; and

WHEREAS, pursuant to the AUTHORITY's work plan, project participants will receive an irrigation system evaluation, site specific recommendations, rain sensor installation if an operable sensor is not present and water wise landscaping education materials; and,

WHEREAS, the AUTHORITY and the DISTRICT wish to enter into a Cooperative Funding Agreement whereby the DISTRICT and AUTHORITY would each fund the sum of \$6,250.00 to conduct 31 irrigation water audits on residential properties which historically use in excess of 30,000 gallons of water per month, hereinafter referred to as the "PROJECT"; and,

WHEREAS, both the AUTHORITY and the DISTRICT consider the PROJECT to be worthwhile and it will ultimately improve the conservation of water resources.

NOW THEREFORE, the AUTHORITY and the DISTRICT, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

1. PROJECT MANAGER AND NOTICES.

Each party hereby designates the individual set forth below as its respective Project Manager. Project Managers will assist with PROJECT coordination and will be each party's prime contact person. Notices and reports will be sent to the attention of each party's Project Manager by U. S. mail, postage paid, to the parties' addresses as set forth in the introductory paragraph of this Agreement. Notice is effective upon receipt.

Project Manager for the AUTHORITY: Jack Sullivan

Project Manager for the DISTRICT: Trey Arnett

Any changes to the above representatives or addresses must be provided to the other party in writing.

1.1 The DISTRICT and AUTHORITY's Project Managers are hereby authorized to approve requests to extend a PROJECT task deadline set forth in this Agreement. Such approval must be in writing, explain the reason for the extension and be signed by the Project Manager. The DISTRICT and AUTHORITY's Project Managers are not authorized to approve any time extension which will result in an increased cost to the DISTRICT or which will exceed the expiration date set forth in Paragraph 5, Contract Period.

1.2 The DISTRICT and AUTHORITY's Project Managers are authorized to adjust a line item amount of the Project Budget contained in the Project Plan set forth in Exhibit "A". The authorization must be in writing, explain the reason for the adjustment, and be signed by the Project Manager. The DISTRICT and AUTHORITY's Project Managers are not authorized to make changes to the Scope of Work and are not authorized to approve any increase in the not-to-exceed amount set forth in the funding section of this Agreement.

2. FUNDING.

The parties anticipate that the total cost of the PROJECT will be Twelve Thousand Five Hundred Dollars (\$12,500.00). The DISTRICT agrees to fund PROJECT costs up to Six Thousand Two Hundred Fifty Dollars (\$6,250.00) and will have no obligation to pay any costs beyond this maximum amount. The AUTHORITY agrees to provide all remaining funds necessary for the satisfactory completion of the PROJECT provided,

however, the AUTHORITY's obligation will be limited to the sum of Six Thousand Two Hundred Fifty Dollars (\$6,250.00). The AUTHORITY will be the lead party to this Agreement and pay project costs prior to requesting reimbursement from the DISTRICT. DISTRICT shall reimburse AUTHORITY its portion of the costs of the PROJECT within 45 days of receipt of an invoice with adequate supporting documentation to satisfy auditing purposes.

3. SCOPE OF WORK.

The AUTHORITY will provide the services necessary to complete the PROJECT in accordance with the work plan which is part of the Cooperative Funding Agreement between the AUTHORITY and the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT for the Withlacoochee Regional Water Supply Authority Irrigation Evaluation Program (N278).

4. COMPLETION DATES.

The AUTHORITY will commence the PROJECT by the 1st day of July, 2011 and will complete the PROJECT by the 31st day of October, 2013. In the event of hurricanes, tornados, floods, acts of God, acts of war or other such catastrophes or other man made emergencies, such as labor strikes or riots, which are beyond the control of the AUTHORITY then the AUTHORITY's obligations to meet the time frames provided in this Agreement will be suspended for the period of time the condition continues to exist. During such suspension, this Agreement will remain in effect. The suspension of the AUTHORITY's obligations provided for in this provision will be the AUTHORITY's sole remedy for the delays set forth herein. In addition to the above, the Project Managers may, by mutual agreement, extend the PROJECT task deadline. Such agreement must be in writing, explain the reason for the extension and be signed by both Project Managers. Neither Project Manager is authorized to approve any time extension which would result in an increased cost to the DISTRICT or the AUTHORITY.

