



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

Board Meeting Package

May 19, 2010
4:30 p.m.

Meeting Location:

SWFWMD Headquarters
Governing Board Meeting Room
2379 Broad Street (US 41 South)
Brooksville, Florida 34604-6899



WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY

MEMORANDUM

To: Water Supply Authority Board of Directors and Interested Parties

From: Jackson E. Sullivan, Executive Director

Date: May 6, 2010

Subject: Monthly Meeting of the Withlacoochee Regional
Water Supply Authority

The next meeting of the Withlacoochee Regional Water Supply Authority will be on **Wednesday, May 19, 2010, 4:30 p.m., at the SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899.**

Enclosed for your review are the following items:

- Agenda
- Minutes of the April 21, 2009 meeting
- 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.

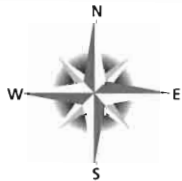
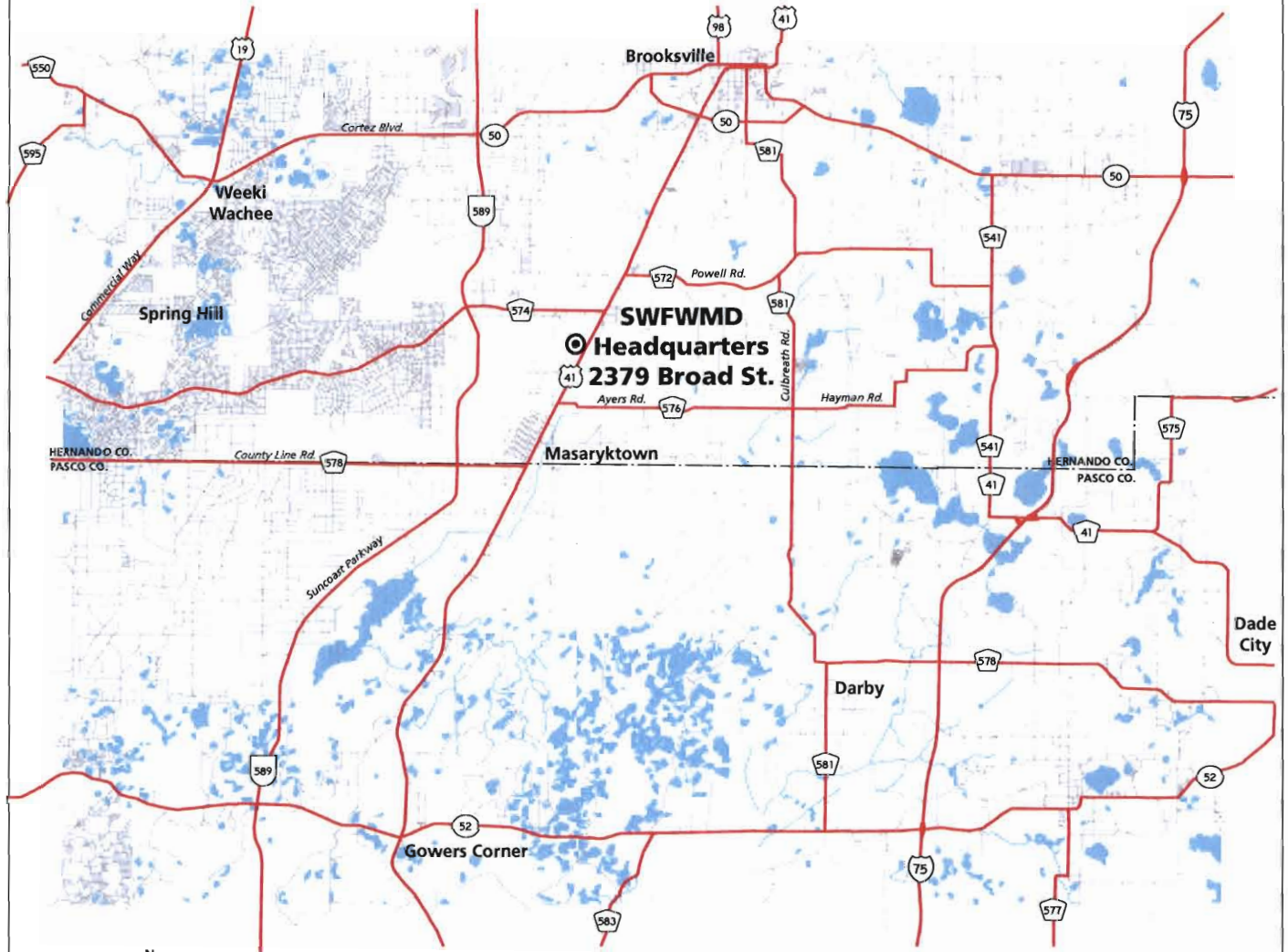
* For persons other than Board Members and government agencies, pursuant to Board policy adopted at the March 9, 1995 Meeting, a self-addressed 8.5 x 11 inch envelope, pre-stamped and with \$3.00 postage should be sent to the WRWSA at the address below. Board packages may also be obtained free of charge at the Board meeting.

Enclosures

1107 Shalimar Drive – Tallahassee, FL 32312
(850) 385-0220 – FAX (850) 385-0223
jesull@comcast.net

Brooksville Service Office

of the Southwest Florida Water Management District



Brooksville Service Office
2379 Broad Street
Brooksville, Florida 34604-6899
Phone (352) 796-7211
SUNCOM 628-4150

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

**SWFWMD Headquarters Governing Board Meeting Room
2379 Broad Street (US 41 South)
Brooksville, Florida 34604-6899**

**May 19, 2010
4:30 p.m.**

- Item #1 Call to Order**
- Item #2 Roll Call**
- Item #3 Introductions and Announcements**
- Item #4 Approval of Minutes of April 21, 2010 Meeting**
- Item #5 WRWSA – Regional Water Supply Plan Update – Phase II – Preliminary
Analysis of Prioritization of Recommendations for Further Study ... Jack
Sullivan, WRWSA**
- Item #6 Legislative Update ... Diane Salz, Legislative Consultant**
- Item #7 Executive Director's Report ... Jack Sullivan, WRWSA**
 - a. Bills to be Paid**
 - b. Inglis Hydropower Project Application**
 - c. Correspondence**
 - d. News Articles**
- Item #8 Attorney's Report ... Larry Haag, WRWSA Attorney**
- Item #9 Other Business**
- Item #10 Public Comment**
- Item #11 Next Meeting Time and Location ... June 16, 2010, 4:30 p.m.,
Withlacoochee Regional Planning Council Headquarters Conference Room,
1241 SW 10th Street (SR 200), Ocala, Florida 34474-0323**
- Item #12 Adjournment**

4. April 21, 2010 Minutes

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
April 21, 2010**

TIME: 4:30 p.m.
PLACE: Withlacoochee Regional Planning Council
1241 SW 10th Street (SR 200)
Ocala, Florida 34471-0323

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 4:30 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
Barbara Fitos, Vice-Chairman, Marion County Commissioner
Rose Rocco, Treasurer, Hernando County Commissioner
John Druzbeck, Hernando County Commissioner
Dennis Damato, Citrus County Commissioner
Randy Mask, Sumter County Commissioner
Stan McClain, Marion County Commissioner
John Priester, Ocala City Councilman
Mary S. Rich, Ocala City Councilwoman
Dale Swain, Bushnell City Councilman
Winn Webb, Citrus County Commissioner

MEMBERS ABSENT

Jim Adkins, Hernando County Commissioner
Mike Amsden, Marion County Commissioner
Gary Bartell, Citrus County Commissioner
Joe Bernardini, Brooksville City Councilman
Christine Dobkowski, Belleview City Commissioner
Ken Hinkle, Inverness City Councilman
David Russell, Hernando County Commissioner

3. Introductions and Announcements

Mr. Sullivan introduced others in the audience.

OTHERS PRESENT

Jack Sullivan, WRWSA Executive Director
Larry Haag, WRWSA Attorney
Al Grubman, TOO FAR
Ken Herd, SWFWMD
Cara Martin, SWFWMD
Todd Petrie, Marion County
Kim Dinkins, Marion County
Peter Hubbell, Water Resource Associates
Benadine Flood, Citrus County Utilities
Jeff Halcomb, Director, Ocala Water Utilities
Darryl Muse, City of Ocala
Richard Radacky, City of Brooksville
Peter Rocco, Hernando County Citizen
Josh Schmitz, Water Resource Associates
Tahla Paige, Recording Secretary

4. Approval of Minutes of March 17, 2010 Meeting

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

5. Withlacoochee Regional Water Supply Authority (WRWSA) – Regional Water Supply Plan Update, Phase II – Approval of Workshop Recommendations for Further Study by Staff.

The Board reviewed the importance of the eight points discussed during the workshop, which included, Population and Water Demand, Data Collection and Monitoring, Regional Groundwater Assessment, Water Conservation, Reclaimed Water, Water Supply Options, Partnerships, and Regional Framework. Discussion centered on informing the public and possible presentations to various County and City Municipalities.

Following consideration, **a motion was made by Mr. Hoffman to approve Regional Water Supply Plan Update, Phase II ideas discussed at the earlier workshop today, and obtain direction from Mr. Sullivan and with help from Mr. Hubbell to flesh out those items and bring them back to the Board in subsequent meetings over the next several months. The motion was seconded by Mr. Damato and carried unanimously.**

6. Executive Director's Report

Item 6.b. was moved to be voted on before Item 6.a.

b. Approval of Phase II Study for Payment

Mr. Sullivan requested the study be approved first so it could be included in the approval of 6.a. Bills to be Paid.

Following consideration, **a motion was made by Mr. Swain to approve Regional Water Supply Plan Update, Phase II Plan for payment. The motion was seconded by Ms. Rocco and carried unanimously.**

a. Bills to be Paid

Mr. Sullivan provided a handout to the Board detailing April 2010 bills which totaled \$86,565.14. Mr. Sullivan requested the Board approve the payment of those bills.

Following consideration, **a motion was made by Mr. McClain to approve payment of the April 2010 bills totaling \$86,565.14. The motion was seconded by Mr. Mask and carried unanimously.**

c. Local Government Water Conservation Grant Application Notification

Mr. Sullivan informed the Board that the grant applications had been mailed to the Utility Managers, County Managers and City Managers. Applications would be accepted from May 1 through June 30. He stated \$130,000 was spent on grants last year and recommended not exceeding the \$130,000 this year.

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

d. Correspondence

Mr. Sullivan noted there were two correspondence items enclosed in the packet.

e. News Articles

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

7. Legislative Update

Mr. Sullivan stated that Ms. Diane Salz could not be present, as she was attending Committee meetings. He handed out her latest Legislative report.

Mr. Sullivan told the Board there would be a Water Forum 2010 in Orlando sponsored by Associated Industries of Florida (AIF) and American Water Works Association (AWWA) on June 4, 2010. He felt it was beneficial for Ms. Salz to attend and asked the Board to approve funding not to exceed \$500.

Following consideration, **a motion was made by Mr. Webb to approve expenditures up to \$500 for Ms. Salz to attend the Water Forum 2010. The motion was seconded by Mr. Damato and carried unanimously.**

8. Attorney's Report

Mr. Haag, Esq., stated he did not have anything new to report to the WRWSA.

9. Other Business

Mr. McClain asked how the Regional Water Supply Plan Update, Phase II worked with the water management districts. Mr. Hubbell replied they were coordinating with both Southwest Florida Water Management District and the St. Johns River Water Management District.

10. Public Comment

Mr. Jeff Halcomb, Water Utilities, City of Ocala stated that the Withlacoochee Regional Water Supply Authority was important in coordinating with water management districts. A regional water framework may be necessary even if it was an unpopular idea. He stated difficult decisions will need to be made on area water issues in the future, and those decisions needed to be based on sound principles and scientific evidence.

Mr. Hoffman expressed his appreciation for the work done by the Board on the development of the Phase II Water Supply Plan.

11. Next Meeting Time and Location

Next meeting is scheduled for May 19, 2010 at 4:30 p.m. at the Southwest Florida Water Management District Headquarters, Governing Board Room, 2379 Broad Street (US 41 South), Brooksville, FL 34604.

12. Adjournment

Chairman Hoffman announced there was no further business or discussion to come before the Board and adjourned the meeting at 5:38 p.m.

Richard Hoffman, Chairman

Jackson E. Sullivan, Executive Director

**5. Water Supply Plan Update
Prioritization of Recommendations**

**MEMORANDUM**

May 6, 2010

To: WRWSA Board of Directors
From: Jack Sullivan, Executive Director
Re: RWSA – PH II – Preliminary analysis of prioritization of recommendations

At the April 21 workshop, a memo was prepared outlining eight broad categories, under which 30 recommendations were condensed. These categories are as follows:

1. Population & Water Demand
2. Data Collection & Monitoring
3. Regional GW Assessment
4. Water Conservation
5. Reclaimed Water
6. Water Supply Options
7. Water Supply Partnership Options
8. WRWSA Regional Framework

At the Board meeting following the workshop on the Phase II Master Plan, the following motion was made:

Following consideration, a motion was made by Mr. Hoffman to approve the Regional Water Supply Plan Update, Phase II ideas discussed at the earlier workshop this afternoon, with direction from Mr. Sullivan and with help from Mr. Hubbell to flesh out those items and bring them back to the Board in subsequent meetings over the next several months. The motion was seconded by Mr. Damato and carried unanimously.

