



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

Board Meeting Package

May 21, 2014
3:30 p.m.

Meeting Location:

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

**MEMORANDUM**

To: Water Supply Authority Board of Directors and Interested Parties

From: Richard S. Owen, Executive Director *RSO*

Date: May 7, 2014

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 21, 2014, 3:30 p.m., at the Lecanto Government Center Building, Room 166, 3600 Sovereign Path, Lecanto, FL 34461.**

Enclosed for your review are the following items:

- Agenda
- Minutes of the April 16, 2014 meeting
- Board Package*

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

Enclosures

- * Copies of the Board Package are available through the Internet. Log on to www.wrwsa.org. On the Authority's Home Page go to the left side of the page and click on "Meetings." On the slide out menu is a button for the current Board Package. Click on the Board Package to download and print the Board Package.

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

AGENDA

**LECANTO GOVERNMENT BUILDING
3600 W. SOVEREIGN PATH, ROOM 166, LECANTO, FLORIDA 34461
May 21, 2014 @ 3:30 p.m.**

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

1. Call to Order
2. Roll Call
3. Introductions and Announcements
4. Approval of Minutes
5. Public Comment
6. Sinkholes . . . Dave Arnold, SWFWMD
7. RWSP Update . . . Gregg Jones, Cardno ENTRIX
8. Local Government Grant Program . . . Richard S. Owen, WRWSA
9. Proposed 2014-2015 Budget . . . Richard S. Owen, WRWSA
10. Executive Director's Report . . . Richard S. Owen, WRWSA
 - a. Bills to be Paid [provided in hand-out]
 - b. Fiscal Year 2013-14 2nd Quarter Financial Report
 - c. Update on Members and Alternates
 - d. Charles A Black Facility Update
 - e. Correspondence
 - f. News Articles
 - g. Other
11. Legislative Update . . . Diane Salz, Governmental Affairs Consultant
12. Attorney's Report . . . Larry Haag, WRWSA Attorney
 - a. Adoption of Repeal of the WRWSA Rules
13. Other Business
14. Next Meeting Time and Location . . . June 18, 2014 3:30 p.m., Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461
15. Adjournment

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

Item 4.
Minutes

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
April 16, 2014**

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

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

1. Call to Order

Chairman James Adkins called the Withlacoochee Regional Water Supply Authority (WRWSA) meeting to order at 3:32 p.m. and asked for a roll call.

2. Roll Call

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

MEMBERS PRESENT

Jim Adkins, *Chairman*, Hernando County Commissioner
Al Butler, *Vice-Chairman*, Sumter County Commissioner
Rebecca Bays, Citrus County Commissioner
Ken Brown, Crystal River City Councilor
Dennis Damato, Citrus County Commissioner
Gary Ernst, Belleview City Councilor
Don Hahnfeldt, Sumter County Commissioner
Joseph Johnston, Brooksville City Councilor
Nick Nicholson, Hernando County Commissioner
Dale Swain, Bushnell City Councilor

MEMBERS ABSENT

Scott Adams, Citrus County Commissioner
Kathy Bryant, Marion County Commissioner
Stan McClain, *Treasurer*, Marion County Commissioner
Carl Zalak, Marion County Commissioner

3. Introductions and Announcements

Members of the audience introduced themselves.

STAFF PRESENT

Richard Owen, WRWSA Executive Director
Larry Haag, WRWSA Attorney
Diane Salz, Governmental Affairs Consultant
Nancy Smith, WRWSA Administrative Assistant

OTHERS PRESENT

Jacob Arnett, Marion County Water Resources
Alys Brockway, Hernando County Utilities
Debra Burden, Citrus County Water Resources
Paul Duchesneau, Citrus County Utilities
Al Grubman, Citizen

Jan Grubman, Citizen
Jay Hoecker, SWFWMD
Gregg Jones, Cardno ENTRIX
Joy Kokjohn, St. Johns River WMD
Flip Mellinger, Marion County Utilities
Richard Radack, City of Brooksville
Justin Ryan, Marion County Growth Services
Mark White, Purvis Gray & Company
Chris Zajac, SWFWMD

4. Approval of Minutes of February 19, 2014 Meeting

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

Following consideration, a motion was made by Ms. Bays to approve the minutes for the February 19, 2014 meeting. The motion was seconded by Mr. Butler and carried unanimously.

5. Public Comment

There was no public comment.

6. Regional Water Supply Plan Update . . . Gregg Jones, Cardno ENTRIX

Mr. Jones presented the tenth update on progress drafting the *Regional Water Supply Plan Update* (RWSP). The draft report will be submitted to the WRWSA and to the Technical Advisory Committee on May 1, 2014. The water supplies available indicate that ample groundwater resources, together with conservation methods, exist to provide for the projected demands through 2035. Beyond 2035, there are indications that groundwater withdrawals may be restricted. Discussion followed the report. Mr. Swain requested information on the amounts of water used in water bottling enterprises within the region.

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

7. 2012 – 2013 Fiscal Year Audit . . . Mark White, Purvis Gray & Company

Mr. White presented the 2012-2013 Auditor's Report regarding the financial statements of the WRWSA and the major fund balances in accordance with generally accepted accounting principles. Mr. White also reviewed the Authority's statement of net position. There were no significant weaknesses or deficiencies in the report. Furthermore, the management discussion and analysis presented a thorough review of the Authority's activities and programs for the past fiscal year.

Following consideration, a motion was made by Mr. Johnston to approve the **Financial Statements and Independent Auditors' Report for fiscal year 2012-2013 as presented. The motion was seconded by Ms. Bays and carried unanimously.**

8. Water Conservation Month Resolution . . . Richard S. Owen, WRWSA

Mr. Owen presented a request for the Board to execute a resolution declaring April 2014 as "Water Conservation Month." This has historically been used by the Authority to focus attention on the need for and benefits of water conservation.

Following consideration, a motion was made by Ms. Bays to approve and execute **Resolution No. 2014-01 declaring April 2014 as "Water Conservation Month." The motion was seconded by Mr. Nicholson and carried unanimously.**

9. Springs Protection Awareness Month Resolution . . . Richard S. Owen, WRWSA

Mr. Owen presented a resolution designating April as "Springs Protection Awareness Month" and requested approval. This resolution is in support of a joint statewide proclamation to emphasize the importance of springs to Florida's economic and environmental well being.

Following consideration, a motion was made by Mr. Brown to approve and execute Resolution No. 2014-02 declaring April 2014 as "Springs Protection Awareness Month" and to recognize the Authority's commitment to environmental stewardship by supporting efforts to conserve and restore the ecological balance of the seven first magnitude spring systems in the region, thereby supporting regional economies and quality of life. The motion was seconded by Ms. Bays and carried unanimously.

10. Fiscal Year 2014-2015 Budget Development . . . Richard S. Owen, WRWSA

Mr. Owen discussed the 2014-15 budget and the annual member assessment rate. Mr. Owen recommended that the current per capita assessment rate of \$0.19 be used as the rate for the 2014-15 fiscal year. This rate is applied to the April 1, 2013 population estimated by the Bureau of Economic and Business Research; an exhibit in the Board's packet shows the population estimates and the anticipated amount of revenue. Using the proposed rate, the overall revenue increases by approximately 1 percent over the 2013-14 fiscal year.

Following consideration, a motion was made by Mr. Nicholson to establish the FY 2014-15 per capita assessment at \$0.19, the same as the current fiscal year. The motion was seconded by Mr. Hahnfeldt and carried unanimously.

Mr. Owen requested consideration of funding for the local government grant for water conservation purposes. These grant funds have been used to assist the member government and other public supply utilities in the region with water supply and conservation projects. In recent years, the Board has established a total grant fund of \$130,000. He recommended that the Board set the Local Government Grant Program funding at \$130,000 for the FY 2014-15 and limit such grants to water conservation projects.

Following consideration, a motion was made by Mr. Butler to set the Local Government Grant Program funding at \$130,000 for the FY 2014-15 and limit such grants to water conservation projects. The motion was seconded by Mr. Damato and carried unanimously.

Mr. Owen advised the Board that staff received an inquiry from the Ocala Discovery Center as to its eligibility to apply for a local government grant. Mr. Owen stated that the grant documentation is not clear regarding whether non-governmental entities may apply. He requested direction from the Board. Mr. Nicholson suggested that staff research the exact nature of the entity, find out how it is associated with the City of Ocala and bring the information back to the next meeting. Board members further discussed accountability and the general consensus that applicants should be governmental entities.

Following discussion, a motion was made by Mr. Swain to table the issue until the next meeting. The motion was seconded by Mr. Hahnfeldt and carried by a vote of 9 to 1.

11. Executive Director's Report ... Richard S. Owen, Executive Director

a. Bills to be Paid

Mr. Owen presented the March 2014 bills, and requested approval of payment of bills totaling \$34,828.91.

Following consideration, a motion was made by Mr. Butler to approve payment of the March 2014 bills of \$34,828.91. The motion was seconded by Mr. Damato and carried unanimously.

Mr. Owen presented the April 2014 bills, in the handout, and requested approval of payment of the bills totaling \$49,113.49.

Following consideration, a motion was made by Mr. Damato to approve payment of the April 2014 bills of \$49,113.49. The motion was seconded by Mr. Johnston and carried unanimously.

b. Bank Resolution and Signature Card

Mr. Owen advised that a new signature card and "Deposit Account Resolution and Authorization for Business Entities" is required to correctly designate the officers elected by the Board in January.

Following consideration, a motion was made by Ms. Bays to approve the list of authorized signatures and approve and execute the Deposit Account Resolution and Authorization for Business Entities. The motion was seconded by Mr. Brown and carried unanimously.

c. Credit Card Billing Cycle

Mr. Owen stated staff began using the WRWSA credit card for office purchases in 2014. Upon receipt of the bill, it was noticed that the payment due date was occurring at the same date or the day after WRWSA Board meetings. The staff at Sun Trust bank was able to assist with the payment to avoid fees and interest payments as well as altering the billing cycle so that the payment due date will be in the latter part of each month. Mr. Owen requested that the Board authorize staff to pay the credit card bills, as needed, to continue to avoid late fees or interest charges. Any such payments would be presented to the Board for concurrence at the next available Board meeting. Mr. Johnston questioned the available credit limit, which is \$300.

Following consideration, a motion was made by Ms. Bays to pay the monthly WRWSA credit card bill on a timely basis in order to avoid any late fees or interest charges, including when necessary prior to Board approval. Under such circumstances, staff must seek Board concurrence with such payment at the next regularly scheduled Board meeting. The motion was seconded by Mr. Damato and carried unanimously.

d. Fiscal Year 2013-2014 1st Quarter Financial Report

Mr. Owen presented the 1st Quarter Financial Compilation Report and requested approval by the Board.

Following consideration, a motion was made by Ms. Bays to approve the 1st Quarter Financial Report as presented. The motion was seconded by Mr. Damato and carried unanimously.

e. Status Report on the Proposed Wildwood/Marion County/WRWSA Water Supply MOU

Mr. Owen explained that the City of Wildwood staff approached the WRWSA about taking over two lower Floridan aquifer wells for which the City had no immediate need. The Authority staff responded at the time that in order for the Authority to entertain such

a project the Authority would need to have a water supply customer. Marion County subsequently expressed an interest in being a customer at some future time. The Authority staff worked with Wildwood and Marion County staff to develop a Memorandum of Understanding (MOU) for the project. The MOU was scheduled for consideration by the City at the February 24, 2014 City Council meeting. Mr. Owen attended the City Council meeting. Unfortunately, the MOU was not approved. Mr. Owen addressed the Council to express the willingness of the Authority to work with the City in the future to assist in meeting their water supply needs, either on this project should there be an interest in the future, or other water supply development projects. The WRWSA, as a regional entity, would be able to potentially leverage additional funds from the SWFWMD.

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

f. Report on the Tampa Bay Water Desalination Facility Tour

Mr. Owen reported on the March 19, 2014 tour of the Tampa Bay Water Desalination Facility. Twelve people participated in that tour. Matt Jordan, General Manager of Tampa Bay Water (TBW), and Mr. Chuck Carden, Chief of Operations, presented information to the group. Amanda Rice, P.E., Section Leader, led the tour of the facilities. TBW has offered tours of its reservoir or the Cypress Creek Wellfield if there is an interest by the WRWSA.

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

g. Correspondence

Recent correspondence was provided in the Board's packet and in the handout. This item was presented for the Board's information; no action was required.

h. News Articles

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

i. Other

- *SWFWMD Governing Board Meeting.* Mr. Owen was requested to present an update of the WRWSA activities to the SWFWMD Governing Board on March 25, 2014. His presentation was well received, particularly from the Board member appointed from the Northern Region, as well as the Pasco County representative who has been assisting with the CFI reviews for this region. The WRWSA was advised to stay ahead of the area's water supply needs so that problems can be avoided. The SWFWMD Board members expressed an interest in providing incentives in this endeavor.
- *SWFWMD CFI Workshop.* Mr. Owen stated that he and Ms. Smith attended the CFI workshop to support the WRWSA application for Phase 3 of the Regional Irrigation System Evaluation program. This program was included in the list of projects to be funded by the SWFWMD and will be presented to the full Governing Board for approval and inclusion in the 2014-15 budget.
- *Chamber of Commerce Environmental Permitting Short Course.* Mr. Owen requested that authorization and funding to attend the Environmental Permitting Short Course to be held July 22 – 25, 2014 in Marco Island. The maximum cost for one person would be \$1,500.00. A copy of the brochure and course outline was provided to the Board members as a handout.

Following consideration, a motion was made by Mr. Hahnfeldt to authorize payment for and attendance at the Environmental Permitting Short Course. The motion was seconded by Mr. Brown and carried unanimously.

- *City of Belleview.* Mr. Owen announced that the City of Belleview recently lost its long-time Director of Public Works in an airplane accident. The City is posting the position and asked that Mr. Owen announce the opening.

12. Legislative Report . . . Diane Salz, Governmental Affairs Liaison

Ms. Salz reported on legislation under consideration during this legislative session, many of which are not advancing with only two weeks left in the Legislative Session. The springs' legislation proposed by the Senate continues to generate much interest and debate. However, no corresponding legislation has progressed in the House, at this time. To date, most of the committee meetings have been completed and the remainder of the session will be focused on the budget. Funding for water projects and springs restoration projects are included in the House, Senate and Governor's budgets. The Senate President has appointed three Senators from this region, Alan Hays, Charlie Dean, and Wilton Simpson, as part of the Senate Appropriations Conference Committee on General Government and Agriculture and Natural Resources. This item was presented for the Board's information; no action was required.

13. Attorney's Report . . . Larry Haag, WRWSA Attorney

a. Repeal of WRWSA Rules

Mr. Haag stated that we are nearing the end of the process to repeal the rules that have been in place since 1977. The Authority adopted a Statement of Organization in April 2013 that complies with Chapter 120, *Florida Statutes*. A Revised and Restated Interlocal Agreement was reviewed and approved by all four members of the Authority in December 2013 and January 2014. As the rules are now completely obsolete, the Authority may advertise notice of the pending repeal. A revised notice of the proposed rule is included in the handout because of a change in the required language in the advertisement. The revised language implies that there may be regulatory costs to small businesses of up to \$200,000. Mr. Haag requested that the Board make a determination that the repeal of the rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. Mr. Haag stated that by repealing these rules, there will be no regulatory costs to small businesses.

Following consideration, a motion was made by Mr. Brown to find that the Authority has determined that repeal of Chapter 49C-1.001 through 49C-1.014, *Florida Administrative Code*, will not have an adverse impact on small business, or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. The motion was seconded by Mr. Johnston and carried unanimously.

Mr. Haag then recommended that the Board initiate rulemaking to repeal the Authority's Rules and direct staff to submit the proposed rule language to the Florida Joint Administrative Rules Committee and to publish all required notices in the Florida Administrative Register.

Following consideration, a motion was made by Mr. Damato to initiate rulemaking to repeal the Authority's Rules found in Chapter 49C-1.001 through 49C-1.014, *Florida Administrative Code*, and to direct staff to submit the proposed rule language to the Florida Joint Administrative Rules Committee and to publish all required notices in the Florida Administrative Register. The motion was seconded by Mr. Johnston and carried unanimously.