5. CONTRACT PERIOD.

This Agreement will be effective February 16, 2011 and will remain in effect through October 31, 2013 or upon satisfactory completion of the PROJECT and subsequent reimbursement to the AUTHORITY, whichever occurs first, unless amended in writing by the parties. The AUTHORITY will not be eligible for reimbursement for any work that is commenced, or costs that are incurred, prior to the effective date of this Agreement.

6. PROJECT RECORDS AND DOCUMENTS.

Each party, upon request, will permit the other party to examine or audit all PROJECT related records and documents during or following completion of the PROJECT. Payments made to the AUTHORITY under this Agreement will be reduced for amounts found to be not allowable under this Agreement by an audit. The AUTHORITY will refund to the DISTRICT all such disallowed payments. If an audit is undertaken by either party, all required records will be maintained until the audit has been completed and all questions arising from it are resolved. Each party will maintain all such records and documents for at least three (3) years following the completion of the PROJECT. Each party will allow public access to PROJECT documents and materials made or received by either party in accordance with the Public Records Act, Chapter 119, Florida Statutes. Should either party assert any exemption to the Requirements of Chapter 119, Fla. Stat., the burden of establishing such exemption, by way of injunctive or other relief as provided by law, will be upon the asserting party.

7. OWNERSHIP OF DOCUMENTS AND OTHER MATERIALS.

All documents, including reports, drawings, estimates, programs, manuals, specifications, and all goods or products, including intellectual property and rights thereto, purchased under this Agreement with DISTRICT funds or developed in connection with this Agreement will be and will remain the property of the DISTRICT, the AUTHORITY and the Southwest Florida Water Management District.

8. REPORTS.

The AUTHORITY will provide the DISTRICT with copies of any and all reports, models, studies, maps or other documents resulting from the PROJECT. Additionally, two (2) sets, electronic and hardcopy, of any final reports must be submitted to the DISTRICT as Record and Library copies.

9. LIABILITY. Each party hereto agrees to indemnify and hold the other harmless, to the extent allowed under Section 768.28, Florida Statutes, from all claims, loss, damage and expense, including attorney fees and costs and attorney fees and costs on appeal, arising from the negligent acts or omissions of the indemnifying party's officers, employees, contractors and agents related to its performance under this Agreement. The indemnified party will have the right to approve counsel selected by the indemnifying party. This provision does not constitute a waiver of either party's sovereign immunity under Section 768.28, Fla. Stat., or extend either party's liability beyond the limits established in Section 768.28, Fla. Stat. Additionally, this provision will not be construed to impose contractual liability on either party for underlying tort claims as described above beyond the limits specified in Section 768.28, Fla. Stat.

10. RELEASE OF INFORMATION. The parties agree not to initiate any oral or written media interviews or issue press releases on or about the PROJECT without providing advance notices or copies to the other party and the Southwest Florida Water Management District. This provision will not be construed as preventing the parties from complying with the public records disclosure laws set forth in Chapter 119, Fla. Stat.
11. ASSIGNMENT. Except as otherwise provided in this Agreement, no party may assign any of its rights or delegate any of its obligations under this Agreement, including any operation or maintenance duties related to the PROJECT, without the prior written consent of the other party. Any attempted assignment in violation of this provision is void.
12. SUBCONTRACTORS. Nothing in this Agreement will be construed to create, or be implied to create, any relationship between the DISTRICT and any subcontractor of the AUTHORITY.
13. THIRD PARTY BENEFICIARIES. Nothing in this Agreement will be construed to benefit any person or entity not a party to this Agreement.
14. PUBLIC ENTITY CRIMES. Pursuant to Subsections 287.133 (2) and (3), Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two, for a period of 36 months following the date of being placed on the convicted vendor list. The AUTHORITY agrees to include this provision in all subcontracts issued as a result of this Agreement.
15. DISCRIMINATION. Pursuant to Subsection 287.134 (2) (a), Florida Statutes, an entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant

under a contract with any public entity; and may not transact business with any public entity. The AUTHORITY agrees to include this provision in all subcontracts issued as a result of this Agreement.

16. GOVERNING LAW.

All aspects of this Agreement are governed by Florida law and venue will be in Hernando County, Florida.

17. SURVIVAL.

The provisions of this Agreement that require performance after the expiration or termination of this Agreement will remain in force notwithstanding the expiration or termination of this Agreement.