The motion does not approve the recommendations for implementation, but instead requires the Executive Director to take time to flesh out each recommendation category and come back to the Board for further direction on these recommendations. This memorandum is the first in a series of memoranda to be presented at subsequent meetings to expand upon the recommendations and provide the Board with actions to implement the recommendations, including additional staffing, consulting requirements and cost considerations.

Based on discussion during the meeting, it is my understanding that the Board wants the Executive Director to prepare a letter to each member government County Administrator and City Manager outlining that the Board has reviewed and adopted the Master Plan.

However, the recommendations of the Master Plan are not self-implementing and are being analyzed for specific actions in subsequent meetings of the Board. If the governing boards of member governments want additional information or presentations, the Authority staff and its consultants can provide this to them upon request. I should receive within the next week or two thirty (30) hard copies of the Master Plan - Phase II report that can be distributed to local governments and other repositories such as the Withlacoochee Regional Planning Council and the Southwest Florida and St. Johns River Water Management Districts.

Next Steps

I have met with Pete Hubbell, Water Resource Associates to begin the process of analyzing the potential impacts and costs of implementing each recommendation. The recommendations are far-reaching and will take some time to consolidate into a cohesive program. Based on my discussion with Mr. Hubbell, we hope to bring to the Board in the near future an analysis of how the recommendations may be implemented, potential funding sources and timing. It is our objective to tie the implementation of the recommendations into a 3 to 5 year budget process.

Some of the recommendations can begin to be implemented during the 2011 fiscal year budget. It is my intent to bring these forward in the budget to be presented at the June 16, 2010 Board meeting in Ocala. Preparatory to putting together the FY 2011 budget, I need a policy decision from the Board on the per capita assessment for the 2011 fiscal year. Attached to this memorandum is a calculation of the per capita assessment at 19¢ for the 2011 fiscal year. Population growth within the region has remained mostly static from April 1, 2008 to April 1, 2009 with an increase of about .5% or only 4,021 persons region-wide.

Staff Recommendation

I recommend that the per capita assessment remain at 19¢ per capita. With all of the challenges facing the members of the Authority with respect to water supply planning, development and conservation, reducing per capita rates again would have a significant impact to our future efforts.

Attachment

**PROPOSED 2010-11 ASSESSMENTS
WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY**

County/City	4/1/09 Population Est.	Assessment @ .19/Capita	Annual Amount	Quarterly Assessment
Citrus	142,609	\$0.19	\$27,096	\$6,773.93
Hernando	165,048	\$0.19	\$31,359	\$7,839.78
Sumter	95,326	\$0.19	\$18,112	\$4,527.99
Marion (Less Ocala)	275,841	\$0.19	\$52,410	\$13,102.45
Ocala	54,599	\$0.19	\$10,374	\$2,593.45
Totals	733,423	\$0.19	\$139,350	\$34,837.59

County/City	09-10 FY Assessment	10-11 FY Assessment	% Change
Citrus	\$26,988	\$27,096	0.40%
Hernando	\$31,332	\$31,359	0.09%
Sumter	\$17,676	\$18,112	2.47%
Marion (Less Ocala)	\$52,242	\$52,410	0.32%
Ocala	\$10,348	\$10,374	0.25%
Totals	\$138,586	\$139,350	0.55%

6. Legislative Update

Withlacoochee Regional Water Supply Authority
Legislative Update
May 1, 2010

Capital Formation for Infrastructure Projects: HB 7213 sponsored by the House Policy Council on Economic Development & Community Affairs would create the Florida Infrastructure Fund Partnership, a contingent tax credit program designed to leverage investment & private funding for infrastructure including water projects. HB 7213 has passed the House and is now in messages to the Senate. There is no comparable legislation in the Senate. **The Florida Infrastructure Investment Fund and the Florida Infrastructure Investment Trust were amended into SB 1752 which passed during the final hours of Session and are intended to raise investment capital to invest in infrastructure, including water projects that promote economic development, among other things.**

Consumptive Use of Water: HB 7175 sponsored by the House Policy Committee on Agriculture & Natural Resources would reduce the frequency of compliance reporting during the term of a water use permit to 10 years; prohibit decreases in maximum permitted allocation for consumptive use of water under specified conditions; and provide exception to certain revocation of water use permits for implementing conservation measures. HB 7175 is available for second reading in the House. There is no comparable bill in the Senate. **A reduction in the frequency of compliance reporting during the term of a water use permit (from 5 to 10 years) and other related measures passed in SB 550.**

Florida Forever: The House and Senate have agreed to fund the Florida Forever program at \$15 million for FY 2010-2011, a much reduced appropriation to help the program survive until the economy improves. **Florida Forever funding at \$15 million was adopted in the final FY 2010-2011 budget and remains a funding source used to support water supply development.**

Omnibus Water Bill: The Senate amended SB 550 sponsored by Senator Lee Constantine (R-Altamonte Springs) on 4/23 (on second reading). Among other things, SB 550 now includes provisions which would: rewrite Chapter 373 F.S. to create a new Part VII for water supply policy, planning, production and funding, with assurances in new intent language of no substantive changes to help guide legal interpretation; expand the state's Drinking Water Revolving (loan) Fund; revise the eligible use of funding under the Water Protection & Sustainability Program (SB 444) to include water conservation projects, without any prescribed level of funding; provide direction to water management districts to use alternative dispute resolution when in conflict with any other governmental entity; and authorize fees and bonds for sewage treatment and disposal systems. SB 550 may be passed by the Senate and sent to

the House as early as 4/26. One of many bills comparable to SB 550 due to a widely ranging subject, HB 1109 sponsored by Rep. Trudi Williams (R-Ft. Myers) relating exclusively to the rewrite of Chapter 373 F.S. to create a new Part VII. HB 1109 is available for final passage in the House on 4/26. It remains uncertain at this time whether the House has an interest in SB 550, or whether the Senate has an interest in passing only the Chapter 373 F.S. rewrite creating a new Part VII, which is the subject of SB 2202 sponsored by incoming Senate President Mike Haridopolous. Other comparable bills may also become "vehicles" for amendments during the final hours of Session. **SB 550 passed including: expansion of the Drinking Water Revolving Fund; authorization for the State Board of Administration to make investments in alternative water supply and water resource development projects; alternative dispute resolution requirements for water management districts in conflict with other governmental entities; the reorganization of Chapter 373, F.S. with expressed intent that there are no substantive changes and that those repealed sections resulting from the reorganization shall be given full force and effect; also legislative findings with regard to nutrient water quality standards & EPA's proposed numeric nutrient criteria, as well as a new septic tank maintenance & inspection program, among other things. A detailed summary of SB 550 is forthcoming.**

Water Conservation: HB 7177 sponsored by the House Policy Committee on Agriculture & Natural Resources would reduce the frequency of compliance reporting during the term of a water use permit to 10-years; assist public water utilities in developing goal-based conservation plans to meet conservation requirements for obtaining water use permits; clarify when a water management district governing board may delegate authority to an executive director; among other things. HB 7177 is available for final House passage in the House on 4/26. Comparable Senate legislation SB 550 is available for final passage in the Senate (see above "Omnibus Water Bill"). **SB 550 also includes: quantifiable water conservation projects as eligible for alternative water supply project funding; clarifies when a water management district governing board may delegate authority to an executive director; among other things.**

FOR IMMEDIATE RELEASE

Thursday, April 29, 2010

CONTACT

Brian Hughes, Senate Majority Office
(850) 487-5184

Led by Sen. Constantine, FL Senate Passes Water Resources Legislation

Important reforms will preserve Florida's environment and address concerns of Floridians from across the state.

Today, the Florida Senate passed Senate Bill 550 (SB 550). It is the product of the Florida Senate's Select Committee on Florida's Inland Waters and the Environmental Preservation and Conservation Committee. These committees, chaired by Senator Lee Constantine (R-Altamonte Springs), brought this important legislation forward after dozens of meetings and public hearings all across Florida. More than 1000 Floridians participated and shared their views on protecting Florida's precious water resources.

"After months of hearing from every stakeholder in water issues, we built consensus and created legislation that will protect Florida's environment in the years and decades ahead," said Sen. Constantine. "While many good pieces of legislation pass each year, few do as much to protect Florida's heritage with her pristine springs and outstanding rivers and lakes as this good public policy bill does."

Important water policy stakeholders involved in the process of crafting SB 550 included local citizens, state agencies, local governments, environmentalists, and representatives of Florida business and industry.

SB 550 also asserts Florida's position concerning the ongoing development of numeric nutrient criteria by the U.S. Environmental Protection Agency (EPA). In almost every hearing during the crafting of this bill, the committees consistently heard how the specter of the EPA imposing standards on this state is of critical concern. To put it into perspective, the EPA estimates that the direct cost of their proposal to the state government alone could be as much as \$140 million dollars annually.

"EPA may soon impose burdensome mandates that could cost Floridians much too much," Constantine explained. "We responded this concern by striking a fair balance between protecting our environment and protecting Florida taxpayers."

###

7. a. Bills to be Paid

**Bills to be Paid Will be Handed Out at the
Board Meeting for Review and Approval**

**7. b. Inglis Hydropower
Project Application**

From: "Jennifer Adams" <Jennifer.Adams@ferc.gov>
Subject: **RE: Inglis Hydropower Project No. 12783-003**
Date: April 30, 2010 3:24:45 PM EDT
To: "Jackson Sullivan" <jesull@comcast.net>

The correspondence document was filed on Feb. =
24 or 25, 2010.

Date of license application filing: July 22, 2009

Date of pre-application document filing: June 10, 2008

From: Jackson Sullivan [<mailto:jesull@comcast.net>]
Sent: Friday, April 30, 2010 11:38 AM
To: Jennifer Adams
Subject: Inglis Hydropower Project No. 12783-003

Ms. Adams: The above project has been brought to my attention by several of our utilities in the Withlacoochee Region (Citrus, Hernando, Sumter and Marion Counties). I do not believe the Withlacoochee Regional Water Supply Authority is currently on your distribution list for comments on this project. The Authority is an independent special district created in 1977 by the local governments mentioned above pursuant to State law (s.373.1962 F.S.). The Withlacoochee River is the central surface water within this region, touching all four counties.

Over the past four years, the Authority has been preparing a long-range regional water supply plan that includes a possible project on the Withlacoochee River at the Lake Rousseau impoundment and two other projects up-river from Lake Rousseau. We have noted that the application proposes that the hydroelectric facility operate in a "run of the river" mode, which uses excess flow during wet cycles to generate power. If a certain river level is approved and established we are concerned that there may be a conflict between the hydroelectric dam's utilization of the water flow and the Authority's utilization of the river for public water supply purposes. Approval of the hydroelectric project could impede public water supply development for this region in the future and/or increase the cost of water supply to the public.

Because we were not aware of the application until recently, we have not had the opportunity to review the proposal in detail and to make comments. Can you provide me with assistance in responding to this application through your review process and extend the deadline for comments to allow our agency to consider the future impact to our water supply plan?

Thank you,

Jackson Sullivan, AICP
Executive Director
Withlacoochee RWSA
1107 Shalimar Drive
Tallahassee, FL 32312
(850) 385-0220
(850) 385-0223

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

March 26, 2010

OFFICE OF ENERGY PROJECTS

Project No. 12783-003 — Florida
Inglis Hydropower Project
Inglis Hydropower, LLC

Subject: Scoping Document 1 for the Inglis Hydropower Project, P-12783-003

To the Party Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the license application filed on July 22, 2009, by Inglis Hydropower, LLC (Inglis Hydropower or applicant) for an original license for the Inglis Hydropower Project No. 12783-003. The project would be located at the existing Inglis Bypass Channel and Spillway on the Withlacoochee River, west of Lake Rousseau and the existing Inglis Dam. The project would be located near Inglis, Florida, in Levy, Citrus, and Marion counties, Florida. No federal lands would be occupied by the proposed project.

Pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, Commission staff intends to prepare an environmental assessment (EA), which will be used by the Commission to determine whether, and under what conditions, to issue an original hydropower license for the proposed project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed and that the information presented in the environmental document is thorough and balanced.

We invite your participation in the scoping process and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the proposed Inglis Hydropower Project. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA.

At this time, we do not anticipate holding formal public or agency scoping meetings near the project site. Instead, we will conduct paper scoping for the project.