Mr. Haag stated that he had the packet prepared and ready to send to the Florida Joint Administrative Committee to complete the repeal process.

14. Other Business

Mr. Brown announced that the City Manager, Andy Houston, is retiring in July. He is the alternate to the WRWSA. The City Council has selected a new city manager, Dave Burnell. Mr. Brown expects the City Council to make a new alternate appointment to the WRWSA Board.

15. Next Meeting Time and Location

The next meeting is scheduled for May 21, 2014, 3:30 p.m., at the Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461.

16. Adjournment

Chairman Adkins announced there was no further business or discussion to come before the WRWSA and adjourned the meeting at 5:18 p.m.

James E. Adkins, Chairman

Richard S. Owen, Executive Director

**Item 6.
Sinkholes**

Item 6. Sinkholes . . . David Arnold, SWFWMD

Mr. David Arnold, Well Construction Manager at the Southwest Florida Water Management District, will provide an overview of sinkholes in Florida and the WRWSA region.

Staff Recommendation: This is an information item only and no action is required.

Item 7.
RWSP Update

Withlacoochee Regional Water Supply Authority
Water Supply Plan Update
Progress Report #14 (April 2014)

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- 1) Task 4. Completion of Water Supply Plan Report**
 - a) Completed first draft of Water Supply Plan
 - b) Report Consisted of 7 Chapters totaling approximately 250 pages.
 - c) Sent draft report to TAC committee for review and comment.
 - d) Began work on Appendices for the Water Supply Plan

Item 8.
Local Government
Grant Program

Item 8. Local Government Grant Program. . . Richard S. Owen, Executive Director

Staff is seeking direction from the Board as to whether the grants program should be opened to Non-Governmental Organizations (NGO) or whether it should be restricted to governmental entities.

At the April Board meeting, staff brought to the Board's attention that the Ocala Discovery Center had contacted staff in regards to the potential for the Center to apply for a water conservation grant. At the April meeting staff did not know if the Center was a NGO or whether it was in some fashion associated with the City of Ocala. The Board voted to table the discussion and directed staff to obtain additional information regarding the Center. Staff has subsequently learned the Center is associated with the City of Ocala and, should they decide to apply for a grant, it can be done through the City.

Regarding the Grants Program and whether NGO's should be eligible to apply for grants, there are several factors to consider. The total funding for the grants program is \$130,000 and in recent years applications have approached and exceeded the availability of funds. Should the grants program be opened to non-governmental entities there is a greater potential that available funds will be exceeded. In addition, should the program be opened to NOG's, there is the potential for additional administrative work on Authority staff to ensure all program and contractual requirements are met.

Staff Recommendation: Staff recommends the Board restrict the Authority's grants program to governmental entities.

Item 9.
FY 2014-15
Budget

Item 9. Fiscal Year 2014-15 Budget . . . Richard S. Owen, Executive Director

Included as an exhibit to this item is the proposed Fiscal Year (FY) 2014-15 budget for the Board's review and approval. The budget has been prepared in a conservative manner in light of the continuing stagnant economic conditions of the region. Outlined below are the major aspects of the proposed budget. The overall proposed budget is in an amount of \$1,696,898, representing a decrease from the current year in an amount of \$96,622, or 5.4%. Comprising the budget is:

- Administrative expenditures of \$216,442, down from the current year by \$2,368 or 1.1%.
- Water Supply Studies and Facilities expenditures of \$343,584, down from the current year by \$119,954 or 25.9%.
- Total proposed expenditures for the Authority decrease by \$122,322 or 17.9%.
- Administrative Reserves in an amount of \$450,959, up from the current year by \$32,301 or 7.7%.
- Water Supply Development Reserves in an amount of \$685,913, down from the current year by \$6,601 or 1%.
- Combined Administrative and Water Supply Development Reserves total \$1,136,872, representing an increase of \$25,700 or 2.3%.

Revenues

Administrative

The Board set per capita assessments at \$0.19 per capita at its April 2014 Board meeting, the same assessment as in the last five years. The per capita assessment generates \$143,349 in revenues, up just slightly from the current year (an increase of \$1,408) due to net changes in the region's population. Administrative revenue from the Charles A. Black (CAB) wellfield facilities generates \$60,000, the same as the current year. Combined, these revenue sources generate \$203,349 in new revenue for administrative purposes. This is slightly less than the proposed Administrative expenditures (\$216,442), with the difference (\$13,093) covered by utilization of Carryover Administrative Funds. Carryover Administrative Funds are estimated to be \$450,959 at the end of FY 2014-15.

Water Supply Facility Development

Revenues for Water Supply Facility Development are derived from matching funds generated by ongoing cooperative projects and the CAB wellfield amortization payments. The only cooperatively funded project that will continue into the fiscal year is Phase 2 of the Irrigation Audit Program. It is anticipated the SWFWMD will approve Phase 3 of the Irrigation Audit Program and the local cooperators are also proposing to include their contributions to the project in FY 2014-15. Revenues from cooperators during the fiscal year are projected to total \$81,879. The CAB wellfield is scheduled to generate \$163,587 in funds available for water supply development projects.

Combined, these revenue sources generate \$245,466 in new project-related revenues. The total project-related expenditures are estimated at \$343,584, with the difference of \$98,118 funded by utilization of Carryover WRDF reserves. Carryover WRDF reserve funds are estimated to be \$685,913 at the end of FY 2014-15.

Expenditures

General Administration

Staff has again worked diligently to hold the line on administrative expenses. This has involved a comprehensive review of all administrative expenses, examining each for expenditures to-date, projected expenditures through the remaining fiscal year and then projecting these for the coming year. Most of the Authority's contracted staff support, including the Executive Director, Administrative Assistant, Legal Services and Legislative Consultant are proposed at the current fiscal year levels of funding. The slight increase in audit services is consistent with the audit engagement letter, which provides for a cost-of-living adjustment each year. The bookkeeping services are proposed at the current year amount of \$500.00 per quarter. The Public Officials Liability Insurance cost is based upon the current fiscal year cost plus 10%. The remaining administrative expenses are based upon analysis of expenditures to-date and projected for the coming year. Contingencies represent 5% of the other non-contract administrative costs (e.g., administrative costs excluding the Executive Director, Administrative Assistant, Legal Services, Legislative Consultant, Audit and Bookkeeping services).

Total administrative expenses are proposed at \$216,442, a decrease of \$2,368, or 1.1%, from the current fiscal year.

Water Supply Studies and Facilities

There are five (5) projects proposed in FY 2014-15, each of which is briefly described below.

1. General Services – the General Services project is proposed to continue at the current funding amount of \$75,000.
2. Local Government Water Supply Projects – the Board previously approved setting the Authority's Water Conservation Grants program at a funding level of \$130,000 for the year. Grant proposals are due by the end of June and will be presented at the Board's September meeting.
3. Phase 2 Irrigation Audit Program – this program started in the previous fiscal year, is under full implementation during the current year and is projected to be largely completed in FY 2014-15.
4. Phase 3 Irrigation Audit Program – this third phase of the irrigation audit program will be initiated in FY 2014-15.
5. Purvis Gray Rate Analysis – it is proposed that the Authority continue to utilize the services of Purvis Gray & Company to assist with revising the CAB Wellfield agreement

with Citrus County and the associated schedule of payments. This effort has continued during the current year and at this time is projected to continue into the coming year.

Fund Balances

Total fund balances at the end of FY 2014-15 are projected to be \$1,136,873, with Administrative Reserves comprising \$450,959 and WRDF reserves being \$685,913. These funds could be used during FY 2014-15 for possible projects and costs that may arise and that are approved by the Board, and will be available for future project funding.

Staff Recommendation: Staff recommends approval of the FY 2014-15 budget, in a total amount of \$1,696,898 as presented in the Exhibit.

WTHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY					
Proposed Fiscal Year 2014-15 Budget					
As of April 29, 2014					
	4/1/13 Population Estimate	Comments	Fiscal Year 2014-15	Fiscal Year 2013-14	\$ Change
Revenues: Administrative					
Assessments:					
Citrus	140,549	212 person decrease	\$28,704	\$28,745	-\$41
Hernando	173,008	704 person increase	\$33,024	\$32,890	\$134
Marion	335,008	2,019 person increase	\$63,652	\$63,268	\$384
Sumter	105,104	4,905 person increase	\$19,970	\$19,038	\$932
Total Population/Assessments @					
19¢/Capita	754,669	See Attachment 1 for detail	\$143,348	\$141,941	\$1,408
Administrative Revenue from Citrus Contract		Based on Citrus County contract	\$60,000	\$60,000	\$0
Subtotal			\$203,348	\$201,941	\$1,408
Carry-over Administration Reserve Funds (Est.) (SBA1)		See Attachment 2 for detail	\$484,052	\$454,566	\$29,486
Total Administrative Revenue Available			\$687,401	\$656,507	\$10,894
Revenues: Water Supply Facility Development					
Pilot Irrigation Audit Program SWFWMD Matching Funds		Completed in 2013-14	\$0	\$2,200	-\$2,200
Pilot Irrigation Audit Program Villages Matching Funds		Completed in 2013-14	\$0	\$200	-\$200
Phase 2 Irrigation Audit Program SWFWMD Matching Funds		See Attach 3 for detail	\$35,285	\$32,565	-\$17,290
Phase 2 Irrigation Audit Program Cooperator Match		See Attach 3 for detail	\$3,034	\$6,573	-\$2,739
Phase 3 Irrigation Audit Program SWFWMD Matching Funds		See Attach 4 for detail	\$28,500	\$0	\$0
Phase 3 Irrigation Audit Program Cooperator Match		See Attach 4 for detail	\$14,250	\$0	\$0
RWSP Update SWFWMD Matching Funds		To be completed in 2013-14	\$0	\$59,890	-\$59,890
Annual Citrus Amortization Payments (SBA2)		See Attachment 1 for detail	\$163,587	\$163,587	\$0
Subtotal			\$245,496	\$295,136	-\$39,688
Carryover WRDF Reserve Funds (Est.) (SBA2)		See Attachment 2 for detail	\$794,031	\$852,917	-\$68,886
Total Water Supply Development Revenue Available			\$1,029,497	\$1,138,052	-\$108,974
Total Revenues Available			\$1,696,898	\$1,794,559	-\$180,080
Expenditures:					
General Administration					
Executive Director		Based on annual contract	\$80,000	\$80,000	\$0
Administrative Assistant		Based on annual contract	\$37,500	\$37,500	\$0
Legal Services		Based on annual contract	\$20,000	\$20,000	\$0
Monthly Meetings @ \$500/meeting	\$8,000	No change			
Other Services @ \$150/hr.	\$14,000	No change			
Legislative Consultant		Based on annual contract	\$42,000	\$42,000	\$0
Advertising		Based on current usage	\$1,000	\$1,500	-\$500
Audit		Based on 3% CPI	\$8,130	\$8,065	\$265
Bookkeeping Services		\$500/quarter per Engagement Letter	\$2,000	\$2,000	\$0
Liability Insurance		Based on FY2013-14 plus 10%	\$2,310	\$2,100	\$210
Office Supplies		Based on current usage	\$1,200	\$1,500	-\$300
Postage		Based on current usage	\$900	\$900	\$100
Printing and Reproduction		Based on current usage	\$2,000	\$2,250	-\$250
Publications/Software		Based on current usage	\$200	\$200	\$0
Rent (Lecanto Gov't Bldg)		Based on lease agreement	\$2,048	\$2,048	\$0
Registrations/Dues		Based on inventory	\$2,000	\$2,000	\$0
State Fees/Assessments		Based on current usage	\$175	\$175	\$0
Telephone		Based on current usage	\$1,100	\$1,500	-\$400
Travel		Based on current usage	\$9,500	\$10,000	-\$500
Web Page / Computer Maintenance		Based on current usage	\$2,150	\$2,500	-\$350
Contingencies		5% of non-contract admin costs	\$1,220	\$1,072	-\$643
Subtotal - General Administration Expenditures			\$218,442	\$218,810	-\$2,368
Fund Balance for Admin. Reserves		FYE13/14 Admin Funds Bal + FY14/15 Admin Rev's - FY14/15 Admin Exp's	\$450,959	\$418,658	\$32,301
TOTAL ADMIN. EXPENDITURES and FUND BALANCE			\$667,401	\$637,468	\$29,933
Water Supply Studies and Facilities					
General Services Contract		RFQ's - Firms on Call	\$75,000	\$75,000	\$0
Local Government Water Supply Projects		Based on action of BoD	\$130,000	\$130,000	\$0
Phase 2 Irrigation Audit Program		See Attach 3 Ph 2 Program	\$89,884	\$105,170	-\$35,666
Phase 3 Irrigation Audit Program		See Attach 4 Ph 3 Program	\$57,000		
Purvis Gray Rate Analysis (CAB WSP)		Extension of Contract with Purvis Gray	\$12,000	\$8,588	\$3,412
Update of Regional Water Supply Plan		To be Completed in FYE 2014	\$0	\$119,990	-\$119,990
Update of Regional Water Supply Plan - Meeting Attendance		To be Completed in FYE 2014	\$0	\$18,000	-\$18,000
Pilot Irrigation Audit Program		Completed in FYE 2014	\$0	\$8,800	-\$8,800
Subtotal - Water Supply Studies and Facilities Expenditures			\$343,584	\$463,538	-\$119,954
Fund Balance for Water Supply Development Reserves		FYE13/14 WRD Funds Bal + FY14/15 WRD Rev's - FY14/15 WRD Exp's	\$685,913	\$692,514	-\$6,601
TOTAL WRDF EXPENDITURES and FUND BALANCE			\$1,029,497	\$1,156,052	-\$126,555
TOTAL ADMINISTRATION AND WRDP EXPENSES AND FUND BALANCES			\$1,696,898	\$1,793,520	-\$96,622
Total Administration and WRDP Fund Balances at FYE 2014-15		See Attachment 2 for detail	\$1,135,873	\$1,111,172	\$25,701

ATTACHMENT 1

CALCULATION OF REVENUE FOR 2014-15 AND CALCULATION OF AMOUNT OF FUNDS NEEDED FROM RESERVES As of April 29, 2014

Revenue	4/1/13 Population	Annual Amount	Sub-Totals
LOCAL ASSESSMENTS @ 19¢ PER CAPITA			
Citrus	140,549	\$26,704	
Hernando	173,808	\$33,024	
Marion	335,008	\$63,652	
Sumter	105,104	\$19,970	
Subtotal	754,469		\$143,349
CHARLES A. BLACK WATER SUPPLY FACILITY			
Amortization of Wellfield Cost		\$163,587	
Administrative Contribution		\$60,000	
Subtotal			\$223,587
MATCHING CONTRIBUTIONS FOR STUDIES			
SWFWMD Match for Phase 2 Irrigation Audits		\$35,295	
LG Match for Phase 2 Irrigation Audit Program		\$1,087	
Villages Match UD Phase 2 Irrigation Audit Program		\$2,747	
SWFWMD Match for Phase 3 Irrigation Audits		\$28,500	
Cooperator Match for Phase 3 Irrigation Audit Program		\$14,250	
Subtotal			\$81,879
TOTAL REVENUE FOR FY 2014-15			\$448,815
Less: 2014-15 Administration Expense			-\$216,442
Less: 2014-15 WRD Cost			-\$343,584
Funds Required from WRWSA Reserves			-\$111,211