18. ENTIRE AGREEMENT. This Agreement and the attached exhibits listed below constitute the entire agreement between the parties and, unless otherwise provided herein, may be amended only in writing, signed by all parties to this Agreement.

19. DOCUMENTS. The following documents are attached and made a part of this Agreement. In the event of a conflict of contract terminology, priority will first be given to the language in the body of this Agreement, then to Exhibit "A".

Exhibit "A" - Proposed Work Plan

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Agreement on the day and year set forth next to their signatures below.

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY

By: _____
Stan McClain, Chairman Date

NORTH SUMTER COUNTY UTILITY DEPENDENT DISTRICT

By: _____
Gary Davis, Chair Date

Exhibit "A"

PROPOSED WORK PLAN

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY IRRIGATION EVALUATION PROGRAM (N278)

PROJECT DESCRIPTION:

The AUTHORITY is proposing an outdoor water conservation education and irrigation evaluation PROJECT that will educate potable₇ water customers on specific irrigation system modifications that could maximize water savings through efficiency. Focusing on providing customers the understanding of how their individual irrigation system can be modified to maximize water saving through efficiency. PROJECT participants will receive an irrigation system evaluation, site-specific recommendations, rain sensor installation if an operable sensor is not present and water wise landscaping educational materials.

TYPE OF PROJECT:

This PROJECT expects to perform approximately 31 irrigation system evaluations with follow-up meetings at no cost to the customer.

PROJECT OBJECTIVE:

The AUTHORITY has identified the following objectives in order to reduce the current and future demands for potable water:

- Evaluate single-family residential irrigation systems for efficiency improvements
- Install rain sensors where an operable sensor is not present
- Provide water conservation information to encourage other conservation practices.

MEASURABLE BENEFITS:

Based on the provision of 31 irrigation system evaluations, estimated water savings from the PROJECT can be as much as 2.7 million gallons per year.

DELIVERABLES:

Project deliverables will include bi-monthly status reports as required and a final report. The final report will document the program background and implementation, the methodology used to promote the program and collect participant satisfaction data and distribution data. The DISTRICT will be listed as a co-funder on all printed and promotional material and will be referenced in the final report.

PROJECT ESTIMATED* BUDGET:

Audits, educational materials, rain-sensors (including installation) and follow-up will be funded equally by the AUTHORITY (\$6,250) and the DISTRICT (\$6,250) for a total cost of \$12,500. After conducting 31 audits, if monies remain, the AUTHORITY and DISTRICT will jointly determine any additional audits that may be conducted.

COMPLETION SCHEDULE:

<u>Task</u>	<u>Start</u>	<u>End</u>
Audits	July 1, 2011	August 1, 2012
Savings Analysis	August 1, 2012	September 30, 2013
Final Report	October 31, 2013	

IMPLEMENTATION:

The AUTHORITY shall hire qualified contractors to perform the irrigation audit evaluations and install sensors as necessary. The responsibilities of the AUTHORITY will include, but not be limited to:

- Managing the day to day operations of the project
- Working with customers to guide them through the program
- Tracking all program activity in electronic database
- Managing and performing rain sensor installations
- Collecting customer survey data and performing subsequent data analysis in electronic form
- Communication with the DISTRICT's project manager
- Providing project participants with educational information
- Promotion of the project through interaction with the irrigation and landscaping industries

The DISTRICT will be responsible for:

- Identifying the water users (customers) over 30,000/gp month. Identifying the users they desire to have audited.
- Arranging with the potential customers the scheduling and requirements of the audit and the follow-up.
- Accompany the auditors to the customer home during the audit.
- Provide follow-up figures for one year's water consumption for each audited system to determine the effectiveness of the program.

KEY PERSONNEL:

The AUTHORITY'S contact with DISTRICT Staff and Project Manager will be:

Jack Sullivan
Executive Director
Withlacoochee Regional Water Supply Authority
1107 Shalimar Drive
Tallahassee, FL 32312
(850) 385-0220 - Phone
(850) 352-0223 - Fax
JSull@comcast.net

The DISTRICT'S Project Manager will be:

Trey Arnett
Arnett Environmental
1038 Lake Sumter Landing
The Villages FL 32162
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TArnett@ArnettEnvironmental.com