The SD1 is being distributed to stakeholders on the Inglis Hydropower's distribution list and the Commission's official mailing list (See section 9.0 of the enclosed SD1). If you wish to be added to, or removed from, the Commission's official

mailing list, please send your request by email to e-filing@ferc.gov, or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written or emailed requests must specify your wish to be removed or added to the mailing list and must clearly include the following on the first page: **Inglis Hydropower Project No. 12783-003.**

Please review SD1 and, if you wish to provide comments, follow the instructions in Section 5.0, *Requests for Information*. The deadline for filing comments is April 25, 2010. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EA for this project, please contact Jennifer Adams at (202) 502-8087, or e-mail at jennifer.adams@ferc.gov. Additional information about the Commission's licensing process and the Inglis Project may be obtained from our website, <http://www.ferc.gov>.

Enclosure: Scoping Document 1

cc: Mailing List
Public Files

SCOPING DOCUMENT
INGLIS HYDROPOWER PROJECT
FLORIDA
PROJECT NO. 12783-003

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

March 2010

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SCOPING DOCUMENT 1

Inglis Hydropower Project, No. 12783-003

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On July 22, 2009, Inglis Hydropower, LLC (Inglis Hydropower or applicant), using the FERC Traditional Licensing Process, filed an application for an original license for the proposed 2.0 megawatt (MW) Inglis Hydropower Project (P-12783-003).

The Inglis Hydropower Project would be operated as a run-of-river facility, using water released from Lake Rousseau into the Inglis Bypass Channel and Spillway that, in turn, releases water into the lower reach of the Withlacoochee River. The proposed project would be located near Inglis, Florida, in Levy, Citrus, and Marion counties, Florida. No federal lands would be occupied by the proposed project. A detailed description of the project is provided in section 3.0.

The National Environmental Policy Act of 1969 (NEPA),² the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of licensing the project as proposed, and also consider reasonable alternatives to the applicant's proposed action. At this time, we intend to prepare an environmental assessment (EA) that describes and evaluates the probable effects, including an assessment of site-specific and cumulative effects, if any, of the proposed action and alternatives. The EA preparation will be supported by a scoping process to ensure that all pertinent issues are identified and analyzed. Although our current intent is to prepare a single EA, there is a possibility that a subsequent EA or an environmental impact statement (EIS) may be required. Nevertheless, this scoping document will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

¹ U.S.C. § 791(a)-825(r).

² National Environmental Policy Act of 1969, as amended (Pub. L. 91-190. 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, Section 4 (b), September 13, 1982).

2.0 SCOPING

2.1 PURPOSE OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for environmental enhancement associated with a proposed action. According to NEPA, the process should be conducted early in the planning stages of the project. The purposes of scoping are as follows:

- invite the participation of federal, state, and local resource agencies; Indian tribes; nongovernmental organizations (NGOs); and the public to identify significant environmental and socioeconomic issues related to the proposed project;

- determine the resource issues, depth of analysis, and significance of issues to be addressed in the EA;

- identify how the project would or would not contribute to cumulative effects in the project area;

- identify reasonable alternatives to the proposed action that should be evaluated in the EA;

- solicit, from participants, available information on the resources at issue; and

- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

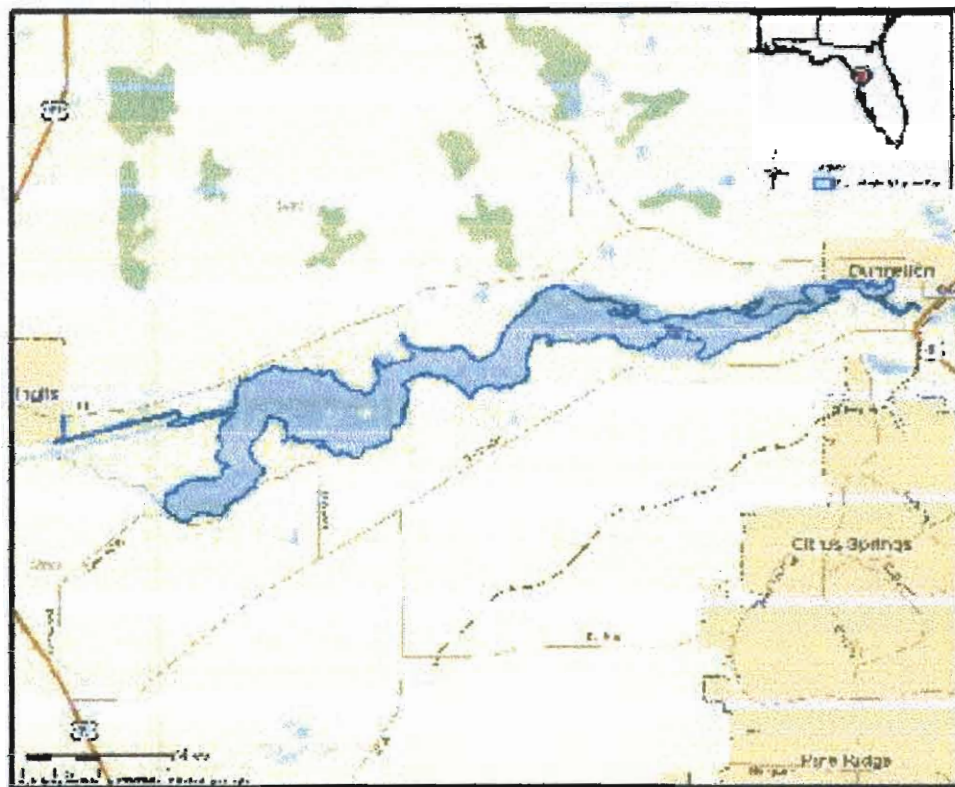


Figure 1. Proposed location for the Inglis Hydropower Project No. 12783-003 (Source: FERC staff based on project boundary data submitted by the applicant.)

2.2 COMMENTS, SCOPING MEETINGS, AND SITE VISIT

During the preparation of the EA, there will be several opportunities for the resource agencies, Indian tribes, NGOs, and the public to provide input. These opportunities occur:

during the public scoping process when we solicit written comments regarding the scope of the issues and analysis for the EA;

in response to the Commission's Ready for Environmental Analysis notice; and

after issuance of the EA, when we solicit written comments on the EA.

We do not anticipate holding public scoping meetings or a public site visit. Instead, we will conduct paper scoping. Please review this SD1 and, if you wish to provide written input, follow the instructions contained in section 5.0, *Requests for Information*.

Following the scoping comment period, all issues raised will be reviewed and decisions made on the level of analysis needed. If our preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

If we receive no substantive comments on SD1 we will not prepare a Scoping Document 2 (SD2). Otherwise, an SD2 addressing any substantive comments received will be issued for informational use only by all participants or interested persons; no response will be required. The EA will address recommendations and input received during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA guidelines, our environmental analysis will consider, at a minimum, the following alternatives: (1) the no-action alternative; (2) the applicant's proposed action; and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

The no-action alternative is license denial. Under the no-action alternative, the project would not be built and environmental resources in the project area would not be affected.

3.1.1 Existing Facilities

Lake Rousseau was formed when the Florida Power Corporation constructed the Inglis Dam in 1909 to generate hydroelectric power. The hydroelectric power plant was dismantled in the 1960s due to the construction of the now de-authorized Cross Florida Barge Canal (Canal). The Canal cut through the bed of the Withlacoochee River approximately one mile downstream from the Lake Rousseau dam disrupting the flow into the remainder of the river. To ensure no disruption of flow in the river, a Bypass Channel was constructed on the north side of the Canal. Approximately 600 feet east of the river, a spillway with adjustable gates was also constructed on the Bypass Channel to control flow of water out of the Lake Rousseau and maintain elevation 27.5 feet mean sea level (msl). The Inglis Project would be built at this spillway.

3.2 APPLICANT'S PROPOSAL

3.2.1 Proposed Project Facilities and Operation

The proposed project would consist of: (1) a 45-foot-long, 100-foot-wide intake conveying water from the Bypass Channel; (2) a 130-foot-long penstock consisting of two 14-foot by 14-foot reinforced concrete conduits; (3) a 60-foot-long, 80-foot-wide, 30-foot-high concrete powerhouse containing three vertical shaft turbines, two 0.8 megawatt (MW) turbines and one 0.4 MW turbine for a total installed capacity of 2.0 MW; (4) a 100-foot-long concrete discharge channel carrying the water from the powerhouse back into the Bypass Channel below the spillway; (5) a new substation adjacent to the powerhouse; (6) a 120-foot-long, 24 kilovolt transmission line connecting the project substation to the local utility; and (7) appurtenant facilities. The Inglis Project would annually generate approximately 12,300 megawatt-hours.

The project would operate in a run-of-the-river mode. The lake level would be monitored to automatically control the water flow through the turbines, thus maintaining Lake Rousseau at an elevation of 27.5 msl. During normal operations, all water would flow through the turbines. When there is more water available than can flow through the three turbines, the spillway would be used to pass flows in excess of 1,400 cubic feet per second (cfs) plant capacity. The project would be run remotely with an operator on standby.

3.2.2 Proposed Environmental Measures

The applicant proposes the following mitigation, protection, and enhancement measures.

Geology and Soil Resources

Minimize the footprint of the project by using existing facilities and implementing best management practices to prevent soil erosion and control sedimentation during construction.

Use existing access roads and transmission lines.

Water Quality

Use a Programmable Logic Controller to control the flow through the turbines to maintain the surface level of the lake which would be specified by the Southwest Florida Water Management District (WMD).

Install draft tube air induction rings on the turbines to add an adjustable amount of oxygen to the water to avoid the potential for returning water low in dissolved oxygen (DO) to the river.

Monitor DO levels downstream of the project on a weekly basis.

Design the project so that it can operate at a reduced lake elevation of 20.5 feet msl to ensure that periodic drawdowns of Lake Rousseau can occur.

Design the powerhouse with its own spillgates to maintain a constant flow of freshwater through the plant and down river.

During periods of tidal flooding, reduce flows through the turbines as directed by the Southwest Florida WMD.

During project construction, pump water from excavated areas and route it to a sediment basin to remove sediment before returning the water to the bypass channel; after completion of construction, the sediments would be allowed to dry and then covered in place; excessive amounts of sediments would be removed to an approved off-site location; and after project structures are completed, remove the sheet piling and soil between the project and the bypass channel.

During project construction, silt fencing would be used around the excavation area to catch sediment-laden rainwater and disturbed areas

would be sown with grass seed and covered with straw. All disturbed areas would be properly graded and sodded after construction is complete. Silt fencing would remain in place until the sod is growing and firmly attached to the earth.

To prevent sedimentation during removal of the sheet piling and coffer dam the flow in the spill channel would be temporarily reduced to the minimum 600 cfs; a silt curtain would be placed between the coffer dam and the center of the channel; water would be pumped from this impoundment into the sediment basin; the remaining exposed soil would be covered with a geo textile filter cloth and then covered with 18 inches of large riprap to prevent erosion. Once the coffer dam removal is complete, the silt curtain would be removed and the flow returned to normal.

Aquatic Resources

Operate the project in a run-of-river mode to protect aquatic habitat from dewatering.

Design intake racks with a maximum intake velocity of 2 feet per second and a maximum space between bars of 2 inches to reduce fish impingement and entrainment.

Terrestrial Resources

Minimize vegetation removal by utilizing existing facilities and minimizing the footprint of the proposed project.

Operate the project in a run-of-river mode to maintain constant water levels in the impoundment to minimize effects to wetland, riparian and littoral habitats.

Threatened and Endangered Species

Install intake and discharge gates, according to the specifications of resource agencies, to prevent project related effects to manatees.

Cultural Resources

Stop or relocate work if human remains or artifacts are found. In the event of such a discovery, notify the State Historic Preservation Officer, along with Indian tribes.

Recreation and Land Use

Install an interpretive kiosk at the north side of the powerhouse that contains information showing drawings of the powerhouse and how the powerhouse was built, how much power is generated, and how this offsets the use of fossil fuels to benefit the environment.

Maintain public access to the south side of the spillway, except during construction.

Employ standard safety precautions to protect the public.

Aesthetic Resources

Select a design and appropriate colors for project facilities that would have minimal effects on the aesthetics of the area.

3.3 ALTERNATIVES TO THE PROPOSED ACTION

The Commission will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by us, federal and state agencies, Indian tribes, NGOs, and the public.

3.4 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

Currently, there are no alternatives that we propose to eliminate from detailed study in the EA.

4.0 SCOPE OF CUMULATIVE EFFECTS ANALYSIS AND SITE SPECIFIC RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

According to the Council on Environmental Quality's regulations for implementing NEPA (50 CFR §1508.7), an action may cause cumulative effects on the environment if its effects overlap in space and/or time with the effects of other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over time, including hydropower and other land and water development activities.