ATTACHMENT 2

ANALYSIS OF BEGINNING FUND BALANCES

FY 2014 - 2015

As of April 29, 2014

ANALYSIS OF WATER RESOURCES DEVELOPMENT FUND BALANCE	
02/28/14 WRDF Balance (SBA2 & SBA2B)	\$917,007
FY 2013-14 WRD Fund Revenues	
Citrus Co. Payments 3/14 - 9/14 @ \$13,632.25/month	\$95,426
Irrigation Audit Phase 2 Reimbursements	\$52,585
SWFWMD RWSP Update Reimbursements	\$51,696
Subtotal	\$1,116,715
Less: FY 2013-14 Remaining Contract Balances:	
2013-14 Citrus Water Conservation Program	\$40,250
2013-14 Hernando Water Conservation Program	\$48,400
2013-14 Marion Water Conservation Program	\$38,600
Irrigation Audit Phase 2	\$82,482
2013-14 General Services Contract	\$50,000
Purvis Gray CAB Support	\$8,588
RWSP Update	\$46,363
RWSP Update Additional Meetings	\$18,000
Expenditures Subtotal	\$332,683
Total WRD Funds at end of FY2013-14	\$784,031
ANALYSIS OF ADMINISTRATIVE FUND BALANCE	
02/28/14 Admin Bal (SBA1 & SBA1B)	\$544,699
Admin from CAB WSF @ \$5,000/month	\$35,000
Less remaining FY Admin costs for 7 months	-\$115,647
Total Administrative Funds at end of FY2013-14	\$464,052
PROJECTED FUND BALANCES AT END OF FY2014-15	
Total Fund Balances beginning of FY 2014-15:	\$1,248,084
Add: 2014-15 Revenues	\$448,815
Deduct 2014-15 Expenses:	-\$560,026
Projected Fund Balances at end of FY 2014-15:	\$1,136,873

ATTACHMENT 3

Analysis of Revenues and Expenditures
Phase 2 Regional Irrigation System Evaluation Program (N491)

April 29, 2014

ANALYSIS OF PHASE 2 REGIONAL IRRIGATION SYSTEM EVALUATION, CFI PROGRAM N491					
REVENUE					
	2012-2013		2013-2014		2014-2015
	Budgeted	Received	Budgeted	Projected	Proposed Budget
SWFWMD Match	\$21,030	\$8,220	\$52,585	\$52,585	\$35,295
LG Match	\$36,038	\$24,100	\$0	\$10,851	\$1,087
Villages Match	\$2,628	\$2,693	\$6,573	\$6,573	\$2,747
TOTAL	\$59,696	\$35,013	\$59,158	\$70,009	\$39,129
EXPENDITURES					
	2012-2013		2013-2014		2014-2015
	Budget	Actual	Budget	Projected	Projected Budget
	\$42,060	\$17,446	\$105,170	\$105,170	\$69,584

ATTACHMENT 4

Analysis of Revenues and Expenditures Phase 3 Regional Irrigation System Evaluation Program (N640)

April 29, 2014

ANALYSIS OF PHASE 3, REGIONAL IRRIGATION SYSTEM EVALUATION				
REVENUES				
	2014-2015	2015-2016	2016-2017	Total
	Budgeted	Budgeted	Budgeted	Budgeted
SWFWMD Match	\$28,500	\$9,875	\$1,375	\$39,750
LG Match	\$14,250	\$4,938	\$688	\$19,875
Total	\$42,750	\$14,813	\$2,063	\$59,625
EXPENDITURES (1)				
	2014-2015	2015-2016	2016-2017	Total
	Budget	Budget	Budget	Budget
Total	\$57,000	\$19,750	\$2,750	\$79,500

Notes

SWFWMD Match, 50% to total funding

Includes all utilities. No funds upfront as in past CFI programs

Revenues are 75% of total funding.

(1) Expenditure Calculations								
			2014-2015		2015-2016		2016-2017	
	Item	Cost	# Items	Cost	# Items	Cost	# Items	Cost
Expenditure projections based on CFI funding application	Evaluations	\$340.00	105	\$35,700.00	35	\$11,900	0	\$0
	Sensor	\$75.00	105	\$7,875	35	\$2,625	0	\$0
	Follow-up	\$100.00	0	\$0	10	\$1,000	25	\$2,500
	Administration	\$110.00	105	\$11,550	35	\$3,850		\$0
	Marketing	\$2,500.00	75%	\$1,875	15%	\$375	10%	\$250
	Totals			\$57,000		\$19,750		\$2,750
	Revenues: Calculated at 75%							\$79,500

**Item 10.c.
Members and
Alternates**

WRWSA BOARD MEMBERS AND ALTERNATES

As of April 23, 2014

	<u>Member</u>	<u>Alternates</u>
Citrus County:	Rebecca Bays Dennis Damato	Scott Adams
Crystal River:	Ken Brown	Andy Houston, City Manager
Hernando County:	<i>Jim Adkins, Chairman</i> Nick Nicholson	Alys Brockway, Conservation Angel Roussel, Engineer
Brooksville:	Joe Johnston	Richard Radacky, Utilities Director
Sumter County:	<i>Al Butler, Vice Chairman</i> Don Hahnfeldt	
Bushnell:	Dale Swain	Bruce Hickle, City Manager
Marion County:	<i>Stan McClain, Treasurer</i> Kathy Bryant Carl Zalak	Earl Arnett, Commissioner David Moore, Commissioner Flip Mellinger, Utilities Director
Bellevue:	Gary Ernst	Christine K. Dobkowski, Mayor

Executive Director: *Richard Owen, Ex-Officio, Secretary*

Consultants: Larry Haag, Attorney
Diane Salz, Legislative Liaison
Nancy Smith, WRWSA Administrative Assistant

Revised and Restated Interlocal Agreement,
completed Jan. 14, 2014

Citrus County: 2 members, 2 alternates
Hernando County: 2 members, 2 alternates
Marion County: 3 members, 3 alternates
Sumter County: 2 members, 2 alternates
City of Bellevue: 1 member, 1 alternate
City of Brooksville: 1 member, 1 alternate
City of Bushnell: 1 member, 1 alternate
City of Crystal River: 1 member, 1 alternate
(alternates are optional)

Item. 10.e.
Correspondence



May 12, 2014

Honorable Lake Ray, Chair
Joint Legislative Auditing Committee
111 W. Madison St., Room 876
Tallahassee, Florida 32399-1400

RE: FY 2011-12 Finding Number 2010-1
Withlacoochee Regional Water Supply Authority

Dear Chairman Ray:

In response to the request from the Joint Legislative Auditing Committee, we are providing a status update as to the corrective action taken regarding the following audit finding that was reported in the 2011-12 fiscal year audit report and also in the two preceding audit reports:

CPA Firm Audit		
Fiscal Year Audit Report	Finding Number	PDF Page Number(s)
2011-12	2010-1	21 of 26 Also see Revised Internal Controls Report and Management Response, 2 of 7

WRWSA Corrective Actions

The above-cited finding is in regard to the segregation of accounting duties within the Withlacoochee Regional Water Supply Authority (Authority). Prior to the 2011-12 fiscal year, the Authority's staff consisted of a contracted executive director; this situation was the basis of the segregation of accounting duties' finding. A number of procedural controls were put in place to mitigate potential risk to the Authority's assets. In FY 2011-2012, the Authority retained the services of an administrative assistant in addition to a new contracting executive director. With the advice of the WRWSA accounting firm, the following accounting duties have been separated between the Executive Director and the Administrative Assistant.

- (1) The Administrative Assistant completes the bank reconciliations and the Executive Director signs checks.
- (2) The bank statements are reviewed by the Executive Director and the Administrative Assistant completes the bank reconciliations.
- (3) The Administrative Assistant signs the bank statements as preparer and the Executive Director reviews and signs the reconciliations after completion.

(4) The Administrative Assistant records the day-to-day operations and is not a check signer. The Executive Director signs checks along with another officer of the Authority's Board.

(5) The Executive Director approves the bills to be paid and authorizes wire transfers between accounts and to external parties. The Administrative Assistant performs the wire transfers after authorization is received.

These accounting procedures were fully implemented in fiscal year 2012-2013. In addition, the Authority continues to practice a number of other financial controls that were put into place when the Authority had only one staff person to handle all of the duties. These controls include the following procedures:

[1] Dual signatures are required on all checks, one of which must be an Authority Board officer.

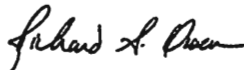
[2] All bills are presented to the Board for approval and financial reports are made to the Board on a quarterly basis.

[3] A specific written reference to the amount of total bills approved by the Board of Directors appears in the official minutes of Board meetings.

[4] The Authority retains an independent accounting firm to prepare a quarterly financial report. The Authority also provides for an independent audit to be prepared annually.

Although the Authority continues to have limited staff and resources, these procedures have been implemented to compensate for the potential risk involving the Authority's physical assets and accounting records. Therefore, the segregation of duties finding has been corrected and is not included in the 2012-2013 Audit report.

Sincerely,



Richard S. Owen, AICP
Executive Director

cc: WRWSA Board ✓
Purvis Gray & Company

DON GAETZ
President of the Senate



Senator Rob Bradley
Senator Alan Hays
Senator Jeremy Ring
Senator Wilton Simpson

**THE FLORIDA LEGISLATURE
JOINT LEGISLATIVE AUDITING
COMMITTEE**

**Representative Lake Ray, Chair
Senator Joseph Abruzzo, Vice Chair**

WILL WEATHERFORD
Speaker of the House



Representative Daphne D. Campbell
Representative Gayle B. Harrell
Representative Daniel D. Raulerson
Representative Ray Rodrigues
Representative Cynthia A. Stafford

April 30, 2014

Mr. James Adkins, Chair
Withlacoochee Regional Water Supply Authority
3600 West Sovereign Path, Suite 228
LeCanto, FL 34461

Dear Mr. Adkins:

Section 218.39(8), Florida Statutes, requires the Auditor General to notify the Joint Legislative Auditing Committee (Committee) when a special district has failed to correct an audit finding that has been reported in three successive audit reports. The Committee may then require the special district to provide a written explanation of the status of corrective action that has been taken. If the explanation is either not provided or determined to be not sufficient, the Committee may require the chair of the governing body of the special district to appear before the Committee.

On February 17, 2014, the Committee adopted a motion to direct the Withlacoochee Regional Water Supply Authority (Authority) to provide a written statement to the Committee explaining why full corrective action has not been taken or, if the governing body intends to take full corrective action, describing the corrective action to be taken and when it will occur, for the following audit finding that was reported in the 2011-12 fiscal year audit report and also in the two preceding audit reports:

CPA Firm Audit		
Fiscal Year Audit Report	Finding Number	PDF Page Number(s)
2011-12	2010-1	21 of 26 Also see Revised Internal Controls Report and Management Response, 2 of 7

You may access this audit report from the Auditor General's website (www.myflorida.com/audgen) under the heading 'Reports Filed with the Auditor General.' Hover over 'Filed Reports,' select 'Special Districts,' and then select 'Withlacoochee Regional Water Supply Authority' and the report for the '2011-12 Fiscal Year.'

Mr. James Adkins, Chair

Page 2

The following guidance is provided to assist you in your response:

- If the above-noted finding has been corrected and was not included in the audit report for the 2012-13 fiscal year, please indicate such in the required statement.
- If the above-noted finding has not been corrected and relates to an area that may never be fully resolved due to limited staff and resources of a small entity, please explain such in the written statement and briefly describe any procedures that may have been implemented to help address the issue. One example is a separation of duties finding. While it is understood and acknowledged that there are many small governmental entities in this state with limited resources, there are always compensating controls that can be implemented to help mitigate some of the inherent risk that exists when one individual at such an entity has access to both physical assets and the related accounting records, or to all phases of a transactions. Another example is a finding related to the auditors assisting in the preparation of the Authority's financial statements and related note disclosures.
- If the above-noted finding has not been corrected and the previous bullet is not applicable, please explain the corrective action(s) being taken to resolve the audit finding. While we understand that the audit report referenced in this letter contained a written response to the finding included in the audit report, we are requesting an updated status of the corrective action(s) being taken. Please do not provide just a copy of the written response from your audit report, unless it includes details and was provided to the auditor within the past month.

Please provide the written statement by July 15, 2014. You may address it to Honorable Lake Ray, Chair, Joint Legislative Auditing Committee, and send it to the Committee's office using one of the following methods:

E-mail: jlac@leg.state.fl.us

Fax: 850-922-5667

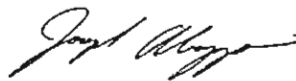
Mail: 111 W. Madison St., Rm. 876; Tallahassee, FL 32399-1400

Thank you for your cooperation.

Best regards,



Lake Ray
Chair



Joseph Abruzzo
Vice Chair

cc sent by email: Richard S. Owen, Executive Director & Registered Agent



May 1, 2014

Mr. Bradley Arnold, County Administrator
Sumter County
7375 Powell Road, Suite 200
Wildwood, Florida 34785

Re: Preliminary Budget Request for the WRWSA for FY 2014-15

Dear Mr. Arnold:

As the Withlacoochee Regional Water Supply Authority (Authority) begins its budget process, the purpose of this letter is to inform our member governments of the Authority's budget request for coming Fiscal Year. The Authority will vote on its final budget for FY 2014-15 at its May 21, 2014 Board meeting. I will forward the final budget to you as soon as it is approved. However, I am at this time providing you with our per capita assessment request for the coming fiscal year. The Board voted at its April 16, 2014 meeting to maintain its per capita assessment request at 19¢ for FY 2014-15. The proposed assessments are shown in the attached table. The impact to our member governments will vary depending on each government's change in population from the prior year. While the growth rate for the region as a whole was approximately 1% over the previous year, the population in Sumter County experienced a slightly higher growth rate of 4.9%, resulting in per capita contributions for the County of \$19,970 in FY 2014-15.

Our proposed work program for the 2014-15 FY is also attached for your information.

The Authority has returned dollars to its member governments to help them improve their water supply capabilities. Over the past twelve years the Authority provided direct grants of \$1,438,292 to its member counties. During the current fiscal year (2013-2014) the Authority is providing \$127,250 to three member governments to continue water conservation efforts. Citrus County was awarded \$40,250, Hernando County \$48,400 and Marion County \$38,600 in Authority grant funds. In addition, the Authority has used its local government assessments along with other funds from its Charles A. Black Water Supply Facility in Citrus County to match funds from the Southwest Florida Water Management District (SWFWMD) to prepare an update to the Regional Water Supply Plan, to expand regional groundwater models in an effort to better understand the availability of groundwater in the region and to administer a program for residential irrigation system evaluations to aid in water conservation. Citrus, Hernando and Marion counties, and The Villages of Sumter are all participating in the irrigation audit program.

Bradley Arnold, County Administrator

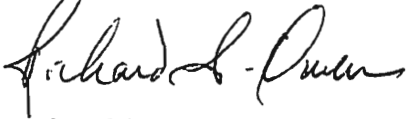
May 1, 2014

Page 2

The Authority is well aware that all levels of government continue to experience major budgetary constraints. We believe the Authority's funding request is well worth the benefits of continued protection of our local water resources, ensuring these water resources are available to meet our members' future water needs and economic growth. We are committed to do our part by proposing a budget to our Board that will either have no increase or a slight decrease in the administrative costs of the organization, while continuing to implement our water supply planning and investigation programs, funding water conservation projects and providing administrative support for and funding of phases 2 and 3 of the irrigation evaluation program.

If you need further information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard S. Owen". The signature is fluid and cursive, with the first name "Richard" being the most prominent.

Richard S. Owen, AICP
Executive Director

Attachment

cc: Sumter County WRWSA Members
Gloria Hayward, County Clerk

WRWSA Members

Citrus County

Brad Thorpe, County Administrator

Ken Cheek, Water Resources Director

Angela Vick, County Clerk

Debra Burden, Water Conservation Manager

Hernando County

Leonard Sossamon, County Administrator

Susan Goebel-Canning, P.E., County Utilities Director

Don Barbee, Jr., County Clerk

Alys Brockway, Conservation Coordinator

Marion County

Dr. Lee A. Niblock, County Administrator

David R. Ellspermann, County Clerk

Flip Mellinger, County Utilities Director

Jacob Arnett, Water Resources Coordinator

Withlacoochee Regional Water Supply Authority
Fiscal Year 2014-15 Proposed Per Capita Rate, Revenue and Change from Current Year

County	Population Estimates ¹			Per Capita Rate	Revenue			
	4/1/2012	4/1/2013	2012-2013 Population Change		Fiscal Year 2013-14	Fiscal Year 2014-15	FY 14 to FY 15 \$ Change	FY 14 to FY 15 % Change
Citrus	140,761	140,519	-242	\$0.19	\$26,745	\$26,699	-\$46	-0.2%
Hernando	173,104	173,808	704	\$0.19	\$32,890	\$33,024	\$134	0.4%
Marion	332,989	335,008	2,019	\$0.19	\$63,268	\$63,652	\$384	0.6%
Sumter	100,198	105,104	4,906	\$0.19	\$19,038	\$19,970	\$932	4.9%
Total	747,052	754,439	7,387	\$0.19	\$141,940	\$143,343	\$1,403	1.0%

¹ Bureau of Business and Economic Research, "Estimates of Population by County and City in Florida: April 1, 2013. Retrieved from <https://www.bibr.ufl.edu> on March 25, 2014.