4.1.1 Resources that Could Be Cumulatively Affected

Based on information in the license application, agency comments, other filings related to the project, and preliminary staff analysis, we have preliminarily identified the resources that have the potential to be cumulatively affected by the operation of the Inglis Project. Those resources are water quality and fishery resources.

4.1.2 Geographic Scope

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources; and (2) contributing effects from non-hydropower activities within Lake Rousseau and the Withlacoochee River downstream of the project to the Gulf of Mexico. Because the proposed action can affect resources differently, the geographic scope for each resource may vary.

At this time, we propose the geographic scope for water quality to encompass Lake Rousseau and the Withlacoochee River to the Gulf of Mexico. We chose this geographic scope because other activities such as recreation and proximity to residential areas, in combination with the operation of the project, may influence water quality. For fisheries resources, our proposed geographic scope is also Lake Rousseau and Withlacoochee River downstream to the Gulf of Mexico. We choose this geographic scope because anadromous and catadromous species may use the river and fish entrainment or impingement may affect fish populations in Lake Rousseau and in the Withlacoochee River.

4.1.3 Temporal Scope

The temporal scope of our cumulative effects analysis in the EA will include a discussion of past, present, and future actions and their effects on each resource that could be cumulatively affected. Based on the potential term of a license, the temporal scope will look 30 to 50 years into the future, concentrating on the effect to the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource. The quality and quantity of information, however, diminishes as we analyze resources further away in time from the present.

4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the EA. We identified the issues, which are listed by environmental resource area, through our review of the license application and the Commission's record for the Inglis Hydropower Project. This list is not intended to be exhaustive or final, but contains issues raised to date that could have substantial effects. After the scoping process is complete, we will review this list and determine the appropriate level of analysis needed to address each issue. The cumulatively affected resources are identified by asterisks (*).

4.2.1 Geology and Soils

Effects of the proposed construction on downstream soil erosion and sediment transport.

4.2.2 Water Resources*

Effects of flow diversion on the water volume flowing through the Inglis bypassed channel at the spillway.

Effects of the proposed project, in relation to the existing project spills, on gas supersaturation and DO levels downstream from the dam.

Effects of the proposed project, in relation to the existing spillway design, on the ability to effectively draw down Lake Rousseau.

Effects of the proposed construction on sediment transport into the bypassed channel.

4.2.3 Aquatic Resources*

Effects of impingement and/or entrainment on fish populations.

Effects of potential changes in water quality (i.e. DO and water temperature) on fish populations within the project affected area.

4.2.4 Terrestrial Resources

Effects of the proposed construction, operation, and maintenance on wetlands downstream from the project.

4.2.5 Threatened and Endangered Species

Effects of the proposed project on federally listed species potentially occurring within the project boundary, including the manatee and red-cockaded woodpecker.

4.2.6 Recreational Resources

Effects of the proposed operation and maintenance of the project on existing recreation facilities, including bank fishing and access to the picnic pavilion on the south side of the proposed project, and the need for additional recreational amenities in the project area.

Effects of project construction on public access to existing recreation facilities.

4.2.7 Aesthetic Resources

Effects of the proposed construction and operation of the project on the visual and other aesthetic resources of the area.

4.2.8 Cultural Resources

Effects of the proposed project on properties that are included, or eligible for inclusion, in the National Register of Historic Places.

4.2.9 Socio-economic Resources

Effects of the proposed construction, operation, and maintenance of the project on public safety and the local fire and police departments.

4.2.10 Developmental Resources

Effects of proposed protection, mitigation, and enhancement measures on project economics.

5.0 REQUEST FOR INFORMATION

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and the public to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of project specific and cumulative effects associated with licensing the proposed Inglis Hydropower Project. The types of information requested include, but are not limited to:

information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site specific and cumulative effects) and that helps identify significant environmental issues;

identification of, and information from, any other EA, EIS, or similar documents of studies (previous, ongoing, or planned) relevant to the licensing of the proposed project;

information that would help characterize the existing conditions and habitats;

the identification of any federal, state, or local resource plans and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, or fish management programs) along with any implementation schedules;

documentation that the proposed project would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the project would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Indian tribes, NGOs, and the public; and

documentation showing why any resource should be excluded from further study or consideration.

All comments and documents may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/ferconline.asp>), under the "eFiling" link. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426. All filings with

the Commission must include project name and number (i.e., Pacolet Project No. 2621-009) and bear the heading "Comments on Scoping Document 1."

The requested information, and scoping comments, should be submitted in writing to the Commission no later than 30 days from March 26, 2010. All correspondence must clearly show at the top of the first page: **Inglis Hydropower Project (P-12783-003)**. Address all communications to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

All filings sent to the Secretary of the Commission should contain an original and eight copies. Failure to file an original and eight copies may result in appropriate staff not receiving the benefit of your comments in a timely manner. Scoping comments may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001 (a)(1)(iii) and the instructions on the Commission's web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "e-Filing" link. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1- (866) 208-3676, or for TTY, (202) 502-8659. The Commission strongly encourages electronic filings.

In addition, there is a "Quick Comment" option available, which is an easy method for interested persons to submit text only comments on a project. The Quick-Comment User Guide can be viewed at <http://www.ferc.gov/docs-filing/efiling/quick-comment-guide.pdf>. Quick Comment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the Quick Comment option are placed in the public record for the project.

Register online at <http://www.ferc.gov/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

Intervenors—those on the Commission's service list for this proceeding—are reminded that if they file comments with the Commission, they must also serve a copy of their filing on each person whose name appears on the official service list for the project. Note that the list is periodically updated. The official service list can be obtained on the Commission's website (<http://www.ferc.gov>)—click on Documents and Filing tab, then click on eService List—or call the Office of the Secretary, Dockets Branch at (202) 502-8715. In addition, if a party files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on the resource agency.

Any questions concerning the scoping process, preparation of the EA, or how to file written comments with the Commission should be directed to Jennifer Adams at (202) 502-8087, or by e-mail at jennifer.adams@ferc.gov.

6.0 EA PREPARATION SCHEDULE

At this time, we anticipate the need for a single EA. The EA will be sent to all persons and entities on the Commission's service and mailing lists for the Inglis Hydropower Project.³ The EA will include our recommendations for operating and maintenance procedures, as well as environmental protection and enhancement measures, which should be part of any original license issued by the Commission. All recipients will then have 30 days to review the EA and file written comments with the Commission. All comments on the EA filed with the Commission will be considered in the preparation of the license order.

The preliminary schedule for preparing the EA is as follows:

<u>Major Milestone</u>	<u>Target Date</u>
Comments on SD1	April 2010
Issue SD2 (if necessary)	May 2010
Notice that application is ready for environmental analysis	June 2010
Deadline for filing comments, recommendations and agency terms and conditions/prescriptions	July 2010
EA	December 2011

7.0 PROPOSED EA OUTLINE

The preliminary outline for the Inglis Project EA is as follows:

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LIST OF FIGURES	
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1.0 INTRODUCTION	
1.1 Applications	
1.2 Purpose of Action and Need for Power	
1.2.1 Purpose of Action	
1.2.2 Need for Power	
1.3 Statutory and Regulatory Requirements	

³ The Commission's official mailing list is included in Section 9.0, *FERC Official Mailing List*.

- 1.3.1 Federal Power Act
 - 1.3.1.1 Section 18 Fishway Prescriptions
 - 1.3.1.2 Section 10(j) Recommendations
 - 1.3.2 Clean Water Act
 - 1.3.3 Endangered Species Act
 - 1.3.4 Coastal Zone Management Act
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 - 2.2 Applicant's Proposal
 - 2.2.1 Proposed Project Facilities
 - 2.2.2 Proposed Project Operation
 - 2.2.3 Proposed Environmental Measures
 - 2.2.4 Proposed Project Boundary
 - 2.2.5 Modifications to Applicant's Proposal—Mandatory Conditions
 - 2.3 Staff Alternative
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 - 2.5 Other Alternatives
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- 3.0 ENVIRONMENTAL ANALYSIS
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 - 3.2 Scope of Cumulative Effects Analysis
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 - 3.2.2 Temporal Scope
 - 3.3 Proposed Action and Actions Alternative
 - 3.3.1 Geological and Soil Resources
 - 3.3.2 Aquatic Resources
 - 3.3.3 Terrestrial Resources
 - 3.3.4 Threatened and Endangered Species
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 - 3.3.6 Cultural Resources
 - 3.3.7 Aesthetic Resources
 - 3.3.8 Socioeconomics
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- 4.0 DEVELOPMENTAL ANALYSIS
 - 4.1 Power and Economic Benefits of the Project
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- 5.0 CONCLUSIONS AND RECOMMENDATIONS
 - 5.1 Comparison of Alternatives
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 - 5.3 Unavoidable Adverse Effects
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 - 5.5 Consistency with Comprehensive Plans
- 6.0 FINDING OF NO SIGNIFICANT IMPACT (OR SIGNIFICANT IMPACT)
- 7.0 LITERATURE CITED
- 8.0 LIST OF PREPARERS
- 9.0 CONSULTATION DOCUMENTATION

8.0 CONSISTENCY WITH COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. §803(a)(2)(A), requires us to consider the extent to which a project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. We have preliminarily identified and reviewed the plans listed below that may be relevant to the proposed Inglis Hydropower Project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR §2.19 of the Commission's regulations. Please follow the instructions for filing a comprehensive plan at <http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf>.

Florida

Florida Department of Environmental Protection. 2002. Florida Statewide Comprehensive Outdoor Recreation Plan (SCORP): Outdoor recreation in Florida. Tallahassee, Florida. February 2002.

Gulf States Marine Fisheries Commission. 2006. The striped bass fishery of the Gulf of Mexico, United States: A regional management plan. Ocean Springs, Mississippi. March 2006.

National Marine Fisheries Service and U.S. Fish and Wildlife Service. 1995. Gulf sturgeon (*Acipenser oxyrinchus desotoi*) Recovery/Management Plan. Prepared by the Gulf Sturgeon Recovery/Management Task Team. September 15, 1995.

Atlantic States Marine Fisheries Commission. 2000. Interstate Fishery Management Plan for American eel (*Anguilla rostrata*). Report No. 36. April 2000.

National Park Service. 1982. The nationwide rivers inventory. Department of the Interior, Washington, D.C. January 1982.

U.S. Fish and Wildlife Service. 1988. Great Lake and Northern Great Plains Piping Plover recovery plan. Department of the Interior, Twin Cities, Minnesota. May 12, 1988.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American waterfowl management plan. Department of the Interior. Environment Canada. May 1986.

U.S. Fish and Wildlife Service. Undated. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service, Washington, D.C.

9.0 FERC OFFICIAL MAILING LIST

The list below consists of the Commission's official mailing list for the Inglis Project (FERC No. 12783-003). If you want to receive future mailings for the Inglis Project and are not included in the list below, please send your request by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All requests to be added to the mailing list must clearly identify the following on the first page: Inglis Hydropower Project No. 12783-003. You may use the same method if requesting removal from the mailing list.

Florida Fish and Wildlife Conservation
Commission
Farris Bryant Building
620 S. Meridian St.
Tallahassee, FL 32399-1600

Director
Florida Dept of Environmental Regulation
Twin Towers Office Building
2500 Blainstone Rd
Tallahassee, FL 32301-5904

Director
Florida Division of Forestry
Dept. of Agriculture & Consumer Services
3125 Conner Blvd.
Tallahassee, FL 32399-6578

Gregory Hogue
Regional Environmental Officer
Southwest Florida Water Mgt. District 3
2379 Broad Street
Brooksville, FL 34604-6899

Florida Department of Natural Resources
Room 1003, Douglas Building
3900 Commonwealth Blvd.
Tallahassee, FL 32399-6575

U.S. Fish and Wildlife Service
North Florida Field Office
6620 Southpoint Dr., S Suite 310
Jacksonville, FL 32216-0958

Attorney General
Florida Office of Attorney General
State Capitol
Tallahassee, FL 32304

U.S. Coast Guard
MSO Tampa
155 Columbia Dr.
Tampa, FL 33606-3509

Director
National Marine Fisheries Service
Southeast Regional Office
263 13th Ave S
Saint Petersburg, FL 33701-5511

Commander
USCG Seventh District
Brickell Plaza Federal Building
909 SE 1st Avenue
Miami, FL 33131-3050

Director
Florida Division of Recreation & Parks
3900 Commonwealth Blvd
Tallahassee, Florida 32399

Director
Florida Division of State Lands
3900 Commonwealth Boulevard M.S. 100
Tallahassee, FL 32399

Regional Administrator
Environmental Protection Agency
805 SW Broadway, Ste 500
Portland, OR 97205-3331

Betty Berger
P.O. Box 83
Inglis, FL 34449

U.S. Bureau of Land Management
Jackson District Office
411 Brianwood Dr., Ste 404
Jackson, MS 39206-3058

Director
South Florida Water Management District
3301 Gun Club Rd.
West Palm Beach, FL 33406-3007

Director
Florida Dept. of Agriculture and
Conservation Service
State Capitol
Tallahassee, FL 32301

Charles Yanny
U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628-0001

Director
Florida Department of Natural Resources
Commonwealth Bldg.
Tallahassee, FL 32303

Director
Florida Division of Marine Services
3900 Commonwealth Boulevard
Tallahassee, FL 32399

U.S. Coast Guard
MSO Jacksonville
7820 Arlington Expy, Ste 400
Jacksonville, FL 32211-7445

Game and Freshwater Fish Commission
620 S Meridian St.
Tallahassee, FL 32399-6543

7. c. Correspondence



April 23, 2010

Douglas Tharpe, Co-Chair
Withlacoochee River Basin Board
Southwest Florida
Water Management District
2379 Broad Street
Brooksville, Florida 34604

Dear Doug,

Thank you so much for taking time out of your schedule to come to the Withlacoochee Regional Water Supply Authority's workshop. The Authority Board and I were very appreciative that you did attend since you have become such an interested and engaged supporter of the Authority over the past two years. In the subsequent business meeting, the Board approved the consensus recommendations and directed me to begin "fleshing" out the recommendations for more specific action over the next several months.