**Withlacoochee Regional Water Supply Authority
2014-15 Work Program**

1. Joint Funding of Water Conservation Projects with Member Local Governments

The Authority Board will continue its grant program to assist local governments in improving water conservation within the region in order to extend the use of groundwater as long as possible. Since the inception of the grants program, the Authority has appropriated \$1,438,292 to local government projects in the region. During fiscal year 2014-15, the proposed budget anticipates appropriating an additional \$130,000 toward local government water conservation projects. Proposals will be considered from local governments and public supply utilities in the Authority's jurisdiction. The grant program guidelines and application package may be found on the Authority's web page at www.wfwna.org. The water conservation activities co-funded by this grant program help participating utilities meet and sustain the maximum 150 gallons per person per day that is required by the SWFWMD no later than 2019.

2. Legislative and Governmental Affairs Advocacy on Behalf of the Authority and it's Member Governments

The Authority Board, since 2002, has conducted legislative and governmental affairs advocacy year-round to promote initiatives on behalf of the Authority and its member governments and to protect the Authority's interests. Historically, the Authority has played a vital role in fine-tuning state and regional water supply planning, permitting and funding programs including "local sources first" and the Water Protection and Sustainability Program (SB 444). Each year prior to the Legislative Session the Authority Board reviews and approves policy direction to guide our advocacy efforts. Progress reports are provided on a regular basis. Fiscal year 2014-15 is anticipated to be the year that the Florida Legislature revamps the state's comprehensive water policies and funding programs under the leadership of the in-coming House Speaker-designate Steve Crisafulli (R-Merritt Island) and Senate President-designate Andy Gardiner (R-Orlando).

3. Continuation of the Regional Residential Irrigation Audit Program to Promote Water Conservation within the Region

This project provides an opportunity for residential water utility customers within Citrus, Hernando, Marion and Sumter counties to obtain site-specific evaluations for optimizing the use of water through landscaping techniques and efficient irrigation systems, and to implement recommendations provided by a professionally certified contractor. Contractors used for the site-specific evaluations are professionals certified by the Florida Irrigation Society (FIS) or other recognized certifying agency in the targeted region. The initiative includes program information, water conservation education, reporting and analysis by a consultant. This continuing project targets existing inefficient landscape and irrigation water use and results in documented water savings and water quality protection. Results from the Pilot project indicate a total water savings of 29 million gallons per year for 230 residential customers, representing an average reduction in total water use of 36%.

The Authority initiated the Pilot program in 2011 with joint funding from the Southwest Florida Water Management District (SWFWMD). Phase 2 of the program will continue through fiscal year 2014-15 with Phase 3 starting in the same year. This water conservation initiative also helps participating utilities meet and sustain the maximum 150 gallons per person per day that is required by the SWFWMD no later than 2019.

4. **Complete Revisions to the Charles A. Black Water Supply Facility Rate Analysis and Agreement**

During fiscal year 2011-12, the Board authorized a study of the current contract with Citrus County for water supply from the Charles A. Black Water Supply Facility (CABWSF). The Authority put this facility into service in 1992. The Authority contracted with Citrus County to operate and maintain the facility. The current contract provides for an allocation of 2 MGD for Citrus County from the facility. However, for a number of years, the County has been utilizing significantly more water supply from the wellfield. The current contract expires in the early 2020's. The Authority engaged Purvis Gray & Company, CPAs, to prepare a rate analysis and recommend changes to the current contract between the Authority and Citrus County. A draft of this study was completed in the 2013-14 fiscal year. The Authority also retained Cardno TBE to update the engineering analysis of the facilities. This work was completed in fiscal year 2012-13. The objective of this initiative is for the Authority and Citrus County to reach a mutually acceptable new rate agreement that bases revenue to the Authority on water use and puts the Authority in a more long-term sustainable financial position.

5. **Continuation of Cooperation with Citrus County in Operation of the Authority's Charles A. Black Wellfield and Water Supply Facility**

The CABWSF is currently operating and supplying water to the Citrus County system. The Authority will continue to cooperate with Citrus County in the maintenance and permitting for the wells and the treatment facility per our operation and maintenance contract with Citrus County.

6. **Central Springs Model Development**

The first phase of this project was jointly funded by the SWFWMD, St. Johns River WMD, Marion County and the Authority. The project was initiated in fiscal year 2012-13. Phase 1 of the project entailed updating and expanding the SWFWMD's Northern District Groundwater Model to encompass all of Marion County and to incorporate the most recent hydrologic data. Phase 1 of the project was successfully completed. The SJRWMD has continued the project to expand the model further to the east coast. The result of Phase 2 of the project will be a new model that will encompass the entire central part of the state from coast-to-coast and will be utilized by both districts as appropriate. The Authority will continue to participate in the project steering committee to ensure continued cooperation and coordination in the determination of groundwater availability in the region. The intent is for both water management districts to utilize the same groundwater model for all of Marion County and the surrounding region in determining the availability of groundwater.

7. **Program Development and Technical Assistance**

- a) Support efforts to further define the hydrogeology of the region. Continue cooperation with the water management districts on the collection of hydrologic data to further refine the Districts' planning and regulatory models. Coordinate on efforts to better define the lower Floridan aquifer and the extent of fresh and brackish groundwater within the aquifer.
- b) Promote the WRWSA Regional Framework through coordination with WRWSA member governments to facilitate regional and sub-regional cooperation on water supply development and reclaimed water projects. Work with the SWFWMD in defining strategic priorities for the

northern region and how these priorities may influence the ranking criteria for the District's Cooperative Funding Initiative, including potential District funding for regional and sub-regional traditional and non-traditional water supply development that is consistent with the WRWSA Regional Framework.

- c) Monitor SWFWMD and SJRWMD development of minimum flows and levels (MFLs). Provide technical assistance to WRWSA member governments in determining the potential impact to both the environment and potential water supply development based on proposed MFLs from the Districts.
- d) Work with the SWFWMD and SJRWMD as they update their respective regional water supply plans to ensure the interests of the Authority and its member governments are represented in the process.
- e) Coordinate with FDEP, SJRWMD, SWFWMD and the Florida Department of Agriculture and Consumer Services on policy and rule development. Provide assistance to WRWSA member governments on FDEP and District rule development that may include Water Use Permitting, Environmental Resource Permitting, water conservation and future water supply development, including the statewide consistency initiatives. Monitor water management programs and rule development in other parts of the state, including the Central Florida Water Initiative, for implications to the WRWSA and its member governments.

Item. 10.f.
News Articles

By: Estus Whitfield, Tampa Bay Times

How a Good Springs Bill Died

Once upon a time our pristine springs, lakes and streams defined Florida as a fabulous place to live and visit. But that was then and this is now.

If you have visited a spring lately, then you know that our springs and water are in serious trouble. It's hard to imagine why anyone would not want clear, free-flowing springs and abundant fresh water. It's a no-brainer, right?

Wrong.

There are tremendous demands on our water resources due to excessive pumping of groundwater by public and private utilities, agriculture, business and industry, and shameful pollution of our springs from millions of septic tanks, improperly used fertilizer, unwise land-use practices and substandard wastewater treatment plants. Yet our Legislature continues to allow those who are responsible avoid responsibility.

Think of once famous White Sulfur Springs and Kissengen Springs — they are bone-dry — and Chassahowitzka, Silver, Rainbow, Wakulla and many other springs have lost their past splendor to murky, algae-laden water and reduced flow. Ask yourself if this is the Florida you want. Then ask yourself why has this travesty gone on so long and why is it allowed to continue.

Recently, there was actually a gallant effort to protect and restore the foundation of what made Florida a unique place in the world: its springs and water resources. It began in earnest in 2012 with the "Speak Up for Silver Springs" rally. In early 2013, another call for action was sounded at the "Speak up for Wekiwa" rally at Wekiwa Springs. The Florida Conservation Coalition followed with a report and recommendations for springs protection and restoration.

Then state Sen. David Simmons, R-Altamonte Springs, stepped forward and proposed significant springs legislation, SB 1576, to be considered during the 2014 session.

Sens. Charlie Dean, R-Inverness, Bill Montford, D-Tallahassee, Wilton Simpson, R-Trilby, and Alan Hays, R-Umatilla, signed on to the proposal. It was an outstanding bill that would have determined where our springs are most vulnerable to overpumping and pollution, mandated commonsense rules and projects to restore and protect them, and provided almost \$380 million in recurring funding to make it all possible.

Then enter the House of Representatives' leadership, which said "no" to springs legislation this year because next year's speaker wants to deal with it. Just be glad the Legislature doesn't control your local fire department or you might be told that your burning house can't be saved because the next shift really wants to fight the fire.

Of no surprise to those of us who have seen this movie before, when the House realized that a better excuse for inaction was needed it relegated its control of the issue to a group of business and agricultural lobbyists. These lobbyists crawl out of the crevices anytime good environmental legislation is proposed.

But don't put all the blame on the lobbyists; they are only high-paid pawns of big business, and in the case of the springs bill, the House and governor. They are simply mouthpieces for corporations and politicians who don't have the courage to do the dirty work themselves.

Among the groups that most actively worked to stop springs legislation from passing this year is the Florida Chamber of Commerce. It's hard to understand why companies like Walt Disney World, Publix, Sea World and Ron Jon Surf Shop, all of which are represented on the chamber's board of directors, would oppose a bill that aligns with the values they claim to espouse.

Unfortunately for Floridians, and the Senate sponsors who worked to build consensus on a springs bill for the better part of a year, it appears that the lobbyists and House, with the ever-silent blessing of the governor, were never negotiating in good faith as they continued to oppose the bill even after they were given everything they demanded. In the end, SB 1576 passed the Senate unanimously but was never taken up in the House and died.

So, despite a group of courageous senators, our springs and water resources continue to decline, while the House and governor and a handful of lobbyists breathe a sigh of relief. Everyone else — those who care for our natural treasures — should thank those senators who went to the wall for our springs.

At the end of the day, however, the people of Florida got hoodwinked, well-intended senators got misled and Florida's environment lost again.

But it's not over. Florida voters will have an opportunity this November to pass Amendment 1, ensuring 20 years of significant funding for protecting Florida's lands and waters, and to change the political leadership in Tallahassee. We need people who will stand tall alongside these courageous five senators for what is right.

Estus Whitfield, who lives in Tallahassee, worked in state government from 1971 to 1999 and was the principal environmental adviser to Govs. Bob Graham, Bob Martinez, Lawton Chiles and Jeb Bush. He wrote this exclusively for the Tampa Bay Times.

Florida Legislature: Debacle For Springs, Aquifer

Published: Tuesday, May 6, 2014 at 12:03 a.m.

Florida's state representatives and senators had a rare opportunity during the legislative session that ended Friday to take significant steps toward cleaning up the state's magnificent natural springs and protecting the valuable Floridan aquifer — the state's underground river of clean water.

The Legislature did not hold true. It caved in to special interests.

The 60-day legislative session started with such promise for saving not only our springs but, indeed, our water supply.

In an effort led by five powerful Senate committee chairmen, a bill was crafted that would have begun addressing the sources of pollution that are slowly killing the springs and also set new rules for water permitting to curb the overpumping that is draining the aquifer.

Maybe most impressive, the bill established a dedicated source of funding to ensure that cleanup of springs would not be a one-year affair, but rather a matter of ongoing state policy.

That source, a share of the state's documentary stamp revenue collected on real estate transactions, would have generated \$365 million next year. A lot could have been accomplished after years of watching the slow degradation and, in some cases, death of too many of Florida's more than 700 springs.

The public and politicians rallied around the Florida Springs and Aquifer Act. It looked as if spring and aquifer protection had a chance.

Facing obstruction from Associated Industries, the Florida Chamber of Commerce and the Florida Home Builders Association, the spring-protection bandwagon began running into roadblocks.

NEXT YEAR

None was bigger than House Speaker Will Weatherford, R-Wesley Chapel. He stated flatly that he did not want to deal with water policy this year. Wait until next year, he said.

In the end, the House, while never taking up the Senate bill on springs and the aquifer, did agree with senators to put \$30 million in the new state budget for spring restoration. Pathetic. That is \$25 million less than Gov. Rick Scott proposed.

All the while, the quality and quantity of Florida's water continues to decline. In the end, such shortsightedness will only cost more — a lot more, economically and environmentally, and to the many categories of business that rely on Florida's water for their success.

The Indian River Lagoon has been in the news over the past year because pollution from Lake

Okeechobee agricultural operations has fouled its water, killing hundreds of manatees, dolphins and other wildlife. While the state's hundreds of springs got \$30 million, the Legislature allocated \$171 million for the cleanup of the lagoon. No small factor was the fact that the lagoon sits in the district of state Sen. Joe Negron, R-Stuart, who, as chairman of the Senate Appropriations Committee, is the Senate's budget chief.

Five powerful senators, a unanimous vote in the Senate, widespread public support, yet no bill to protect the springs and aquifer — all because of a failure of leadership by Weatherford and Scott. Once again, special interest concerns mattered more in the state Capitol than the future of Florida's water supply.

Tampa Bay Times: *Lost chance for springs cleanup 05/05/14*

The Florida Legislature blew a historic opportunity to take a serious step in cleaning up the state's natural springs. The \$30 million lawmakers approved for next year is a token effort that will do little to slow the deterioration of these vital habitats. Lawmakers sided with developers and the fertilizer industry over public health, fishing and tourism. They ignored the impact on property values and the security of the state's drinking water supply. Instead, lawmakers cared more about political maneuvering and campaign contributions than repairing environmental damage.

The speed of the collapse of a bipartisan Senate bill on the springs was remarkable even for a Legislature that often acts as a subsidiary for the state's most powerful industries. The Senate proposal called for steering \$371 million a year toward a wide-ranging cleanup effort. The state would have allowed more local bans on using fertilizer on lawns and created protection zones around critical springs, removed old and leaky septic tanks, restored the flow and health of the springs and crafted long-term plans for cleaning up everything from wastewater plants to farming operations. State and local governments would have been true partners in prioritizing the cleanup and following through on restoration projects that would take years.

None of this caught the interest of House Speaker Will Weatherford or Gov. Rick Scott. Neither lifted a finger to save the Senate bill or even to accept the watered-down version that the Senate ultimately adopted by a unanimous vote. The final bill did away with the dedicated funding that is essential for addressing the springs on a statewide scale. The cleanup plans were pushed off for years. Rural counties where septic tank pollution is the worst got off the hook. And two areas of the Panhandle were relieved of the responsibility to provide local matching money for the cleanup effort. Even then the House refused to take up the bill. Weatherford, R-Wesley Chapel, said he wanted to leave that job to the incoming speaker.

The budget lawmakers sent to Scott still includes \$30 million for springs restoration — state money that could be leveraged against other sources that could raise tens of millions of dollars in additional funds for the cleanup effort. But that is not nearly enough money to meet the challenges, and the work would come without the broad framework for coordination that the Senate bill provided. Yet again, the state is relying on a halting approach that hinges on the generosity of future legislatures.

The Legislature's failure also sent an inconsistent message on environmental protection. While the Senate decimated its original springs bill and the House failed to act, lawmakers included about \$249 million in the budget for Everglades-related restoration projects. That will pay for cleanup work in the Indian River Lagoon and cover the state's share of elevated portions of Tamiami Trail, which will help move more water south into the lower Everglades. Spending nearly 10 times as much on the Everglades as the springs shows a lack of balance and priorities.

This Legislature and governor failed miserably to meet the expectations they set in advance of the session and the opportunities the recovering economy provides to pass a meaningful springs bill. They also tore at the fabric of a broad coalition that worked for months to craft an ambitious bill. The House had no reasonable excuse to wait, and Scott has no excuse for failing to champion even the stripped-down version of the Senate legislation. The best anyone can hope for is that this year's breakdown will inspire an even bolder attempt next year — after the November elections.

Editorial: Lost chance for springs cleanup 05/05/14 [Last modified: Monday, May 5, 2014 5:49pm]

Keith Perry: Efforts underway to protect springs

By Keith Perry

Special to The Sun

Published: Monday, May 5, 2014 at 6:01 a.m.

In government, we can all agree on the importance of our local springs and aquifer to the state of Florida. Springs serve a vital role in the health of our ecosystems as well as our local economies; they provide fresh water to our towns and agriculture and attract tourists from across the world. This is particularly true here in North Florida, which purports the title of the highest concentration of springs anywhere in the country.

I have always strongly believed that there is no natural resource more important than water. As such, I have made it my utmost responsibility, since first taking office in 2010, to do what is necessary to protect this resource.

As one of 120 House members, my voice is less than 1 percent of those heard in Tallahassee. It has therefore been essential that I establish relationships with key members of leadership to ensure House District 21 receives proper representation and maintains a strong voice on this and other important issues. Without these relationships, our district would be at a severe disadvantage to more urbanized districts with 40 times larger delegations.

Sen. Charlie Dean and I are the only representation in Tallahassee for Gilchrist and Dixie counties — an area with the greatest number of springs compared with any other district. This has compelled me to aggressively pursue the protection of our springs using a variety of approaches through the legislative process, which are clearly reflected by my record as state representative.

During my first legislative session in 2011, I supported the budget that dedicated over \$144 million to water conservation, restoration projects in the Everglades, cleanup from the BP oil spill, water quality assurance and water management lands. In 2012, I supported a budget that dedicated over \$189 million to spring restoration, the continuation of the spill cleanup, Everglades restoration and water conservation and quality assurance.

In 2013, I fought hard to ensure local water projects like Tumblin Creek and Cross City drinking water were allocated in the budget, which in its final passing reflected a 16.8 percent allocation used for natural resources, environmental and growth management. Over \$375 million was secured for water-related projects.

This year, I have continued to be a vocal advocate and fight for the funding of our local water projects, as well as funding for the springs located across North Florida. These projects include Tumblin Creek and the Archer waste water treatment, as well as \$25 million for springs restoration and \$5 million for best management practices in agriculture in springs recharge areas. As the session entered its final days, I worked to ensure these items remained in the budget.

In regards to my support of springs legislation, I feel a deep responsibility to protect our natural resources. This session I joined with Rep. Elizabeth Porter and co-sponsored the resolution for Springs Protection Awareness Month, which designates April as springs protection month in the Florida. I also co-sponsored HB 1313, as it is my desire to see a springs bill pass that will provide for comprehensive springs restoration.

In addition to legislative and budget support, I have worked hand in hand with department heads and agencies over the years to support the development of new and innovative ways to protect and preserve our springs. Specifically, I have met with the commissioner of agriculture about his new initiative relating to best management practices for agriculture. I have also been in constant contact with the Suwannee River Water Management District to support its efforts for restoration and conservation of our springs. Recent projects include the GRU aquifer recharge project and the Ichetucknee springshed water quality improvement project.

The Suwannee River Water Management District has been working with the Department of Environmental Protection to implement best management practices. They have invested \$900,000 to help farmers implement them in our area. In addition, the district has set aside \$887,000 to partner with agricultural producers, which in turn has saved an estimated 2.65 million gallons of water per day and to reduce nitrogen loads by an estimated 1,187,000 pounds per year.

These are just a few examples of the ongoing projects in our area that we are working on, together with our agriculture producers, to help protect our springs. I will continue to support efforts like these that will improve both our natural ecosystem, as well as continue to keep our economy healthy.

I want to express my appreciation for the communications I have received from many of my constituents. It is encouraging for me to hear from so many people who are not just talking about change, but getting out and doing the hard work to see this change become reality. I encourage all of my constituents to please continue to write, call or stop by my office to share your concerns, as my door is always open. My commitment to the springs initiative will not waver, and I believe that when we work together we can affect real change in our community.

Keith Perry is a Republican from Gainesville representing House District 21, which includes parts of Alachua, Dixie and Gilchrist counties.

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IN OUR OPINION

Editorial: The springs debacle

Published: Sunday, May 4, 2014 at 6:30 a.m.

Florida lawmakers had a rare opportunity during the just completed legislative session to take significant steps toward cleaning up the state's magnificent natural springs, only once again to cave to special interests and suffer policy myopia.

The session started with such promise for saving not only our springs but, indeed, our water supply. Led by five powerful Senate committee chairman — including our own Sens. Charlie Dean and Alan Hays — a bill was crafted that would have begun addressing the sources of pollution that are slowly killing our springs and also set new rules for water permitting to curb the overpumping that is draining our aquifer.

Maybe most impressive, the bill established a dedicated source of funding to ensure that springs cleanup was not a one-year affair but rather a matter of ongoing state policy. And that source, a share of the state's documentary stamp revenues collected on real estate transactions, would have generated \$365 million next year. A lot could have been accomplished after years of watching the slow degradation and, in some cases, death of too many of Florida's 700-plus springs.

The public and politicians rallied around the Florida Springs and Aquifer Act. It looked as if springs protection had a chance.

Then, big business took notice. Led by the memberships of Associated Industries, the Florida Chamber and the Florida Home Builders Association, the springs protection bandwagon began running into roadblocks. None was bigger than House Speaker Will Weatherford, who stated flat out he did not want to deal with water policy this year. Wait till next year, he said. Why? With big businesses' big donors working behind the scenes — it is an election year, after all — the bill began being watered down. Then the funding source was removed.

In the end, the House, while never taking up the Senate springs bill, did agree with senators to put \$30 million in the new state budget for springs restoration. Pathetic. That is \$25 million less than Gov. Rick Scott proposed.

All the while, the quality and quantity of Florida's waters continues to decline. In the end, such shortsightedness will only cost more, a lot more, economically and environmentally.

A case in point. The Indian River Lagoon has been in the news a lot over the past year because pollution from Lake Okeechobee agriculture operations has fouled its water, killing hundreds of manatees, dolphins and other wildlife. While the state's hundreds of springs got \$30 million for "restoration," the Legislature allocated \$171 million for the cleanup of Indian River Lagoon. That the lagoon sits in Senate budget chairman Joe Negron's district was no small factor.

The point is, one man, Weatherford, chose to do big business' bidding rather than

the people's, and another, Scott, failed to exhibit the slightest bit of leadership on the springs issue. Scott was missing in action from day one.

Five powerful senators, a unanimous vote in the Senate, widespread public support, yet no springs protection bill — all because of a failure of leadership by Weatherford and Scott. All because, once again, special interest concerns matter more in the state capitol than the future of Florida's water supply. How sad.

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Crisafulli says springs bill died because it wasn't the right approach

The Current

Bruce Ritchie, 05/02/2014 - 09:17 PM

Rep. Steve Crisafulli, left, confers with House Speaker Will Weatherford Friday night. . Crisafulli is the incoming Speaker and says he will pursue a comprehensive water policy in 2015. Photo by Bruce Ritchie.

In the end, there was too much opposition to a Senate springs bill for it to be brought up in the House, Rep. Steve Crisafulli said after the legislative session ended Friday.

SB 1576 passed the Senate 38-0 on Wednesday but died in House messages on Friday.

"It was a bill that kept working through the process," Crisafulli, R-Merritt Island, told The Florida Current. "And quite honestly there was a lot of folks who didn't see that as being the right approach for what is right for the future."

Springs have turned green with algae because of increasing nitrogen in groundwater from a variety of sources, scientists say. SB 1576 would have required advanced sewage treatment and septic tanks in areas with polluted springs and would have tightened state laws to prevent groundwater overpumping.

The bill as filed on Feb. 28 provided an estimated \$365 million per year for springs projects. But the recurring funding was stripped from the bill on April 22 and replaced with a one-time \$30 million in the proposed 2014-15 state budget.

Business and industry groups said they support clean water but preferred to stick with the state's approach to developing cleanup plans for springs. And the lack of funding in April drew open opposition from cities and counties who said they would be on the hook for cleanups without funding from the state.

Crisafulli said he is committed to a comprehensive approach on water statewide over the next two years.

"Not just the springs, not just the Everglades, not just the Indian River Lagoon but all water policy," Crisafulli said. "That is the interest I have. That is the approach I will be taking."

Sen. Andy Gardiner, R-Orlando and incoming Senate president, said senators tried to get the springs legislation put on a Department of Environmental Protection bill, HB 7171, but couldn't reach agreement.

"They (House members) didn't really have anything that matched up (as far as legislation)," Gardiner said. "At the end of the day we ran out of time."

He said the shape of legislation next year could depend on whether voters pass Amendment 1 providing nearly \$1 billion per year for environmental conservation and restoration.

The amendment would cover springs and other areas of environmental spending, Gardiner said.

Sen. David Simmons, R-Altamonte Springs and one of five Senate committee chairmen backing

the bill, said legislation next year will use SB 1576 as a starting point. He said opposition arose to the bill only because of a lack of funding.

"Things of this magnitude and things that are game-changers sometimes can't be done in one year," Simmons said.

"I'm pleased we got as far as we did particularly to pass unanimously in the Senate," he said. "And I have a commitment from the Senate president and speaker designate to make this a higher priority."

Reporter Bruce Ritchie can be reached at britchie@thefloridacurrent.com.

Springs bill is dead

By Aaron DeslatteTallahassee Bureau Chief

6:28 p.m. EDT, May 2, 2014

TALLAHASSEE -- It was always a long-shot. But House and Senate lawmakers trying to impose new cleanup rules for Florida's pollution-battered springs will be back at the drawing board next year.

With the session ticking down on the last day, both sides said the springs bill passed this week by the Senate would not be taken up on the House side -- and next year, they'd try again.

"The groundwork has been laid," Senate sponsor David Simmons, R-Altamonte Springs.

Grinding into Friday evening, Simmons made one last lobbying push to get House Speaker-designate Steve Crisafulli, R-Merritt Island, to try to bring the bill up in his chamber.

But without ever going through a House committee, it wasn't to be.

"Too much text," Crisafulli said in an email. "However, I am committed to working on water policy over the next two years."

The Senate earlier this week passed a springs-protection plan that would force developers, farmers, local governments and septic-tank owners to cut pollution flowing into the state's most imperiled springs.

But the chamber also stripped out \$378 million that would have gone annually toward that cleanup -- relying instead on Amendment 1, a constitutional question before voters in November that could mandate an estimated \$19 billion during the next two decades for conservation projects, including buying land and cleaning up polluted waterways.

Incoming Senate President Andy Gardiner, R-Orlando, said Friday that he never expected the House to take up the Senate plan this year. But both presiding officers had given notice to the development industry, agriculture, local governments and environmental groups that they would adopt springs clean-up policies during their two-year tenure.

"For us, that bill's the starting point," Gardiner said.

----- Forwarded message -----

From: Diane Salz <salz.govconsultant@gmail.com>

Date: Fri, May 2, 2014 at 8:18 AM

Subject: Environmental bills are teed up but springs bill remains a question mark

To: Diane Salz <disalz@yahoo.com>

Environmental bills are teed up but springs bill remains a question mark

Bruce Ritchie, 05/01/2014 - 08:14 PM

A slew of compromised bills dealing with environmental and growth management issues are ready for final adoption in the Senate on Friday.

But a question mark still surrounds the biggest pending environmental legislation, the springs bill. SB 1576 passed the Senate on Wednesday by a 38-0 vote but the House companion was never heard in committee.

House Speaker Will Weatherford, R-Wesley Chapel, said Thursday he had not had time to talk with House committee chairmen about the legislation and he was a bit more adamant about the challenge it faces heading into the final day of session.

"I don't know," Weatherford said when asked if it will come up on Friday, the final day of the legislative session. "We'll see."

Springs have become choked with algae and slime because of increasing nitrogen in groundwater. Supporters say the weakened SB 1576 would protect springs from incompatible uses and future over-pumping.

"It's got as good a shot as any bill that's coming over from the Senate," Weatherford said. But he added that House rules require a two-thirds vote to bring up a bill that had not been heard in House committees.

"We'll see if the two-thirds vote exists for it," he said.

Bills that are teed up to pass in the Senate include:

- SB 1126, a Florida Fish and Wildlife Conservation Commission bill. An amendment to roll back a ban on local ordinances restricting where boats can anchor was voted down.
- HB 7023, an economic development bill. It was rewritten on Thursday to remove a three-year ban on local traffic concurrency and impact fees. An amendment to add the language was withdrawn on Wednesday.
- HB 7093, which eliminates the Department of Environmental Protection's petroleum contamination cleanup "pre-approval" program except for projects where savings to the state can be documented.
- HB 7089, which ratifies the site cleanup competitive bidding rules implemented by DEP in 2013.

- HB 791, a costal development bill requested by DEP. It now includes language that state park officials objected to that would prohibit new concessions in some smaller parks. The bill language minus the concession language also is on HB 7093.

Not looking so good are HB 1113 and SB 1160, which would extend by two years a Jan. 1, 2015, ban on the land application of septic tank waste so that a study can be conducted. Those bills are on the calendars of their respective chambers but haven't made it to third reading.

Reporter Bruce Ritchie can be reached at britchie@thefloridacurrent.com.

SENATE SENDS SPRINGS PLAN TO HOUSE

By JIM TURNER
THE NEWS SERVICE OF FLORIDA

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THE CAPITAL, TALLAHASSEE, April 30, 2014 Without a surge of once-envisioned money, members of the Florida Senate hope they can tee up new policies to help protect the state's natural springs before the legislative session ends Friday.

The push comes after funding for the springs, located throughout central and northern Florida, came out of legislative budget talks far below the amounts earmarked for the Indian River Lagoon and the Everglades.

The Senate on Wednesday unanimously approved a measure (SB 1576) that, in part, seeks to control the amounts of fertilizers allowed into waterways, redirect waste water, replace septic systems at no charge to homeowners and have the Department of Environmental Protection rank the needs of the various critical springs projects.

"I think it's imperative that we try to do the right thing, to do all that we can reasonably do, to make these springs healthy and to help other people enjoy them as they come to Florida and as they live here," said Sen. Alan Hays, a Umatilla Republican who is one of five senators pushing the proposal.

But without a companion bill in the House, the proposal still needs the support of two-thirds of House members just to get brought up on the floor during the next two days.

Speaker Will Weatherford, R-Wesley Chapel, said Wednesday he'll huddle with House leaders, including Rep. Steve Crisafulli, a Merritt Island Republican who is slated to become speaker in November, and "see if they think it's a good bill."

Weatherford has expressed skepticism about the Senate proposal, which has undergone several recent changes.

The most notable alteration came last week when a proposal was stripped from the plan to use existing revenue, estimated at up to \$378 million a year, from a tax on real estate transactions to fund the springs improvements.

Prior to the session, Weatherford suggested that water-policy issues may have to wait until the 2015 session.

However, Sen. David Simmons, an Altamonte Springs Republican who is also part of the group of five senators, remained optimistic that the policy proposal will get House support by the end of the week.

Also, Simmons said people shouldn't look down on the more than \$30 million allocated in the budget for springs next year. The House and Senate are slated to vote on the fiscal 2014-15 budget Friday.

"We have received a significant sum of money compared to prior years," Simmons said. "It's not what we wanted, but it is significant."

The amount is \$20 million less than Gov. Rick Scott requested.

Janet Bowman of The Nature Conservancy, called Senate Appropriations Chairman Joe Negron's handling of the Indian River Lagoon funding "brilliant," adding that she expects disappointment from springs proponents.

"There have been expectations raised," Bowman said in reference to the springs funding sought by the five senators.

The springs money is far less than that \$171.9 million being allocated for the Everglades and Indian River Lagoon.

Negron, R-Stuart, lined up the money by chairing a select committee that was initially focused on improving water quality in the St. Lucie River estuary, which last summer was inundated with nutrient-heavy waters released from nearby Lake Okeechobee.