I know that with the help of the District Board and staff, the Authority will make great strides in the next year or so in implementing the recommendations of the Master Water Supply Plan that Pete Hubbell and Water Resources Associates have provided to us. We appreciate your continued support.

Warm personal regards,

Jackson E. Sullivan
Executive Director

cc: WRWSA Board Members
SWFWMD Governing Board
Withlacoochee Basin Board Members



April 23, 2010

Judith Whitehead, Chair
Coastal Rivers Basin Board
Southwest Florida
Water Management District
2379 Broad Street
Brooksville, Florida 34604

Dear Judy,

Thank you so much for taking time out of your schedule to come to the Withlacoochee Regional Water Supply Authority's workshop. I know that the Authority Board and I were not surprised that you did attend since you have been such an interested and engaged supporter of the Authority over the years. In the subsequent business meeting, the Board approved the consensus recommendations and directed me to begin "fleshing" out the recommendations for more specific action over the next several months.

I know that with the help of the District Board and staff, the Authority will make great strides in the next year or so in implementing the recommendations of the Master Water Supply Plan that Pete Hubbell and Water Resources Associates have provided to us. We appreciate your continued support.

Warm personal regards,

Jackson E. Sullivan
Executive Director

cc: WRWSA Board Members
SWFWMD Governing Board
Coastal Rivers Basin Board Members



April 23, 2010

David Moore, Executive Director
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604

Dear Dave,

Thank you for coming to the Authority's Phase II Master Plan workshop. As always, your knowledge and guidance was of great benefit during consideration of the recommendations of the Phase II Master Plan. As I'm sure you are aware, the Authority Board approved the consensus recommendations for further study and requested that I bring back a work plan and budget for the various recommendations. I will be looking for assistance from the District staff in considering how to implement and finance many of these recommendations. As always, I know that the District staff is there for assistance.

Again, thank you so much for taking the time to come to this meeting and participate. The support of you, the SWFWMD staff and Board members is very much appreciated.

With best regards,

Jackson E. Sullivan
Executive Director

cc: WRWSA Board Members
SWFWMD Governing Board
Withlacoochee Basin Board Members
Coastal Rivers Basin Board Members



April 23, 2010

Emilio D. Vergara
5075 White Road
Brooksville, FL 34602

Dear Sonny,

I just want to personally thank you for the job that you did for the Authority by facilitating the workshop on the Phase II Master Plan. The Board is very grateful to you for taking a considerable amount of your time to help the Authority navigate toward ensuring the future of water supply in this region. This was a case where we got so much more than we paid for (and it was the easiest non-contract I ever negotiated). However, having known you for so many years and the many tasks you have undertaken in your career in the name of water management, we were not surprised that you made a complex process understandable and even entertaining.

Now you can go back to growing grapes, fishing and your other community projects. But just know that we sincerely appreciate the hard work and effort you put into the workshop. As I mentioned to you by telephone the next day, in the business meeting following the workshop, the Board approved all of the consensus recommendations for further study and implementation over the next several months. The success of the workshop was in large part a result of your involvement and hard work. Thanks for a job well done.

Best regards,

Jackson E. Sullivan
Executive Director

cc: WRWSA Board Members
SWFWMD Governing Board



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

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

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

On the Internet at WaterMatters.org

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


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

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

April 12, 2010

MEMORANDUM

TO: Interested Parties

FROM: Roy A. Mazur, P.E., Planning Director 

SUBJECT: Regional Water Supply Plan 2010 Update

The Southwest Florida Water Management District (SWFWMD) is updating the 2006 Regional Water Supply Plan (RWSP) in accordance with Section 373.0361, Florida Statutes. First published in 2001 and updated every five years, the document addresses the water supply demands, sources, and resource protection criteria to the year 2030. For the first time the District has divided the RWSP into four volumes, corresponding to four planning regions, to streamline the document and facilitate ease of use. The District is eager to receive thoughts and comments on the content of the RWSP; consequently, a significant public review effort will be undertaken to ensure all involved and affected parties are provided the opportunity to provide input during this update process.

By April 23rd, a draft copy of the updated RWSP will be available to download from our website at watermatters.org. If you would prefer a CD version of the draft plan, please send an email to Planning@watermatters.org.

The following Public Input Meetings have been scheduled:

Thursday, May 6, 2010
Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida

Tuesday, May 11, 2010
Bartow Service Office
170 Century Boulevard
Bartow, Florida

Wednesday, May 19, 2010
Brooksville Headquarters
2379 Broad Street
Brooksville, Florida

Monday, May 24, 2010
Tampa Service Office
7601 Highway 301 North
Tampa, Florida

All of the above meetings will be held from 10:00 a.m. until Noon. We are interested in your input, if you do not get the opportunity to attend any of our public input sessions, you may comment directly on the RWSP webpage or via email to Planning@watermatters.org and your concerns will be addressed by our staff. Public input opportunities will also be available at public meetings of the District's Governing Board, Basin Boards and Advisory Committees. Information on these meetings is available on the District's website (see link above).

Todd Pressman
Chair, Pinellas

Ronald E. Oakley
Vice Chair, Pasco

Hugh M. Gramling
Secretary, Hillsborough

Sallie Parks
Treasurer, Pinellas

Carlos Beruff
Manatee

Bryan K. Beswick
DeSoto

Jennifer E. Closshey
Hillsborough

Neil Combee
Polk

Albert G. Joerger
Sarasota

Maritza Rovira-Forino
Hillsborough

H. Paul Senft, Jr.
Polk

Douglas B. Sharp
Sumter

Judith C. Whitehead
Hernando

David L. Moore
Executive Director

William S. Bilenky
General Counsel



WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY

May 3, 2010

John Ferguson, Hydrologist
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

Re: Time Extension for Phase VII Northern District Modeling and Technical Support
Task Schedule

Dear John:

Thank you for bringing to my attention that the task schedule for Phase VII Modeling and Technical Support will expire on April 30, 2010. Somehow, I had in my mind that it did not expire until December 30, 2010. Thanks for the clarification.

Both Water Resource Associates and I have been so focused on completing the Phase II portion of our joint contract that we have not reviewed issues relating to Phase VII. In fact, we are scheduled to discuss the Phase VII task schedule today. However, I believe in all prudence, I would like to request that SWFWMD extend the task schedule to November 30, 2010. I feel that we will need those additional funds between now and November 30 for some of the work anticipated in the northern portion of the District. I do not anticipate that any work that is done will require any additional funding above what has already been allocated.

Hopefully, this letter is all that the District will need to approve this extension of the task schedule. However, if you need additional information, please don't hesitate to contact me.

Sincerely,

Jackson E. Sullivan
Executive Director

1107 Shalimar Drive – Tallahassee, FL 32312
(850) 385-0220 – FAX (850) 385-0223
jesull@comcast.net



May 6, 2010

Mr. Gene Andrews
P.O. Box 407
Yankton, South Dakota 57078

Re: Public Records Request

Dear Mr. Andrews:

Please find attached the March 9, 1995 minutes of the Authority regarding the policy of the Board to require persons other than Board members and government agencies to pay for postage to mail them a copy of the Board meeting package. I appreciate you bringing this issue to my attention through Commissioner Mike Amsden. Initially, when the policy was initiated, the Authority's budget was extremely restricted. However, over time the Authority has established a web page (www.wrwsa.org) and the agenda as well as a copy of the entire Board Package is available to the public merely by downloading and printing these items from the Authority's web page. I will place this issue on the agenda for a Board meeting and refer the public to our web page for copies of the agenda and Board meeting package. I will also determine if the Board wants to change its policy regarding payment for postage.

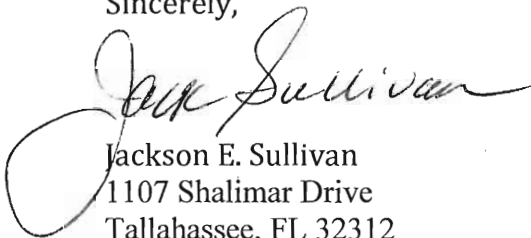
Mr. Amsden forwarded me your letter regarding where public records are kept for the Authority. From the Authority's inception in 1977, the public records have been kept at a public agency that stores and maintains the records, all of which are available for review by the public. For a period from 1977 to approximately 1992 the records were kept at the Withlacoochee Regional Planning Council offices in Ocala. After 1992 (approximate), the records were transferred to the Hernando County Records Repository in Brooksville, Florida in Hernando County, a member of the Authority. Currently, all public records of the Authority are contained at this repository located at:

Hernando County Government Center
20 North Main Street
Brooksville, FL 34601
Tel.# 352-754-4234

As you may or may not be aware, the Authority has no actual employees. I serve the Board of Directors as a consultant to provide ministerial duties for the Authority. In 2008, the Southwest Florida Water Management District, located in Brooksville, Florida agreed to provide the Authority with office space for a period of time until the Authority decided whether to secure office space in the region and hire a permanent staff. I do not work daily in that office. However, I do use the office when I am in Brooksville. I perform most all of my work for the Authority out of an office in my home in Tallahassee.

If I can be of additional assistance, please don't hesitate to contact me directly at the contact numbers or e-mail listed below.

Sincerely,

A handwritten signature in cursive script that reads "Jackson E. Sullivan". The signature is written in dark ink and is positioned above the printed contact information.

Jackson E. Sullivan
1107 Shalimar Drive
Tallahassee, FL 32312
(850) 385-0220
(850) 385-0223
jesull@comcast.net

cc: WRWSA Board Members
Larry Haag, Authority Attorney
David Moore, Executive Director, SWFWMD

Hon. Mike Amsden
Commissioner, District 1
Board of County Commissioners
Marion County
601 SE 25th Ave.
Ocala, Florida

P.O. Box 407
Yankton, South Dakota
57078

27 April 2010

APR 30 2010

RECEIVED
MARION COUNTY FL Re: WRWSA

Dear Commissioner Amsden:

Please consider this a request for information and/or documents relating to the Withlacoochee Regional Water Supply Authority (WRWSA). This request concerns Public Records, Custodian appointment, location of all records of the Authority, Minutes of the WRWSA board establishing the location, hours and days of operation that records are available for inspection and/or copying, Minutes of the WRWSA board establishing the fee schedule in compliance with Chapter 119, Florida Statute.

In addition to the above, Section 119.021 Custodial requirements, maintenance, preservation, and retention of public records – Florida Statutes is or has been complied with. I have attached a copy of this section, so that you are aware of what I am requesting.

This letter is directed to you because you are the Commissioner that represents the District in which I reside.

The WRWSA is an Independent Special District created on 23 February 1977 by Statutory Authority Section 163.01 and Chapter 373 both of the Florida Statutes. That is 33 years ago. Since that time, apparently, all the records have been maintained in Tallahassee, Leon County, Florida first at a law office and in the past several years at 1107 Shalimar Drive, Tallahassee, Florida 32312. According to the official records of the Tax Appraiser's office in Leon County, this the residence of Jack E. Sullivan and Mrs. Sullivan with homestead exemption. Mr. Sullivan is the Executive Director of WRWSA.

Thus the official Public Records of the WRWSA is located at that address. According to the Memorandum issued to the WRWSA Board of Directors and Interested Parties the subject of which is "Monthly Meeting of the Withlacoochee Regional Water Supply Authority, the last paragraph gives notice of the procedure to follow if "persons other than Board members and government agencies, pursuant to board policy" request a copy of the packet they send a envelope with \$3.00 postage in order to obtain that copy.

Page Two (2) Com. Mike Amsden, BCC ltr dtd 27 Apr. 2010.

According to the Public Records Law and information from the First Amendment Foundation there is no provision for charging anyone postage when requesting public records. Furthermore, If the public, who provides the funding for government agencies to operate are going to be charged for public records, of which they are the owners of the records, then government agencies should also be charged. Government entities are not exempt that I am aware of.

Furthermore, if an individual that is a resident of the geographic district of the WRWSA wishes to inspect the records, they have to travel to Tallahassee, the shortest distance from the Authority is 169 miles one way, 2.5 hours travel. In addition, it is reported that WRWSA has acquired office space in a room in the basement of SWFTMD at their headquarters in Brooksville. An inquiry at that agency did not know if any hours or days of operation has been posted or if and when the office is staffed or if any public records are maintained at that location.

On page 225 Government in the Sunshine Manual, 2010 edition it is stated, "The retention of such records in the home of a public official would appear to circumvent the public access requirements of the Public Records Act and compromise the rights of the public to inspect and copy such records."

Thank you for your assistance and cooperation in this matter.

Sincerely,


Gene Andrews

**CC: Governor Charlie Crist
Attorney General
First Amendment Foundation**

of the governmental entity to be removed from the building or office in which the records are ordinarily kept for the length of time required to repair, restore, or

records, the general rule public records may not be routinely removed from the building or office in which such records are ordinarily kept except for official purposes. The retention of such records in the home of a public official would be to circumvent the public access requirements of the Public Records Act and the rights of the public to inspect and copy such records. *Id.* And see 119.021(4) (mail addressed to city officials at City Hall and received at City Hall should be forwarded unopened to the private residences of the officials, but rather the record of a copy of the mail that constitutes a public record should be maintained at



This is excerpts from P.R. Manual

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such clarification in this case (considering the soundness of appeal and action), renders an otherwise good faith—even if incorrect—refusal to disclose records an unlawful act.

However, where the entity did not have a "reasonable" or "good faith" belief in the soundness of its position in refusing production, a trial court abused its discretion in failing to award fees and costs. *Knight Ridder, Inc. v. Dade Aviation Consultants*, 808 So. 2d 1268, 1269 (Fla. 3d DCA 2002). Thus, an opinion of independent counsel upon which an entity relied to support its claim that records should not be released to the media requestor did not meet the good faith standard because the entity did not provide "full and complete disclosure" of the operative facts to counsel. *Id.* at 1270.

3. Criminal penalties

Section 119.10(1)(b), F.S., states that a public officer who knowingly violates the provisions of s. 119.07(1), F.S., is subject to suspension and removal or impeachment and commits a misdemeanor of the first degree, punishable by possible criminal penalties of one year in prison, or \$1,000 fine, or both. *See State v. Webb*, 786 So. 2d 417 (Fla. 1st DCA 2001) (s. 119.10[2] authorizes a conviction for violating s. 119.07 only if a defendant is found to have committed such violation "knowingly"; statute cannot be interpreted as allowing a conviction based on mere negligence). And see s. 119.10(1)(a), F.S., providing that a violation of any provision of Ch. 119, F.S., by a public officer is a noncriminal infraction, punishable by fine not exceeding \$500. *Cf.* s. 838.022(1)(b), F.S. (unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause harm to another, to conceal, cover up, destroy, mutilate, or alter any official record or official document or cause another person to perform such an act).

A state attorney may prosecute suits charging public officials with violations of the Public Records Act, including those violations which may result in a finding of guilt for a noncriminal infraction. AGO 91-38.

N. WHAT ARE THE REQUIREMENTS FOR THE MAINTENANCE AND DISPOSAL OF PUBLIC RECORDS?

1. Maintenance of records

All public records should be kept in the buildings in which they are ordinarily used. Section 119.021(1)(a), F.S. Moreover, insofar as practicable, a custodian of public records of vital, permanent, or archival records shall keep them in fireproof and waterproof safes, vaults, or rooms fitted with noncombustible materials and in such arrangement as to be easily accessible for convenient use. Section 119.021(1)(b), F.S.

(1) Public records shall be maintained and preserved as follows:

(a) All public records should be kept in the buildings in which they are ordinarily used.

(b) Insofar as practicable, a custodian of public records of vital, permanent, or archival records shall keep them in fireproof and waterproof safes, vaults, or rooms fitted with noncombustible materials and in such arrangement as to be easily accessible for convenient use.

(c) 1. Record books should be copied or repaired, renovated, or rebound if worn, mutilated, damaged, or difficult to read.

2. Whenever any state, county, or municipal records are in need of repair, restoration, or rebinding, the head of the concerned state agency, department, board, or commission; the board of county commissioners of such county; or the governing body of such municipality may authorize that such records be removed from the building or office in which such records are ordinarily kept for the length of time required to repair, restore, or rebind them.

3. Any public official who causes a record book to be copied shall attest and certify under oath that the copy is an accurate copy of the original book. The copy shall then have the force and effect of the original.

(2)(a) The Division of Library and Information Services of the Department of State shall adopt rules to establish retention schedules and a disposal process for public records.

(b) Each agency shall comply with the rules establishing retention schedules and disposal processes for public records which are adopted by the records and information management program of the division.

(c) Each public official shall systematically dispose of records no longer needed, subject to the consent of the records and information management program of the division in accordance with s. 257.36.

(d) The division may ascertain the condition of public records and shall give advice and assistance to public officials to solve problems related to the preservation, creation, filing, and public accessibility of public records in their custody. Public officials shall assist the division by preparing an inclusive inventory of categories of public records in their custody. The division shall establish a time period for the retention or disposal of each series of records. Upon the completion of the inventory and schedule, the division shall, subject to the availability of necessary space, staff, and other facilities for such purposes, make space available in its records center for the filing of semicurrent records so scheduled and in its archives for noncurrent records of permanent value, and shall render such other assistance as needed, including the microfilming of records so scheduled.

(3) Agency orders that comprise final agency action and that must be indexed or listed pursuant to s. 120.53 have continuing legal significance; therefore,

including any other provision of this chapter or any provision of chapter 119, this chapter shall permanently maintain records of such orders pursuant to the applicable rules of the Department of State.

(1)(a) Whoever has custody of any public records shall deliver, at the expiration of this section, to his or her successor or, if there be none, to the records and information management program of the Division of Library and Information Services of the Department of State, all public records kept or received by him or her in the transaction of official business.

(b) Whoever is entitled to custody of public records shall demand them from any person having illegal possession of them, who must forthwith deliver the same to him or her. Any person unlawfully possessing public records must within 10 days deliver such records to the lawful custodian of public records unless just cause is shown for failing to deliver such records.

119.07 Inspection and copying of records; photographing public records; fees; exemptions.

(1)(a) Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.

(b) A custodian of public records or a person having custody of public records may designate another officer or employee of the agency to permit the inspection and copying of public records, but must disclose the identity of the designee to the person requesting to inspect or copy public records.

(c) A custodian of public records and his or her designee must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other officers or employees within the agency whether such a record exists and, if so, the location at which the record can be accessed.

(d) A person who has custody of a public record who asserts that an exemption applies to a part of such record shall redact that portion of the record to which an exemption has been asserted and validly applies, and such person shall produce the remainder of such record for inspection and copying.

(e) If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.

(f) If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential.

(g) In any civil action in which an exemption to this section is asserted, if the

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
MARCH 9, 1995 BOARD OF DIRECTORS MEETING

DATE: March 9, 1995
TIME: 5:00 p.m.
PLACE: Hernando County Government Center
County Commission Chambers
20 N. Main Street
Brooksville, FL 34601

MEMBERS PRESENT

Gary Bartell, Citrus County
Frank Schiraldi, Citrus County
Pete Kelly, City of Inverness
Nancy Robinson, Hernando County
June Ester, Hernando County
Ernie Wever, City of Brooksville
Stanton Gideons, Sumter County
Joe Strickland, City of Bushnell
Mike Finn, City of Ocala

MEMBERS ABSENT

John Richardson, Hernando County
Jim Fowler, Citrus County

OTHERS PRESENT

Jack Sullivan, WRWSA Executive Director
Janet Stephen, Recording Secretary Carlton, Fields
Jeannette Haag, WRWSA Attorney
Vincent Vodicka, TOO FAR
L.C. Alexander, Gulf Soil & Water Conservation District
Mark Bolton, Citizen of Hernando County
R.W. & Irene Pritchard, Citizens of Hernando County
Mary Ellen Radman, Good Government League
John Miller, Hydro Q
Leanora Minai, St. Petersburg Times
Nancy Argenziano, Withlacoochee Basin Initiative
Frank Petersen, Withlacoochee Basin Initiative
Bob Wardrop, TOO FAR
Frank Robinson, TOO FAR
Joe Fox, Good Government League
John Tenini, Good Government League
Bill Hennessey, SWFWMD
Jimmy Brooks, SWFWMD
Dick Radacky, Hernando County Utilities

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

Don Lacey, Coastal Engineering
Pat Novey, Hernando County Commission
Lucy Beebe, Ocala Star-Banner

AGENDA ITEM #1 - CALL TO ORDER

Chair Robinson called the meeting to order at 5:03 P.M.

AGENDA ITEM #2 - ROLL CALL

The roll was called by Mr. Sullivan and a quorum was declared present.

AGENDA ITEM #3 - INTRODUCTIONS AND ANNOUNCEMENTS

Mr. Sullivan introduced visitors.

AGENDA ITEM #4 - APPROVAL OF MINUTES OF FEBRUARY 9, 1995 BOARD MEETING

Mr. Bartell made a motion to approve the minutes of the February 9, 1995 Board meeting. Mr. Schiraldi seconded the motion and it carried unanimously.

MOTION TO
APPROVE
FEB. 9th
MINUTES

AGENDA ITEM #5 - COMMENTS ON WATER TRANSFER ISSUES AND PROPOSED LEGISLATION - BILL HENNESSEY, SWFWMD

Mr. Hennessey said Dr. Betz's comments on the Tampa area becoming a "wretched desert" are overstatements of the issue, and that analysis of the District's efforts to reduce the effects of pumpage and drought on ground and surface waters will preclude anything even close to a "wretched desert." However, Mr. Hennessey does believe Dr. Betz's comments about the dividing line between north and south Florida are accurate. Mr. Hennessey said Dr. Betz's statistic of humans using 43% of the groundwater south of the divide does not take conservation measures or reuse into account. Mr. Hennessey said if by 2020 the majority of the state's population still is south of the divide, and other measures such as aggressive conservation and desalination have been used, the District may then support the idea of transporting water by pipeline from the northern part of the state to the southern part. Mr. Gideons asked whether any permitted water systems were using the Withlacoochee River as a source of water. Mr. Hennessey replied he was aware of none.

Mr. Sullivan then asked Mr. Hennessey if the District's Local Sources first policy would apply to Florida Power

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

Corporation's proposed pipeline in the WRWSA area. Mr. Hennessey replied the policy would definitely apply in the permitting process. Mr. Sullivan asked how the Authority would become involved in the process, if Florida Power Corporation applies for a consumptive use permit. Mr. Hennessey said if the Authority requested, it would be notified as an affected third party under Florida Statutes Chapter 120, in the event Florida Power applied for a consumptive use permit. Mr. Hennessey also said that there is no rule or statute forbidding the granting of a permit to someone other than a Regional Water Supply Authority, provided all the permit criteria were met. However, the statute states clearly that the District must have approval from a Water Supply Authority before it can develop a water supply in the Authority's jurisdiction. Mrs. Haag stated that if Florida Power applies for a consumptive use permit, the application would have to state where the need was originating from, which in this case would be the local government(s) of the WCRWSA. Mr. Hennessey said typically in consumptive use permits, the various governments apply as co-applicants. Mr. Sullivan asked whether inter-district water transfers are discouraged by the District. Mr. Hennessey said although these transfers are allowed by Chapter 373, they are not felt to be necessary by the District. Chair Robinson requested that the Board send a letter requesting notification in the event Florida Power applies for a consumptive use permit.

Regarding the proposed legislation included in the Board package: Mr. Hennessey said HB 1169 was pre-filed by Rep. Spivey. It amends F.S. 163.3177, requiring maintaining the integrity of the water budget in a hydrologic water basin, as a basis for future growth. Mr. Hennessey said the SWFWMD Governing Board had not yet reviewed any of the proposed bills, but the District is in favor of legislation strengthening the connections between land and water planning, and feels this should be included in comprehensive plans. Mr. Hennessey said the District would most likely not support this bill.

HB 97 is identical to SB 1358. It amends F.S. 163.3167, and requires that each County's growth management plan provide for long-term availability of water supplies for approved developments. It also amends F.S. 189.009. Mr. Hennessey said the District will support this bill.

The third bill in the Board package was filed by Senator Brown-Waite and Rep. Stabins and amends F.S. 373.0395 regarding the use of groundwater basin inventory and

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

encouraging the development of water supplies within District boundaries, rather than transporting across District boundaries. It also amends F.S. 373.223, requiring consumptive use permit applicants to use conservation and reuse measures. Mr. Hennessey said the District will be in favor of this bill, as it incorporates conservation and reuse measures in the statute.