Among the South Florida water projects in the budget are \$32 million for water restoration projects in the Everglades; \$20 million for muck removal from the Indian River Lagoon; and \$1 million for seagrass and oyster restoration efforts in the St. Lucie and Caloosahatchee estuaries.

The funding for South Florida waterways grows to \$231.9 million with the addition of \$60 million during the next two years in transportation funding to bridge a portion of the Tamiami Trail in Miami-Dade County. Lifting the road is expected to help shift the flow of water in the Everglades to the south.

-END-

4/30/14

The Florida Current

Springs bill clears Senate with fate in House uncertain

Bruce Ritchie, 04/30/2014 - 05:37 PM

A springs bill passed the Senate on Wednesday with the looming question of what will happen to it in the House?

Springs, which provide cooling relief to summer bathers and winter homes for manatees, have become covered with slime because of increasing nitrogen in groundwater, scientists say.

SB 1576 provides \$30 million for springs projects, establishes a more restrictive standard for protection against over-pumping and requires planning to upgrade or replace septic tanks.

"Our springs are some of the most beautiful gifts from the good Lord anybody could possibly have," said Sen. Alan Hays, R-Umatilla and bill co-sponsor.

"I think it's imperative we try to do the right thing to do all that we can reasonably to do to make these springs healthy and to help other people enjoy them as they come to Florida or if they live here all the time," he said.

But the House companion bill, HB 1313, hasn't been heard in committee. Some environmentalists and newspaper editorials have criticized House Speaker Will Weatherford for inaction.

House leaders have pointed to an array of water issues across the state that need attention the next couple of years. Weatherford said Wednesday that he looks forward to reviewing the bill now that it's passed the Senate.

On the last two days of session, the House can only take up a bill from the Senate with a two-thirds vote to suspend the rules, Weatherford said.

"So it does create a little bit of a logistical hurdle on that front," he said. "Like I said I haven't had a chance to see that bill so we'll take a look at it and see if it's a good one."

SB 1576, which passed the Senate 38-0, is disappointing somewhat to environmentalists. The bill originally provided an estimated \$378 million per year for springs projects.

Although they expected that amount to be revised downward, environmentalists didn't expect only the one-time funding of \$30 million provided in the 2014-15 state budget agreement reached during the conference committee process. Gov. Rick Scott had requested \$55 million for springs.

The bill also faces opposition from home-builders and business groups. The Florida Association of Counties, the Florida League of Cities and the Florida Stormwater Association voiced opposition last week after the recurring funding was stripped from the bill.

The Florida Stormwater Association, which represents city and county stormwater utilities, says the bill places responsibility for septic tank pollution on local governments but prevents them from requiring property owners to pay any costs.

"It needs quite a few fixes to make it workable," said Kurt Spitzer, executive director of the Florida Stormwater Association.

Environmental group representatives say despite the disappointing funding, the bill still contains some good language, including listing prohibited uses near springs.

"The bill that passed today off the Senate floor is certainly a good step in protecting springs," said Stephanie Kunkel, lobbyist for Clean Water Action and the Conservancy of Southwest Florida.

"I don't think anybody agrees it is a final product," she said. "We'll have to see what happens next year and the year after."

Reporter Bruce Ritchie can be reached at britchie@thefloridacurrent.com.

Tampa Bay Times

Wednesday, April 30, 2014

By Craig Pittman

Two weeks ago, when springs advocates expressed concern about how much money the Legislature might put in the budget for saving Florida's ailing springs, Senate Appropriations Committee Chairman Joe Negron told them not to worry.

Gov. Rick Scott had requested \$55 million, the House had proposed spending \$50 million and the Senate had suggested \$20 million, noted Negron, R-Stuart. The final number would be "somewhere in the middle," he promised.

But when House and Senate leaders unveiled their joint budget proposal Monday, the figure for springs restoration was the lowest of the three: \$20 million.

Meanwhile the Senate is slated to vote today on SB 1676, which lays out a series of steps on how to restore the springs. But environmental groups complain that the Senate version has been all but gutted, while the House version, HB1313, hasn't gotten a committee hearing and House Speaker Will Weatherford has expressed doubts about the whole thing.

After a promising start, disappointed springs advocates "have about folded up the tent for this year," said Estus Whitfield of the Florida Conservation Coalition.

The hostility to helping the springs, given their depth of support, is both surprising and frustrating to environmentalists. Audubon of Florida executive director Eric Draper said he gets why legislators might snub environmentalist wishes but couldn't understand why they would also undercut Scott's re-election bid.

Last year Whitfield's group, led by former Sen. Bob Graham, delivered 15,000 signatures on a petition demanding action on saving the springs. The Legislature doled out \$10 million for a problem that the state's water management districts have estimated could cost \$122 million, just for starters.

This year, hundreds of people, including some elected officials, rallied at the Capitol Building to show their support for springs restoration. Given that the state was expecting a budget surplus, Scott was proposing \$55 million and lawmakers faced an election year, their hopes were high.

A coalition of powerful senators drafted a bill that called for designating protection zones around 38 of the state's most prominent springs, cutting the flow of pollution from runoff and septic tanks, and safeguarding their continued flow with limits on pumping. The bill also proposed earmarking \$378 million a year from documentary stamp taxes to pay for septic tank upgrades and sewer line hookups near springs.

But the bill hit opposition from a cadre of business groups, including the Association of Florida Community Developers, the Florida Home Builders Association, the Florida Fertilizer and Agrichemical Association and the Florida Chamber of Commerce.

By the time the bill won the approval of Negron's committee last week, it has lost nearly all its funding as well as some of its stronger regulatory provisions. The loss of funding prompted the Florida Association of Counties and the Florida League of Cities to oppose it too, arguing the state would be requiring their clients to fix the springs without giving them any money to help.

"It is getting watered down to the extent that it may not be worth the effort," Whitfield said. The bill is to the point where "if something, anything passes there will be cries of victory, mission accomplished, and bill signing ceremonies. At this point I would not be disappointed if nothing passed."

Gov. Jeb Bush initiated an effort to save Florida's springs in 2000, convening a panel of experts to recommend what should be done. The Legislature passed only one of its recommendations, then repealed it shortly thereafter. Scott's administration dismantled the initiative in 2011.

Craig Pittman can be reached at craig@tampabay.com or follow him on Twitter at @craigtimes.

The Florida Current

Weatherford deflects criticism of House inaction on springs while movement underway on other bills

Bruce Ritchie, 04/28/2014 - 07:28 PM

When asked about the House delay in taking up a springs bill, Speaker Will Weatherford said, "'Does the springs bill have a chance in the Senate?' I think is the better question."
File photo by Bill Cotterell.

A Senate bill that supporters say would strengthen springs protection is on the Senate calendar for Wednesday while House Speaker Will Weatherford is continuing to deflect criticism of his chamber for not acting on the House companion.

Meanwhile, efforts are underway to get other bills related to water passed with the end of the legislative session looming on Friday.

SB 1576 dealing with springs gained opposition from the Florida Association of Counties and the Florida League of Cities on April 22 when \$365 million a year in recurring funding for springs projects was removed from the bill. Environmental groups support the legislation.

Springs restoration will get \$30 million under a deal with Senate and House budget negotiators, said Sen. Joe Negron, R-Stuart and Senate budget chief.

On Monday, Weatherford continued to point to uncertainty in the Senate rather than his chamber affecting the fate of the springs bill. Some environmentalists have criticized the House for not acting on the companion bill, HB 1313.

"'Does the springs bill have a chance in the Senate?' I think is the better question," he said.

Weatherford continued, "The time that I've had conversations with senators there was a lot of disagreement within the Senate about what a Senate springs bill should look like."

Meanwhile, negotiations are ongoing towards resolving differences between House and Senate bills dealing with water utilities, said Rep. David Santiago, R-Deltona and sponsor of the House bill.

SB 272 by Sen. Wilton Simpson, R-Trilby, passed the Senate 37-0 on Monday. The bill would allow water utility customers to petition the Public Service Commission to revoke the operating certificate of water utilities because of complaints about odor and taste.

The Florida Rural Water Association and the National Association of Water Companies oppose the bill. Instead, they support HB 357, which is more closely aligned with recommendations of a study committee established by the Legislature in 2012. That bill allows the PSC to consider odor and taste issues during rate-setting.

HB 357 was temporarily passed on second reading in the House on April 28 so that negotiations could continue to determine which bill would be taken up in the House, Santiago said Monday.

"Part of the strategy is to look at what is more palatable to be passed and signed into (law),"

Santiago said. "So everything is open right now."

But Rep. Richard Corcoran, R-Land O' Lakes, said he expects an amendment substituting Simpson's bill for the Santiago bill. "I think it will pass just like it did over here with overwhelming support from both parties," Corcoran said.

And Rep. Katie Edwards, D-Sunrise, said she is working to get her HB 1113 delaying a Jan. 1, 2015, ban on the land application of septic tank waste amended to a Senate bill.

Also on April 28, SB 536 providing for a study of reclaimed water passed the House 113-0 and now is headed to the governor. Environmental groups had opposed the bill earlier in the session when it appeared to broaden the definition of reclaimed water to include floodwaters and other water they said is needed to replenish natural systems but later supported it after the definition was revised.

Reporter Bruce Ritchie can be reached at britchie@thefloridacurrent.com.

OTHER VOICES

Scott, House must join Senate to protect Florida's springs

By Bob Graham

Special to the Star-Banner

Published: Sunday, April 27, 2014 at 6:30 a.m.

Let's look back in time to the early 1970s, when Florida's population was 7.5 million and growing rapidly. After Florida's lands and waters were polluted and altered for decades to make way for development, our environment was in trouble: Water quality and flow were threatened; and critical natural areas were on the verge of being lost forever.

We were fortunate when Gov. Reubin Askew took office in 1971 to have a governor who prioritized Florida's environment and provided the leadership necessary to move environmental legislation forward. Askew challenged the Legislature to set up a regulatory system and funding to protect Florida's natural resources and guide its growth.

We were equally fortunate to have leaders in both chambers of the Legislature and on both sides of the aisle with the foresight and courage to meet that challenge. In 1972, Florida passed the most comprehensive set of environmental conservation and protection laws in the nation, including legislation to protect Florida's waters, purchase environmentally sensitive lands, protect critical areas and set limits on development. Throughout the heyday of Florida growth and economic prosperity, these laws added an element of environmental protection as Florida's economy boomed as never before or since.

Unfortunately, our government is failing to build upon the foundation laid down in the 1970s and 1980s to protect Florida's environment. To the contrary, in 2011, water-management districts suffered draconian cuts to their budgets and staffs; Florida's state growth-management agency was abolished; land-acquisition funding was cut to only a small fraction of historic levels; and the Florida Springs Initiative was defunded.

Now let's come back to 2014. Florida has a population of more than 19 million, and the dire problems facing our waters from the Panhandle to the Keys have gotten worse. Many of Florida's iconic springs still do not have basic protection; springs are dying from too little flow and too many nutrients; rivers are covered in algal mats; and estuaries and coastal waters are suffering staggering losses of marine life and birds. Now when our waters need strong environmental protections the most, we no longer have them.

But this year we have a bipartisan group of senators who have spent much of the past six months working with stakeholders from every viewpoint to create significant springs legislation that could pass the Legislature this year. The Senate has demonstrated its commitment to this goal by passing Senate Bill 1576 unanimously through its first three committee stops.

commitment to this goal by passing Senate Bill 1576 unanimously through its first three committee stops.

Despite its progress in the Senate, the Florida House of Representatives has refused to even allow the bill to be heard in a single committee so far this session. It is clear that House leaders are listening to special-interest lobbyists, telling them to weaken and kill the bill, instead of heeding the residents of Florida, their Senate colleagues, conservation groups and newspaper editorial boards who have urged the House to take up the Senate version of the bill and pass springs legislation this session.

Equally concerning is Gov. Rick Scott's silence on this important legislation that would do so much to protect Florida's springs. If Scott followed the example of previous Florida governors to protect Florida's environment, he would bring House and Senate leaders together to make sure strong springs legislation is signed into law this year.

Although no single law can completely solve the problems facing Florida's waters, the Senate bill, which includes deadlines and common-sense regulations, will significantly enhance the state of our springs. However, the challenge lies in the House. Time is short. The House must take up the Senate bill, protect it from weakening and from extraneous amendments, and pass it.

The question is: Do this House and governor have the foresight and fortitude to stand up for Florida's springs?

My dear friend and predecessor Gov. Reubin Askew gave the 1972 Legislature the following piece of advice on the opening-day session. His words are truer today than ever.

"Your own elections are pressing down upon you telling you to try and slip through this session as quickly and as quietly and with as little action as possible ... I ask you to do your best to put aside those thoughts ... and work instead to come up with real answers to our toughest problems today ... And it begins with the environment, as indeed it must, if any of our other efforts are to have meaning for tomorrow."

Bob Graham is founder and chairman of the Florida Conservation Coalition. He was Florida's governor from 1979-86 and a U.S. senator from 1987-2005.

----- Forwarded message -----

From: Diane Salz <salz.govconsultant@gmail.com>

Date: Thu, Apr 24, 2014 at 11:08 AM

Subject: SENATORS ADVISED TO PREPARE FOR PASSAGE OF WATER AND LAND AMENDMENT

To: Diane Salz <disalz@yahoo.com>

SENATORS ADVISED TO PREPARE FOR PASSAGE OF WATER AND LAND AMENDMENT

By JIM TURNER
THE NEWS SERVICE OF FLORIDA

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Contact news@newsserviceflorida.com.

THE CAPITAL, TALLAHASSEE, April 23, 2014.....The next Senate president is advising natural springs advocates in his chamber to start planning for an influx of voter-approved money for water and land conservation next year.

Sen. Andy Gardiner, R-Orlando, doesn't support the Florida Water and Land Conservation Amendment that goes before voters this November, and says it's not the right way to put a budget together. But he said Wednesday that the polling he's seen indicates the measure could be approved.

"There is a very good chance that Amendment 1 potentially passes," Gardiner said. "That potentially starts the discussion on how to do springs, how to do the cleanup. How do you do the land acquisition? So, what I've asked the senators (to do) is to be building for the anticipation that it is going to pass."

The approval of Amendment 1 is expected to create a pot of cash for lawmakers to designate for land conservation and management across the state by setting aside 33 percent of the revenues from the state's documentary stamp tax, paid when real estate is sold, for 20 years. The money would have to be used to acquire conservation and recreation lands, manage existing lands, protect lands that are critical for water supply and restore degraded natural systems.

The proposal could generate \$10 billion over its life, according to supporters of the amendment.

Like all constitutional amendments, the proposal requires approval by 60 percent of voters to pass.

Gardiner made the remarks after talking with five state senators that had hoped to use the tax on real-estate transactions in the next fiscal year, starting July 1, to protect the threatened natural springs throughout Central and North Florida.

Until Tuesday, the five senators' measure (SB 1579) sought to shift an estimated \$378 million a year from the tax into springs restoration and protection. But the funding was removed as they try to advance the measure knowing that there is little appetite in the House to approve such a funding level.

Instead, the springs are expected to get somewhere between the \$22.8 million that has been

proposed by the Senate in its budget and the \$45 million the House has offered in its spending plan.

Senate President Don Gaetz, R-Niceville, said Wednesday "we have to meld them together."

Gov. Rick Scott has recommended \$55 million, up from the \$10 million that lawmakers set aside for springs last year.

-END-
4/23/14

On Thursday, April 24, 2014 9:18 AM, Diane Salz

<salz.govconsultant@gmail.com> wrote:

House, Senate environmental negotiators can't agree on most major spending items

Bruce Ritchie, 04/23/2014 - 09:12 PM

House and Senate budget negotiators on agriculture and environmental spending concluded their talks on Wednesday without a resolution of most major spending issues.

The differences between the chambers on issues including agricultural water programs, springs restoration, water projects and Everglades and Lake Okeechobee will now be resolved by the full budget conference committees.

"We have made significant progress but we have several items that are still unresolved," Sen. Alan Hays, R-Umatilla and chairman of the Senate Appropriations Subcommittee on General Government, said at the final meeting of the budget conference committee for agricultural and natural resources spending.

Monitor 'Environmental Appropriations' and 100+ policy issues with Legislative IQ or LobbyTools. Login or request a demo.

Among the issues to be resolved by the House and Senate budget chairmen after the Senate's second offer:

-- Local water projects: The Senate offered \$73.9 million compared to the House offer of \$56.6 million.

-- Springs restoration: The Senate offered \$24.3 million compared to the House offer of \$50 million.

-- Indian River Lagoon and Lake Okeechobee: Neither chamber offered to move from their adopted budgets: Senate proposes \$157.8 million while the House proposes \$125 million.

-- Conservation lands: The House proposes \$22.5 million in new revenue while the Senate proposes no new revenue. Both include \$40 million from non-conservation land sales.

-- Beach restoration: The Senate offered \$49 million while the House offered \$33.9 million.

-- Agricultural water programs: The Senate offered \$2.5 million compared to a House offer of \$27.3 million.

Rep. Ben Albritton, R-Wauchula, said the big stuff was bumped up to the budget chairman.

"We couldn't find common ground," he said. "I mean, it really is as simple as we just couldn't come to an agreement on a funding level for those items."

The Everglades and Lake Okeechobee spending is a priority to Sen. Joe Negron, R-Stuart and the Senate's chief budget negotiator. Albritton rejected the question of whether the House was not as committed to dealing with those issues after heavy rains last summer flushed polluted water into the

downstream Indian River Lagoon and Caloosahatchee rivers.

"This is a comprehensive approach to a lot of big ticket items," Albritton said. "We'll just have to see where it goes."

Reporter Bruce Ritchie can be reached at britchie@thefloridacurrent.com.

The Florida Current

New springs bill language revises language objectionable to ag groups, home builders

Bruce Ritchie, 04/21/2014 - 05:24 PM

A proposed rewrite of a Senate springs bill filed on Monday would provide \$55 million for projects and would revise language that raised concerns with homebuilders and agricultural groups.

SB 1576 is scheduled to be heard Tuesday by the Senate Committee on Appropriations during an all day meeting in which more than 50 bills are on the agenda.

Springs across the state have become covered with slimy algae as nitrogen in groundwater has increased. Sources of nitrogen include lawn and agricultural fertilizer, stockyards, septic tanks, dirty stormwater runoff and sewage plant discharges.

Environmentalists offered a mixed response to the proposed new bill language. A representative of the Florida Cattlemen's Association said the language was better and that the group is not supporting or opposing the bill because it still is being worked on.

SB 1576 had provided \$365 million for springs from a documentary stamp tax on real estate transactions. Gov. Rick Scott requested \$55 million for springs in the fiscal year 2014-15 state budget while the House has proposed \$50 million and the Senate has proposed \$30 million.

The proposed strike-all amendment to the bill would adjust the amount for springs from 36.9 percent to 5.4 percent of the documentary stamp tax revenue going to the general fund.

The bill establishes 39 first "outstanding" Florida springs and places requirements on those that are designated as "impaired" for nutrients.

The Florida Home Builders Association had opposed the bill because the group said it imposed a ban on septic tanks in those impaired spring areas.

The new proposed bill language would remove a July 1, 2015 date for implementing a requirement for advanced septic systems in those springs areas. Now the requirement would depend on designation of those improved systems by the Florida Department of Health.

The proposed new language also removes a prohibition on new stockyards and slaughterhouses within those springs areas. Requirements that existing agricultural operations implement "best management practices" also would be removed.

Instead, the bill now says new agricultural operation are prohibited if they do not implement "best management practices" or achieve other pollution reduction measures.

The proposed new bill language also requires the establishment of pollution limits called "total maximum daily loads" within 15 years of the adoption of action plans to reduce pollution.

The proposed new language is not as rigorous as the prior version but "moves the ball forward" for springs protection, said Janet Bowman of The Nature Conservancy's state chapter.

"We are hopeful the committee will pass the bill," she said, "and the House will recognize the importance of working on a meaningful springs bill prior to the end of session."

Sam Ard, director of governmental affairs at the Florida Cattlemen's Association said the bill "is just not soup yet."

"Until the springsheds are defined no one knows where the restrictions will be or how they'll work," he said. "We're not supporting the legislation, but since it is not a final product and changes are still being made, we are not against it either."

Reporter Bruce Ritchie can be reached at britchie@thefloridacurrent.com.

SENATE REMOVES LONG-TERM FUNDING FROM AMBITIOUS SPRINGS PLAN

By JIM TURNER
THE NEWS SERVICE OF FLORIDA

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THE CAPITAL, TALLAHASSEE, April 22, 2014The Senate has drained a recurring pool of money from a measure intended to provide long term protection and management of the state's endangered natural springs.

The Senate sponsors of an ambitious springs proposal (SB 1576) on Tuesday stripped out a part of the plan designed to shift existing revenue from a tax on real estate transactions, estimated at up to \$378 million a year, to the protection of waterways in Central and North Florida.

Instead, any money to help the springs in the next fiscal year will depend upon on-going budget negotiations between the House and Senate.

The Senate has proposed \$20 million for springs protections in its agriculture funding package. The House has countered with \$50 million.

"We're going to meet somewhere in the middle," Senate Appropriations Committee Chairman Joe Negrón, R-Stuart, said before the committee signed off on the measure Tuesday.

Gov. Rick Scott has recommended \$55 million, up from the \$10 million that lawmakers set aside for springs last year.

Altamonte Springs Republican David Simmons, one of the sponsors of the Senate plan, said the bill still remains the "blueprint" for solving Florida's water crisis.

"This is a placeholder, this gets us started so we can begin the negotiations with the House of Representatives," Simmons said. "We will get that dedicated source of funding."

The funding source was considered a long-shot to begin with because the House has been chilly toward the fiscal proposal as well as some of the policy requirements in the Senate bill.

The Senate plan would require local governments within the state's most-prominent springs zones to enact ordinances dealing with fertilizers; require wastewater treatment plants to reduce the amount of nitrogen released in treated water; make state and local governments cover the cost of connecting residential properties to sewer systems where older septic systems are impacting area waters; and force agricultural operations to follow "best-management practices."

The senators behind the bill had spent months crafting their measure and removing the funding from the springs restoration plan drew concerns Tuesday from local government and business groups.

"Sixty percent of these first magnitude springs are in rural areas of critical economic concern," said Florida Association of Counties lobbyist Stephen James. "These are counties that are struggling

badly. Populations are low. They're low income...And we're going to say now with these amendments, we're going to have these series of regulatory obligations for you, and we're going to have a timeline for you to achieve these things, and there is going to be no money."

Beyond what lawmakers earmark for the springs this year, future money flowing to springs projects could depend on Florida voters who will decide in November on a proposed constitutional amendment that would set aside funding for land conservation.

The Florida Water and Land Conservation Amendment seeks to set aside 33 percent of the state's documentary stamp tax revenues --- fees already paid when real estate is sold --- for 20 years to acquire conservation and recreation lands, manage existing lands, protect lands that are critical for water supply and restore degraded natural systems. Like all constitutional amendments, the proposal requires approval by 60 percent of voters to pass.

-END-
4/22/14

County, water managers disagree on future sources

By [Bill Thompson](#)

Staff writer

Published: Wednesday, April 16, 2014 at 5:15 p.m.

Marion County's first step to finding water for the next generation and beyond could be to argue with state regulators about how much groundwater might be available.

A county-hired consultant thinks a recent assessment of the groundwater available for the next 20 years is flawed, and he believes St. Johns River Water Management District hydrologists will admit as much once they evaluate his data.

If that fails, however, there is Plan B, and even Plan C.

Devo Seereeram, an Orlando-based consultant with more than 30 years of experience in plotting water supplies with computer modeling, suggests the county should dig deeper wells to tap new reserves hundreds of feet below the earth's surface — or plant dozens of new wells in the largest water recharge area in North Central Florida, the Ocala National Forest.

Seereeram told the County Commission at a workshop Tuesday that the Lower Floridan Aquifer is an underutilized source of potable water, a reservoir with both scientific and political appeal.

And beyond that, he added, the aquifer beneath the expansive vacant lands within the forest could yield up to 20 million gallons of water a day — or roughly 90 percent of what the community will need by 2035.

That water, Seereeram said, could be harvested by sinking 100 strategically placed “sipping” wells throughout the forest.

Commissioners expressed interest in Seereeram's ideas, but took no formal action at this point.

For now, the board has instructed county staffers to work with him in further relaying the county's position on St. Johns' long-range water plan.

Water managers released the draft of the 2035 supply plan three months ago, detailing their efforts to combat the pending shortage.

According to the document, St. Johns' 18-county region — including Marion County east of Interstate 75 — would need an additional 314 million gallons of water a day within two decades. That's 26 percent above current consumption districtwide.

Greater pumping of the aquifer would supply only about one-fifth of the district's future need, officials projected.

The rest must be found through a combination of conservation and use of recycled, surface and ocean waters.

Compared to current usage, Marion County would need another 22 million gallons a day by 2035, or an additional 45 percent, the St. Johns report said.

Yet district hydrologists maintained the county could get there through conservation and recycled supplies.

The district had backtracked on one key source that had created an uproar a decade ago — the Ocklawaha River.

St. Johns' scientists in January expressed doubt that the river would ever be needed to supply drinking water locally, and if so, the output would remain in Marion County.

On Wednesday, Seereeram opened the commission's 90-minute session by explaining how St. Johns had erred.

He focused only on St. Johns, saying projections by the Southwest Florida Water management District, which has jurisdiction over water usage west of I-75, would be included in future reports.

Seereeram pointed out, for example, that St. Johns had lumped Marion County into a localized subregion that included Volusia and northern Lake counties.

Volusia, he said, was a "separate island" waterwise, with no connectivity to the aquifer serving Marion County.

Seereeram maintained that the direction of the aquifer's flow indicated that Marion instead should be aligned with the "virgin territory" of eastern Alachua County and with western Putnam County.

Another problem with that analysis, Seereeram suggested, was that the drain in Volusia, whose water supply is already "challenged," was leading water managers to look at the problem across the subregion without considering Marion County individually.

He didn't blame the district for that. That, Seereeram said, was St. Johns' mission.

But proceeding as they did prevented water managers from looking at the "microscopic details" that will aid Marion County in meeting its water needs, he added.

The county, he noted, was fortunate because of its "very abundant" water supplies, exceeded in the region only by Lake County.

The consultant also argued that St. Johns had overestimated the water available from the Ocklawaha River.

State projections that showed the river could produce up to 30 million gallons a day were off by as much as half, if not by two-thirds, Seereeram said.

Drawing more than that would create adverse effects downstream, he added.

Seereeram also highlighted a St. Johns finding that he described as “weird”: some of the worst effects on wetlands from water withdrawals would appear in areas east of the Ocklawaha River, in the middle of the Ocala National Forest.

Seereeram said he found that puzzling because there are very few district-sanctioned wells east of the river, compared to west of it.

He attributed that to widespread irrigation for agriculture in northern Lake County, something the district did not seem to account for.

Lastly, he noted that St. Johns had recently released four separate reports on water bodies and supply in Marion County and they all seemed to conflict.

“This bears no resemblance to reality,” Seereeram said of the district’s analysis in the 20-year projections, which he characterized as “mathematical noise.”

To counteract that, the consultant said, Marion County ought to propose three alternatives that he developed.

In contrast to the district’s approach, pumping the Ocklawaha River would be the last-ditch maneuver.

Rather, he said, the county should argue for locating wells west of the river to utilize the Lower Floridan Aquifer — a supply sitting 600 feet below the earth’s crust, and even reaching to depths of 1,500 feet.

That is usable water that flows from Georgia, and a rock layer segregates it from the Upper Floridan Aquifer, the main source of local drinking water, Seereeram said.

Beyond the practical and scientific benefits, Seereeram said, geology enhances the political appeal of such a move.

“If we are not pulling water out of that part of the aquifer,” he said of the upper resource, “we are not impacting the flow into Silver Springs.”

“You are sitting in a pretty good spot to mine the lower aquifer,” he added. “And the springs people are not going to be mad at us.”

As an alternative, the Ocala National Forest stands ready, Seereeram said.

The county should propose a network of 100 new wells, introduced incrementally, spread 1,000 feet apart and each capable of pumping 200,000 gallons a day, he recommended.

He described them as “sipping wells” that would not affect the other water bodies within the forest.

“When we stick the straw in the milkshake, we’re not sucking on that straw too hard. . . . We’re just sipping on the milkshake,” Seereeram said.

When Commissioner Kathy Bryant questioned his opinion that it was “almost invisible intensity” on the area water reserves, Seereeram added, “A hundred of them 1,000 feet a part — nothing gets safer than that.”

Most users, he said, plant wells 500 feet from each other and pump up to 1 million gallons daily.

Seereeram said the “100-well plan” would use the upper aquifer.

If it met with blowback, then the county could react by proposing using the lower aquifer in the forest, he said.

The drawback of tapping the lower aquifer, however, is the cost.

A Lower Floridan well could cost upward of \$1 million, compared to \$150,000 for one in the upper aquifer, according at Seereeram.

And County Administrator Lee Niblock noted that finding sufficient parcels for the wells would be a challenge. And Commissioner Stan McClain pointed out that a distribution system was needed.

“Nobody can quarrel with us,” Seereeram offered.

“The Ocala National Forest has excellent water and no wells,” he said.

“Politically, I want to go forward with a plan with no chinks in the armor.”

Contact Bill Thompson at 867-4117 or at bill.thompson@ocala.com

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Item. 11.
Legislative Update

**Withlacoochee Regional Water Supply Authority
2014 Legislative Summary**

PASSED:

Budget: Water Projects (\$88.5 million total) within the Withlacoochee Region—

Bushnell Sumterville Water Plant Modification: \$400,000
Ft. Island Trail Sewer Expansion: \$300,000
Marion County Baseline Road Water Main Relocation: \$1 million
Ocala Water Reclamation Facility: \$750,000
Springs Protection & Restoration (statewide): \$30 million

Confirmations: all water management district gubernatorial appointments confirmed.

Economic Development: HB 7023 extends water management, DEP, and local government permits and development orders another two years, among other things. Effective 7.1.14.

Governmental Ethics: SB 846 requires the five water management districts to establish a lobbying registration system and authorizes the districts to impose a \$40 registration fee and to develop rules for implementation. Effective 7.1.14.

Legal Notices: HB 781 revises period for which website legal notices are required to be published and that no fee may be charges for viewing online legal notices published in a newspaper. Effective 10.1.14

Minimum Flows and Levels: HB 7171 establishes MFLs on the lower Santa Fe and Ichetucknee Rivers. Effective upon becoming law.

Reclaimed Water: SB 536 requires DEP to conduct a study in coordination with stakeholders on the expansion of the beneficial use of reclaimed water, stormwater, and excess surface water and to submit a report based on its findings. Effective 7.1.14.

Springs: HB 9041 proclaims April 2014 as “Springs Protection Awareness Month.”

Water Utilities: SB 272 authorizes the Public Service Commission to revoke a certificate of authorization upon receipt of a petition; and requires the Commission to consider the quality of water service when fixing rates. Effective 7.1.14.

FAILED:

Cost Containment Bonds: lower interest rates for utility projects by authorities.

Municipal Bonds: limitations on municipal bonds.

Public Meetings Notice: detailed description of each matter to be discussed.

Septage: delay existing prohibition against land application.

Springs Protection: new requirements for springs’ protection with limited dedicated funding.

Water & Wastewater Expansion: limitation to extend beyond jurisdiction boundaries.

Subject: Fwd: 5/5 WRWSA Bill Tracking Report

From: Diane Salz <disalz@yahoo.com>

Date: Mon, May 05, 2014 9:01 am

To: Richard Owen <richardowen@wrwsa.org>

Cc: Nancy Smith <nsmith@wrwsa.org>

Sent from my iPhone

Begin forwarded message:

From: Diane Salz <noreply@lobbytools.com>

Date: May 5, 2014 at 8:55:06 AM EDT

To: disalz@yahoo.com

Subject: 5/5 WRWSA Bill Tracking

FYI.