Regarding the proposed pipeline from Florida Power, Mr. Sullivan said it is important that the Authority make every effort to stay in control of its water supply, and closely monitor Florida Power's actions. Mr. Sullivan asked if, in the event both a Water Supply Authority and another agency outside the Authority area were applying for the same consumptive use permit, if the District would grant the permit to the Authority. Mr. Hennessey said he did not believe the statutes address this clearly, but the District's Needs and Sources plan adopted by the Governing Board's policy says the appropriate Water Supply Authority would prevail. Mr. Hennessey said he would check on this issue and report back to the Authority.

**AGENDA ITEM #6 - MONTHLY STATUS REPORT ON MASTER PLAN UPDATE -
DON LACEY, PROJECT DIRECTOR, COASTAL ENGINEERING, INC.**

Mr. Lacey said the consultants had incorporated the comments received from the Steering Committee members into the next draft. The GIS mapping is now being done on service districts, wellfields, major distribution lines, and quality and quantity data. Hartman and Associates is now installing the data base to determine the location and quality of water sources. This data will be calibrated within the next couple weeks. Mr. Lacey said the revised population projections will be completed shortly. Mr. Kidder has been sent the proposed legislation for review. Mr. Lacey thinks it would be a good idea for Mr. Kidder to speak about the proposed legislation at the next Steering Committee meeting, which will be on April 20, 1995.

**AGENDA ITEM #7 - CONSIDERATION OF BOARD POLICY ON TRANSFER OF
WATER (RESOLUTION NO. 95-02) - JACK SULLIVAN, EXECUTIVE
DIRECTOR, WRSWSA**

Mr. Sullivan recommends the Board adopt the resolution on water transfer adopted by the Hernando County Commission. The Board's first version of the resolution is also provided for review. Mr. Sullivan asked Mr. Radacky, Hernando County Utilities Director to review Hernando County's revisions for

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

the Board. Mr. Radacky encourages the other governments in the Authority to adopt a similar resolution and forward to their legislative delegations, in order to express opposition to water transfers to the Tampa Bay area. Mr. Radacky reviewed the eight issues adopted by the Hernando County Commission last September regarding land and water use issues, which were incorporated in the resolution. Mr. Bartell made a motion to adopt resolution 95-02. Ms. Ester seconded the motion and it carried unanimously.

MOTION TO
ADOPT
RESOLUTION
#95-02

AGENDA ITEM #8 - ATTORNEY'S REPORT - JEANNETTE HAAG, WRWSA ATTORNEY

Mrs. Haag recommends assisting Mr. Sullivan in making a public records request to the governments of the WCRWSA, regarding any communications with Florida Power Corporation on being a potential party to a consumptive use permit, or being a potential customer of Florida Power. The Board concurs with Mrs. Haag. Mrs. Haag also recommends monitoring the Public Service Commission for any applications to furnish water from Florida Power Corporation. The Board concurs with this recommendation also.

AGENDA ITEM #9 - EXECUTIVE DIRECTOR'S REPORT - JACK SULLIVAN

A. Legislative Report.

Mr. Sullivan included a report in the Board package dated March 1, 1995 of all bills pertaining to water legislation. There is also a bill introduced by Senator Brown-Waite which proposes changing the Water Management District Governing Boards. Mr. Sullivan also said the Authority's lobbyist is providing a daily update on the status of legislation, and is monitoring relevant committee meetings, including the House Select Committee on Water Policy. Ms. Ester stated the bill on Governing Boards usurps local authority, by continuing control of the Governing Boards with the State, and recommends the Board not support portions of this bill. The Board concurred. Ms. Ester made a motion to send a letter stating the concerns of the Board to Senator Brown-Waite. Mr. Bartell seconded the motion and it carried unanimously.

MOTION TO SEND
LETTER TO
SENATOR
BROWN-WAITE
RE: PROPOSED
BILL

B. Accounting Policies and Procedures

Mr. Sullivan said the Accounting Policies and Procedures were prepared in response to the Auditor's recommendations. Mr. Schiraldi made a motion to approve the Accounting Policies and Procedures Manual. Mr. Kelly seconded the motion and it

MOTION TO
APPROVE ACCOUNTING
PROCEDURES

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

carried unanimously.

C. Quarterly Financial Report, October 1-December 31, 1994

Mr. Sullivan said the amount for the Master Plan was revised from \$100,000.00 to \$132,000.00. Mr. Sullivan said the copying budget for the year is \$1,300.00. The Authority has spent \$1,004.00 so far, and has spent another \$1,000.00 in January and February, which is not reflected on the quarterly report. This is mostly for the copying of Board packages. Mr. Sullivan estimates that the copying expenses will be approximately \$4,000 to \$5,000 over budget. He recommends transferring funds from other parts of the budget, such as travel. Mr. Sullivan recommends approving the quarterly report. Mr. Finn made a motion to approve the financial report. Mr. Gideons seconded the motion and it carried unanimously. Ms. Ester recommended not making duplicate Board packages for meetings. The Board agreed by consensus.

MOTION TO
APPROVE
QUARTERLY
FINANCIAL
REPORT

D. Copying Policies

Mr. Sullivan prepared a proposed policy on copying charges, based on F.S. 119.07. He also inquired what the Withlacoochee Regional Planning Council charges for copies, which is no charge for the first 10 copies, for more than 10 copies, \$.10 per page, and if more than one hour of staff time is required to fill the copy request, a fee is also charged, based on the staff person's billing rate. Mr. Sullivan recommends not charging other government agencies for copies, unless the request is unusually large. For other individuals, he recommends the Board not charge for the first 10 copies; charge \$.10 per page over 10 copies, and charge for staff time if over an hour is spent on the request. In addition, Mr. Sullivan recommends not charging for copies of the Board packages. Ms. Ester recommends the Board charge for postage to mail the Board package. The Board concurs. Mr. Sullivan recommends adopting the policy, with the change to charge for postage. Mr. Schiraldi made a motion to adopt the copying policy. Mr. Bartell seconded the motion and it carried unanimously.

MOTION TO
ADOPT
COPYING
POLICY

E. Resolution to request House Select Committee on Water Policy to meet in region (Resolution #95-01)

Mr. Sullivan reported that he sent the resolutions from Citrus and Hernando Counties, as well as the Board's resolution to Chairman Rayson, and all Committee members of the House Select Committee on Water Policy.

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
MEETING
MARCH 9, 1995

F. Bills to be paid

Mr. Schiraldi made a motion to pay the bills in the amount of \$25,716.27. Mr. Bartell seconded the motion and it carried unanimously.

MOTION TO PAY
BILLS IN THE
AMOUNT OF
\$25,716.27

G. Letter to Marion County Board of County Commissioners re:
30 day limit on reduced back dues to rejoin Authority

Mr. Sullivan reported he had sent a letter to the Marion County Commission extending the Board's offer to rejoin the Authority by 30 days. He also had an unconfirmed report that the Commission had voted on the previous Tuesday to not rejoin the Authority at this time.

H. Minutes of the WCRWSA and Tampa Bay Water Coordinating Council, agendas of the WMD Review Commission February and March meetings

Mr. Sullivan pointed out the hydrologic conditions report in West Coast's minutes indicate water demand in the Tampa Bay area is slightly less than the same time frame in 1994, and both surface and ground water levels have begun to decline due to the start of the dry season. Also, SWFWMD's emergency order has a 160 mgd cap, and lakes in NW Hillsborough and Pasco Counties also have a lower level. Mr. Sullivan also said the West Coast Board had voted to continue its well mitigation program. Also, SWFWMD emergency order 95-58 has been referred to DOAH by the Court of Appeals. Mr. Sullivan also noted that the Water Coordinating Council hopes to complete an agreement for distribution to the local governments and West Coast around the end of May. The minutes of the Tampa Bay Water Coordinating Council, and the agendas of the February and March Water Management District Review Commission were included for the Board's review. Mr. Sullivan will be attending the March meeting of the WMD Review Commission.

I. Balance of SBA and Citrus Wellfield accounts

The Citrus wellfield account earned \$1172.38 interest in February, and has a balance of \$266,317.04. The construction fund earned \$425.42 interest in February, and has a balance of \$91,696.66.

AGENDA ITEM #10 - OTHER BUSINESS

Mr. Sullivan announced that the AWWA annual conference is

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scheduled for June in Anaheim, CA. There is a travel budget of \$7,500 for the conference, and \$2,500 for registration. Mr. Sullivan recommends that this year no more than two Board members attend the conference, in order to offset some of the Authority's additional expenses, such as hiring a lobbyist. Chair Robinson concurs with Mr. Sullivan's recommendation. The Board agreed by consensus to discuss who would be attending the conference at the next meeting.

Mr. Sullivan asked if the Board would like to have a presentation on desalination at the next meeting. The Board agreed by consensus.

Mr. Sullivan will be attending a conference the week of April 10, the date of the next Board meeting, and asked to change the meeting to April 20. The Board agreed by consensus.

Chair Robinson then invited the audience to make comments. The following members of the audience addressed the Board. Nancy Argenziano of the Withlacoochee Basin Initiative said she had spoken with a couple legislators, including Senator Brown-Waite, about the Pasco Rainbow proposal. Ms. Argenziano also said the City of Dunedin recently built an R.O. plant at a capital cost of 11 million dollars, at a cost of less than 80 cents per 1,000 gallons, and said this type of plant might be an option for WCRWSRA to consider.

Frank Robinson of TOO FAR asked whether Mr. Harbin, the CEO of Florida Power had contacted any of the Board members about the proposed pipeline. Chair Robinson met with Mr. Harbin, and invited him to attend tonight's meeting, but he could not attend, due to a prior commitment. Commissioners Ester and Bartell have also met with Mr. Harbin.

Pat Novy of the Hernando County Commission visited the Tampa Bay Water Coordinating Council and recommended the local governments research the possibility of desalination plants by working with private industry, and to enact a moratorium on their growth plans. Regarding Rep. Spivey's proposed bill: Commissioner Novy feels the language on the last page should be more clear. Commissioner Novy feels Senator Brown-Waite's bill on WMD Governing Boards stresses more local control on the Governing Boards, and supports the bill.

L.C. Alexander of the Gulf Soil and Water District spoke in favor of having local elected officials serve on Governing Boards, rather than appointees of the Governor.

Mark Bolton expressed the opinion that a large corporation such as Florida Power could avoid complying with Florida laws

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by incorporating in another state.

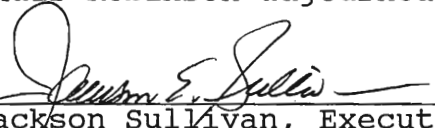
Mr. Pritchard commented that he believes Florida Power is attempting to circumvent SWFWMD's authority, and also believes WCRWSA should be held more liable for the damage they have done to lakes in Pasco and Hernando Counties.

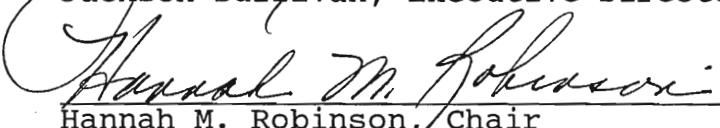
AGENDA ITEM #11 - NEXT MEETING

The next meeting is on Thursday, April 20, 1995 at 5:00 P.M., in the City Council Chambers, Inverness City Hall, 212 West Main Street, Inverness, FL 34450.

AGENDA ITEM #12 - ADJOURNMENT

Chair Robinson adjourned the meeting at 7:45 P.M.


Jackson Sullivan, Executive Director


Hannah M. Robinson, Chair

7. d. News Articles

City to drill test well, explore possible new water source

By [Steven Galbraith-Capra](#)
Staff writer

Published: Wednesday, April 14, 2010 at 6:05 p.m.

Jeff Halcomb, the city's director of water and sewer, wonders what people living in Ocala 100 years from now will think about the efforts being made today to ensure there will be enough water for the future.

"I hope they are going to say we looked at and took reasonable cost effective measures to ensure that we have drinking water," Halcomb said. "In the end, we are all in this together."

Although the city of Ocala encourages conservation as the most important way to forestall the inevitable need for alternative water sources, it also is exploring ways to meet those future water needs, particularly after 2027, when the St. Johns Water Management District will prohibit the city from drawing any more water from the Floridan aquifer.

Part of the city's efforts to find another water supply includes drilling a test well into the lower Floridan aquifer. The city will conduct its pre-bid conference on Tuesday, followed by the formal bid a few weeks later.

"We have the approval to do a test well," Halcomb said about permission from St. Johns, which regulates water usage in Marion County east of Interstate 75. "We don't have approval to pump any water."

The well will be much more expensive than most wells.

"We figure we have to drill 1,500 feet," Halcomb said.

...

Today's drinking water comes from the upper Floridan, which is about 250 feet and is clean water.

The purpose of the test well is to find out whether there is "confinement," or a barrier, between the upper and lower Floridan and what the quality of the water is. If there is a barrier, that might mean that the upper and lower Floridan are two separate water sources and, perhaps, water could be drawn from the lower Floridan. But, if there is no barrier and the water from the upper flows into the lower Floridan, that would indicate that it is only one water source but on different levels.

If the test shows that there is clean water in the lower aquifer, then that likely would indicate that water is escaping from the upper Floridan into the lower aquifer. On the other hand, if the water is brackish, that might mean that there is a barrier.



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"If the water is good, we will have a harder time proving that there is confinement," Halcomb said.

The city will bring its test results to the water management district for consideration.

"The District can say 'yes' or 'nope' — you can do an aquifer performance test," Halcomb said. "If they don't let us go forward, the only option is conservation. After that, the citizens of Ocala and Marion County are going to have to look some place for another source of water."

He said the district is not fond of this approach because it would rather not have the city pull any more water out of the ground.

"We have concerns but we are fine with the fact that they are doing the test," St. Johns spokesman Hank Largin said. "We are waiting to see what they find."

Asked what the district's concerns are, Largin said, "We don't know the impacts of further withdrawal might be."

...

Nevertheless, Halcomb is hoping the test will be promising.

"We think that water quality is going to be pretty decent. There has been some testing done in the western part of the county and the water quality has not been that bad," he said.

There also has been some testing to the south, in The Villages and Wildwood. In some areas in The Villages, the water has been brackish.

"We would like to get another water source that's close to here without having to go to desalination at Crystal River or the Ocklawaha," Halcomb said. "We are trying to do our due diligence before we have to go to the very expensive desalination or the political unrest of the Ocklawaha."

And that is one of the chief reasons the city is looking at the lower Floridan: It is close, which makes it less expensive to transport than other sources. Of course, brackish water would have to be treated before it could be drunk.

Halcomb said the city knows that the district's preferred way to offset the demand for drinking water is conservation and that is the city's first choice as well.

"Water conservation is No. 1 on our list," Halcomb said.

The reason is not only because that is the right thing to do, but because it is less expensive; it does not require building new pumps and distribution lines and treatment plants, all of which are very costly, he said.

Even if the water is confined in the lower Floridan and the district allowed the city to draw on it, the district likely would not consider it an "alternative" water supply, Halcomb said. Until state funding dried up, there was money to develop those alternative water supplies. Halcomb said it might, instead, be considered "another" water supply.

"We are trying to be good stewards by looking at all alternatives and costs," Halcomb said. "It's very complex. I feel like the city's in the middle, trying to get folks to understand we have to conserve water."

...

The district wants to the city to identify possible alternative water sources by 2011-2012. By 2014, when the city must renew its consumptive use permit, the district wants to see the city's definite plan for alternative water supplies, indicating how it will be funded and who its partners will be.

"There's several years of walking through permitting processes. It's going to be a very lengthy process, so we have to start looking at this now," Halcomb said.

"We have to preserve the drinking water we have and try to keep it from being contaminated and from drying up to keep the wonder river and springs we have."

Contact Susan Latham Carr at 352-867-4156 or susan.carr@starbanner.com.

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Conservation conversation

By Cheri Harris

Water conservation recently brought 38 Crystal River Middle School eighth-graders into four kindergarten classes for a lively morning of fun and education.

Deanna Hadley, a CRMS science teacher, said she, along with two other science teachers from her school, Cyndy Jones and Sherina Finley, participated in a group water conservation project.

For the project, a group of eighth-graders worked in teams to write and illustrate "Water Drop" stories to read to the kindergarteners and also took a field trip to the Rainbow River, where they pulled hydrilla, an invasive plant, from K.P. Hole near Dunnellon.

On April 27, the eighth-graders traveled to the nearby primary school to share their stories and engage the young learners in other water education activities including workbook exercises, coloring posters and creating door hangers with water-friendly messages, "so we have an action-packed hour and a half," Hadley said. The project was funded by a Southwest Florida Water Management District minigrant that she wrote.

The morning before the eighth-graders gave their presentations, they practiced reading them aloud and learned how to hold them up and review the illustrations.

Hadley said the teaching experience would help them understand "what it's like to be on the other side of the clipboard."

As for what the kindergarteners would learn, Hadley said she hoped they picked up on small ways to help save the environment, such as turning off the water while they brush their teeth.

Alyssa Bonomo, a kindergarten teacher at CRPS, said it is good for the older students to interact with the younger ones.

"Sometimes the best way to learn is to teach," Bonomo said.

Hunter Roe, Brian Davis and Trevor Roberts took turns reading from their story. Roe started, but first he took questions from Cheyenne Belcourt.

"What's your name? Can we tell all of our names?"

After introductions, Roe began the story: "One hot summer day, there was a water drop named Willie. He was having a wonderful time in his pond."

After his teammates read more about Willie the water drop, Amanda Crawford, a science teacher on special assignment for Citrus County Schools, asked the kindergarteners after Willie went into the ground what they thought would happen next.

Belcourt said he was going to "pop out in the clouds."

"What made you think he was going to pop out?" Crawford asked.

"When are we going to do coloring?" Belcourt replied.

Merrin Chamblin, a CRPS kindergarten teacher, said when kids teach kids, they have a tendency to learn better because they relate better. She said her students were very excited about the eighth-graders' visit.

Miranda Blackstock, an eighth-grader in Hadley's class, said she wasn't nervous about working with the younger students because she has younger siblings at home.

"It's really fun hanging out with the kindergarteners," she said.

While his students probably didn't understand all about the hydrologic cycle, Miller Henderson from Jones' class said, "I think they're picking up on the easier stuff."

Hannah Hutchinson of Hadley's class said teaching the kindergarteners was a lot of fun.

"The little kids, they're so cute. They really like to color," she said.

And she believes they learned something, too: "They got the rain; that it rains a lot."

Cole Schneider in Ruth Smith's kindergarten class was happy to share what he had learned about water: "It comes down and it goes back up."

Eric Lin had more questions for Danielle Nabone as she explained how water seeps into the ground.

"Think of it as a sponge when it soaks; the water sinking into the sponge is just like percolation," she said.

"Do you have any parents?" Lin asked.

"Yes, I do," she replied.

"You should bring your parents here," he said.

"OK, guys, do you want to color?" she asked.

"Yes, I do," he replied.

Chronicle reporter Cheri Harris can be reached at 564-2926 or charris@chronicleonline.com.

From: Diane Salz <disalz@yahoo.com>
Subject: FYI: New Environmental Law Targets Septic Tanks...
Date: May 4, 2010 9:08:47 AM EDT
To: Jack Sullivan <jesull@comcast.net>

New environmental law targets septic tanks
By DINAH VOYLES PULVER, Environment writer
_ May 4, 2010 12:05 AM

A bill passed by the Florida Legislature in the waning days of the session that ended Friday could have far-reaching impacts for the state's groundwater supplies and millions of septic tank owners across the state. Other environmental measures beefed up requirements for providing recycling containers at apartment complexes and condominiums, and put \$15 million into the state's conservation land-buying program, Florida Forever.

However, all the legislation depends on ultimate action by Gov. Charlie Crist.

Local officials and environmental advocates said Monday they were pleased legislators approved money for Florida Forever, which did not get any money last year. The program formerly received up to \$300 million a year. "To come up with any cash in this sort of bare bones budget was really a big deal," said Janet Bowman, who oversees legislative affairs for The Nature Conservancy in Florida.

The \$15 million is an important symbolic effort, said Tim Telfer, environmental planner for Flagler County. It will pay dividends over time and help keep funding channels open, Telfer said.

Doug Weaver, who oversees Volusia County's land acquisition program, also was pleased because it gives local governments at least a chance to partner with state agencies on land-buying projects.

However, given the election-season climate in Tallahassee, some observers say Crist may veto the budget, plunging the \$15 million and other appropriations into question.

The session's major environmental bill, Senate Bill 550, covered a broad range of water-related issues. It directs state officials to write rules that would require all septic tanks to be inspected and pumped every five years, a measure supported by homebuilders, the septic industry and environmental advocates.

"It's good for the environment, good for the homeowner and helps clean up our water," said Bob Himschoot, a legislative committee member of the Florida Onsite Wastewater Association.

It would cost the average septic tank owner about \$450 to \$500 every three years, said Himschoot, president of Crews Environmental in Fort Myers.

Industry experts and health officials have for years recommended regular pumping of the estimated 2.5 million septic tanks in Florida. They say many septic tanks are not properly maintained and fail to properly treat wastewater.

The new program could be of major importance to springs and waterways, said Charles Lee, director of advocacy for Audubon of Florida.

Greg Bloise, executive officer of the Volusia Building Industry Association, said it was "encouraging" the bill put \$2 million toward studying additional ways to improve septic treatment.

Bloise and others said the studies are needed to help homeowners and local governments cope with new rules being considered for reducing pollution that seeps into Florida's aquifer and waterways from septic systems, storm water and other sources.

The recycling legislation will require recycling at all multi-family housing, such as condominiums and apartments, Bowman said, and included other goals to try to achieve a 75 percent recycling goal statewide.

Robyn Felix
1-800-423-1476, ext. 4770 or
Cell Phone: (813) 781-9817

The Southwest Florida Water Management District urges year-round water conservation. Water levels may rise and fall, but our water resources remain limited. The District encourages efficient, non-wasteful uses of water to sustain our high quality of life. For more information about ways to conserve water, contact the District at 1-800-423-1476 or visit the District's web site at www.watermatters.org

Water Resource Monthly Update

April 30, 2010

Aquifer Levels (in feet) *

Regions **	Apr 28	Last week	Same date last year	Normal range ***
North	1.77 ****	1.86	-1.68	0 to +3
Central	5.32	5.20	-1.69	0 to +5.5
South	8.77	8.15	-1.85	0 to +8

* Aquifers are underground layers of rock and sand that hold water. In southwest Florida, more than 80 percent of the water supply comes from aquifers.

**** North** (Citrus, Hernando, Lake, Levy, Marion and Sumter counties)

Central (Hillsborough, Pasco, Pinellas and Polk counties)

South (Charlotte, DeSoto, Hardee, Highlands, Manatee and Sarasota counties)

*** Aquifer levels normally fluctuate to varying degrees in different ranges. The normal range shows how much each region normally fluctuates, with 0 as the bottom of the normal range.

**** Readings show how current levels compare to normal ranges for this time of year. Anything below a zero is below the normal range.

2010 Rainfall (in inches) *

	Apr 1-28	Apr	Jan – Apr	Jan – Apr
	Actual **	Historic ***	Actual	Historic
North	2.25	2.83	18.14	12.65
Central	3.88	2.55	16.96	11.32
South	2.69	2.47	13.97	10.19

Historic Rainfall (January - December in inches)

	2009	2008	2007	2006	2005	2004	2003	2002	Jan - Dec
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Historic
North	50.63	49.30	45.43	38.73	58.85	62.50	53.95	59.50	53.54
Central	51.56	46.64	41.44	43.13	51.62	68.52	53.86	64.75	52.42
South	48.84	47.37	38.53	42.28	61.65	62.65	55.61	60.47	52.45

* The rainfall values for the current month and year are considered provisional and subject to revision. The other annual figures are final.

** Actual rainfall for the time frame referenced at the top of the column.

*** Historical average rainfall for the time frame referenced at the top of the column. The District's historical rainfall records date back to 1914.

Lake Levels (in feet, relative to MLM) *

Regions **	Apr levels	Previous month	Same date last year
Northern	-3.24	-3.01	-6.04
Tampa Bay	0.65	0.76	-2.83
Polk Uplands	-1.59	-1.41	-2.72
Lake Wales Ridge	-4.50	-4.35	-4.96

* Each month the District measures water levels in 76 lakes. The lake levels are compared to the lakes' adopted minimum low management (MLM) levels. The MLM level is how low each lake has historically dropped at the end of the dry season each year.

** **Northern** (Citrus, Hernando and Sumter counties)

Tampa Bay (Hillsborough and Pasco counties)

Polk Uplands (Northern Polk County)

Lake Wales Ridge (Portions of Polk and Highlands counties)

Streamflows *

	Apr percentile **	Previous month percentile	Same date last year percentile	Normal range percentile ***
Withlacoochee River near Holder	76	71	5	25-75
Withlacoochee River near Trilby	84	74	2	25-75
Hillsborough River near Zephyrhills	78	88	4	25-75
Peace River at Arcadia	78	76	2	25-75
Peace River at Bartow	58	50	4	25-75

* **Streamflow**, also known as discharge, is the volume of water passing a location in a certain amount of time, usually measured as cubic feet per second.

** The **percentile** compares current flows to historical flows during the same time of year on a scale of 0-100. For example, if the river is shown at the 50th percentile, it means that half of the historical flows for this time of year were higher and half were lower than the current flow.

*** Any flow that falls between the 25th and the 75th percentile is considered **normal**. Less than the 25th would be considered below normal and above the 75th above normal.