2014 Bills (54)

Num	Title	Sponsor	
HB 0049	Relating to Springs Revival Act 10/07/13 - HOUSE Now in Agriculture & Natural Resources Subcommittee	Stewart	10/07/13
SB 0076	Relating to Springs Revival Act 08/27/13 - SENATE Referred to Environmental Preservation and Conservation; Community Affairs; Appropriations; Rules	Soto	08/27/13
SB 0272	Relating to Water Utilities 04/30/14 - SENATE Enrolled Text (ER) Filed	Simpson	04/30/14
SB 0312	Relating to Agriculture 05/01/14 - HOUSE In Messages	Simpson	05/01/14
HB 0357	Relating to Water and Wastewater Utility Systems 04/29/14 - HOUSE Laid on Table	Santiago	04/29/14
SB 0382	Relating to Springs Protection Awareness Month 04/03/14 - SENATE Read Second Time; Adopted	Dean	04/03/14
HB 0435	Relating to Municipal Bonds 01/08/14 - HOUSE Now in Local & Federal Affairs Committee	Trujillo	01/08/14
SB 0536	Relating to Reclaimed Water 04/28/14 - SENATE Enrolled Text (ER) Filed	Simpson	04/28/14
HB 0575	Relating to Agriculture 03/12/14 - HOUSE Now in Finance & Tax Subcommittee	Albritton	03/12/14
SB 0600	Relating to Administrative Procedures 01/16/14 - SENATE Referred to Governmental Oversight and Accountability; Judiciary; Rules	Dean	01/16/14
HB 0601	Relating to Reclaimed Water 04/28/14 - HOUSE Substituted for SB 0536, Laid on Table, refer to SB 0536	Ray	04/28/14
SB 0636	Relating to Public Utility Suppliers 02/18/14 - SENATE Now in Commerce and Tourism	Braynon	02/18/14
HB 0703	Relating to Environmental Regulation 03/31/14 - HOUSE Now In State Affairs Committee	Patronis	03/31/14
SB 0718	Relating to Public Meetings 03/11/14 - SENATE Now in Governmental Oversight and Accountability	Legg	03/11/14
HB 0781	Relating to Legal Notices 04/25/14 - HOUSE Enrolled Text (ER) Filed	Powell	04/25/14
HB 0791	Relating to Coastal Management 05/02/14 - HOUSE In returning messages	Renuart	05/02/14

HB 0813	Relating to Water and Wastewater Utilities 03/24/14 - HOUSE Temporarily postponed by Energy & Utilities Subcommittee	Mayfield	03/24/14
SB 0834	Relating to Legal Notices 04/24/14 - SENATE Read Second Time; Substituted for HB 0781; Laid on Table, Refer to HB 0781	Latvala	04/24/14
SB 0846	Relating to Governmental Ethics 05/02/14 - SENATE Enrolled Text (ER) Filed	Latvala	05/02/14
SB 0910	Relating to Utility Projects 04/07/14 - SENATE Now in Appropriations	Legg	04/07/14
SB 0956	Relating to Environmental Regulation 05/01/14 - SENATE Read Second Time; Substituted for HB 0791; Laid on Table, Refer to HB 0791	Bean	05/01/14
HB 0985	Relating to Public Meetings 02/28/14 - HOUSE Now in Government Operations Subcommittee	Santiago	02/28/14
HB 0987	Relating to Local Government Infrastructure Surtax 03/11/14 - HOUSE Now in Finance & Tax Subcommittee	Goodson	03/11/14
SB 1050	Relating to Water and Wastewater Utility Systems 04/21/14 - SENATE Now in Appropriations Subcommittee on Finance and Tax	Hays	04/21/14
SB 1102	Relating to Local Government Infrastructure Surtax 04/11/14 - SENATE Now in Appropriations	Altman	04/11/14
HB 1107	Relating to Utility Cost Containment Bonds 03/31/14 - HOUSE Now in Finance & Tax Subcommittee	Wood	03/31/14
HB 1113	Relating to Onsite Sewage Treatment and Disposal Systems 04/16/14 - HOUSE Placed on Calendar, on 2nd reading	Edwards	04/16/14
HB 1129	Relating to Special Districts 04/08/14 - HOUSE Placed on Calendar, on 2nd reading	Caldwell	04/08/14
SB 1160	Relating to Onsite Sewage Treatment and Disposal Systems 05/02/14 - HOUSE In Messages	Evers	05/02/14
SB 1168	Relating to Municipal Bonds 02/28/14 - SENATE Referred to Community Affairs; Appropriations Subcommittee on Finance and Tax; Appropriations	Garcia	02/28/14
HB 1237	Relating to Special Districts 04/28/14 - HOUSE Substituted for SB 1632; Laid on Table, Refer to SB 1632	Metz	04/28/14
SB 1248	Relating to Water and Wastewater Utilities 02/28/14 - SENATE Referred to Community Affairs; Environmental Preservation and Conservation; Rules	Latvala	02/28/14
SB 1306	Relating to Onsite Sewage Treatment and Disposal Systems 04/03/14 - SENATE Now in Agriculture	Altman	04/03/14
HB 1313	Relating to Springs 03/11/14 - HOUSE Now in Agriculture & Natural Resources Subcommittee	Brodeur	03/11/14
HB 1321	Relating to Water and Wastewater Utilities 03/11/14 - HOUSE Now in Energy & Utilities Subcommittee	Murphy	03/11/14
HB 1355	Relating to Administrative Procedures 04/02/14 - HOUSE Now in Appropriations Committee	Adkins	04/02/14
SB 1464	Relating to Environmental Regulation 04/08/14 - SENATE Temporarily postponed by Community Affairs	Simpson	04/08/14
SB 1518	Relating to Special Districts 03/05/14 - SENATE Referred to Commerce and Tourism; Environmental Preservation and Conservation; Appropriations	Bradley	03/05/14
SB 1576	Relating to Springs 04/30/14 - HOUSE In Messages	Dean	04/30/14
SB 1626	Relating to Administrative Procedures 04/01/14 - SENATE Not Considered by Judiciary	Lee (T)	04/01/14
SB 1630	Relating to Department of Agriculture and Consumer Services 05/01/14 - SENATE Read Second Time; Substituted for HB 7091; Laid on Table, Refer to HB 7091	Montford	05/01/14
SB 1632	Relating to Special Districts 04/28/14 - SENATE Enrolled Text (ER) Filed	Stargel	04/28/14
SB 1674	Relating to Ratification of Rules of the Department of Environmental Protection	Environmental Preservation and Conservation	05/01/14

SB 1706	Relating to Administrative Procedures	Governmental Oversight and Accountability	04/01/14
04/01/14 - SENATE Referred to Judiciary; Appropriations			
SB 1708	Relating to Administrative Procedures	Governmental Oversight and Accountability	04/01/14
04/01/14 - SENATE Referred to Judiciary; Appropriations			
SB 1748	Relating to Establishing Minimum Water Flows and Levels for Water Bodies	Environmental Preservation and Conservation	05/01/14
05/01/14 - SENATE Read Second Time; Substituted for HB 7171; Laid on Table, Refer to HB 7171			
HB 7001	Relating to Administrative Procedures	Rulemaking, Oversight & Repeal Subcommittee	04/10/14
04/10/14 - HOUSE Placed on Calendar, on 2nd reading			
HB 7023	Relating to Economic Development	Economic Development & Tourism Subcommittee	05/02/14
05/02/14 - HOUSE Ordered engrossed, then enrolled			
SB 7064	Relating to Public Records and Meetings	Governmental Oversight and Accountability	03/07/14
03/07/14 - SENATE Committee Bill Filed as S 1648			
HB 7091	Relating to Department of Agriculture and Consumer Services	Agriculture & Natural Resources Subcommittee	05/02/14
05/02/14 - HOUSE Enrolled Text (ER) Filed			
HB 7107	Relating to Administrative Procedures	Rulemaking, Oversight & Repeal Subcommittee	04/28/14
04/28/14 - SENATE Referred to Governmental Oversight and Accountability; Judiciary; Appropriations			
HB 7171	Relating to Establishing Minimum Water Flows and Levels for Water Bodies	State Affairs Committee	05/02/14
05/02/14 - HOUSE Enrolled Text (ER) Filed			
HB 9041	Relating to Springs Protection Awareness Month	Porter	03/26/14
03/26/14 - HOUSE Adopted by Publication			
ANRS1	Relating to Department of Agriculture and Consumer Services	Agriculture & Natural Resources Subcommittee	03/04/14
03/04/14 - HOUSE Submitted as Committee Bill by Agriculture & Natural Resources Subcommittee; 12 Yeas, 0 Nays			



**Item 12.a.
Repeal of WRWSA
Rules**

Item 12.a. Adoption of Repeal of WRWSA Rules . . . Larry Haag, WRWSA Attorney

Repeal of Chapter 49C-1.001 through 49C-1.014, Florida Administrative Code

The Authority has Administrative Rules that are found in Chapter 49C-1.001 through 49C-1.014, Florida Administrative Code. These Rules were adopted in 1978 pursuant to a statutory requirement that agencies adopt rules that describe their organization and operating procedures. Currently, the Authority's Rules provide for its Name, Purpose, Definitions, Authority, Organization, Membership and Representation, Term and Compensation of Governing Board Members, Powers, Officers, Staff, Meetings, Committees, Budget and Finance, and Amendments.

Section 120.53, Florida Statutes, was subsequently revised in 1996 and the Rulemaking Requirement was deleted. Rather, agencies are now required to adopt a written Statement of Organization pursuant to Ch. 28-101, F.A.C. On the 17th day of April, 2013, the Authority proceeded to adopt a Statement of Organization and it would now be appropriate for the Authority to repeal its Rules. The Rules themselves are currently obsolete due to the fact that the Authority has most recently, through its County Members, entered into a new Revised and Restated Interlocal Agreement governing the Withlacoochee Regional Water Supply Authority.

The notice to repeal the WRWSA Rules in Chapters 49C-1.001 through 49C-1.014, Florida Administrative Code, was published in the Florida Administrative Register in Volume/No: 40/75 on April 17, 2014. A written request for a hearing must be received by the WRWSA within 21 days of the publication of notice to repeal in order to delay the adoption. The WRWSA did not receive a written request for a hearing and further, given that the notice was published more than 28 days prior to this meeting, the rule adoption process has been met.

Counsel recommends the Board adopt the repeal of Chapter 49C-1.001 through 49C-1.014, Florida Administrative Code.

Staff Recommendation: Motion to repeal the Authority's Rules found in Chapter 49C-1.001 through 49C-1.014, Florida Administrative Code.

PROPOSED RULE ADOPTION PROCESS

Repeal of Authority's Existing Rules in Chapter 49C-1.001 – 49C-1.014, F.A.C

- Step 1. Seek Board approval to initiate rulemaking process to repeal obsolete rules (March Board Meeting)**
- Step 2. Board approves initiation of rulemaking process and approves proposed rule language (March Board Meeting)**
- Step 3. If approved, publish Notice of Proposed Rulemaking and proposed rule language in the Florida Administrative Register (immediately following March Board meeting – must be published at least 28 days prior to Board's intended action)**
- Step 4. Send notice to those persons that have requested notice of Authority's activities (immediately following March Board meeting)**
- Step 5. Submit proposed language to JAPS for comments at least 21 days prior to rule adoption (immediately following March Board meeting)**
- Step 6. Hold hearing if requested.**
- Step 7. If no hearing requested, Board consideration of any JAPC changes and adopt proposed rules (May Board meeting)**
- Step 8. File the adopted rules with the Florida Department of State (immediately following May Board meeting)**
- Step 9. Rules become final 20 days following the date of filing in Step 8.**

RULEMAKING TIMELINE

1. Publish Notice of Proposed Rule Development in Florida Administrative Weekly (FAW) for at least **14 days** prior to publishing the Notice of Proposed Rulemaking.
 - o If a written response is received from an Affected Person requesting a workshop, then hold a public workshop; unless, the agency has explained why a workshop is unnecessary.
 - o If a hearing is required, then the agency must advertise the Rule Development Workshop in the FAW for **14 days** before workshop.
2. Publish Notice of Proposed Rulemaking FAW for at least **28 days** before adoption.
 - o If a written request for a hearing is received within **21 days** of publication from an affected person then the agency must conduct a public hearing; unless, the Rule relates exclusively to procedure or practice (Note: Under new Senate Bill the Board must conduct at least one hearing.)
 - o Within **21 days** of publication a Substantially Affected Party may file a petition with the Division of Administrative Hearings (DOAH) to seek administrative determination of the validity of proposed rule.
 - If the Petition is sufficient and is timely filed with DOAH, then DOAH will conduct a formal administrative hearing. Proposed Rule cannot be adopted until DOAH enters its final order.
 - Any invalid portion of proposed rule must be withdrawn and notice of such invalidity must be published in the first available issue of FAW.
 - o Submit the following documents to the Joint Administrative Procedures Committee (JAPC) **21 days** prior to the proposed rule being filed for adoption; (1) Notice of Proposed Rulemaking; (2) copy of text of rule; (3) Statement of Justification; (4) summary of the rule; (5) Federal Standards Statement; (6) Statement of Estimated Regular Costs; (7) copies of materials referenced.
 - If JAPC objects to the proposed rule, then within **30 days** of receipt of objections, the agency must modify proposed rule, withdraw entire rule, or refuse to modify or withdraw rule. If agency modifies proposed rule, then it shall re-submit the

proposed rule to JAPC and give Notice of Change in the first available FAW. The modified proposed rule cannot be filed for adoption less than **21 days** from date of publication of Notice of Change. If rule is withdrawn, then notify JAPC and publish notice in first available issue of FAW.

3. If no changes, or only technical changes, are required to be made to proposed rule, then notify JAPC **7 days** prior to adoption. Provide informal notice to Administrative Code Section (ACS) regarding technical changes.
4. Rule is adopted by filing the proposed rule with ACS for publication in Florida Administrative Code (FAC) and the rule becomes effective **20 days** after filing rule with ACS.
 - o Submit the following documents to ACS: (1) Certification of Administrative Rules filed with Department of State; (2) summary of rule; (3) summary of any hearings; (4) statement of facts and circumstances justifying rule; (5) coded text of rule with history of notes.
 - o Submit one original and two copies along with a disk.

Notice of Proposed Rule

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY

RULE NO. RULE TITLE

49C-1.001	Name
49C-1.002	Purpose
49C-1.003	Definitions
49C-1.004	Authority
49C-1.005	Organization
49C-1.006	Membership and Representation
49C-1.007	Term and Compensation of Governing Board Members
49C-1.008	Powers
49C-1.009	Officers
49C-1.010	Staff
49C-1.011	Meetings
49C-1.012	Committees
49C-1.013	Budget and Finance
49C-1.014	Amendments

PURPOSE AND EFFECT: To repeal the Chapters 49C-1.001 through 1.014, Florida Administrative Code, as the provisions of the rule are obsolete and no longer in accordance with applicable statutory authority.

SUMMARY: The Board of Directors proposes to repeal the Withlacoochee Regional Water Supply Authority's rules regarding its administration due to them becoming obsolete and unnecessary as a result of statutory revisions to Section 120.53, Florida Statutes, which eliminated the requirement that these items be adopted into rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: Section 163.01(5)(h), Florida Statutes; the Revised and Restated Interlocal Agreement of the Withlacoochee Regional Water Supply Authority dated January 14, 2014.

LAW IMPLEMENTED: Section 120.53, Florida Statutes.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard S. Owen, Executive Director, Withlacoochee Regional Water Supply Authority, Lecanto Government Building, 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461.

FULL TEXT OF THE PROPOSED RULE IS:

49C-1.001 Name.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Formerly 16O-1.01, 16O-1.001, Repealed.

49C-1.002 Purpose.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.02, 16O-1.002, Repealed.

49C-1.003 Definitions.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.03, Amended 6-7-93, Formerly 16O-1.003, Repealed.

49C-1.004 Authority.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Formerly 16O-1.04, 16O-1.004, Repealed.

49C-1.005 Organization.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Formerly 16O-1.05, 16O-1.005, Repealed.

49C-1.006 Membership and Representation.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.06, Amended 10-6-92, 2-15-93, 6-7-93, Formerly 16O-1.006, Repealed.

49C-1.007 Term and Compensation of Governing Board Members.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.07, 16O-1.007, Repealed.

49C-1.008 Powers.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Formerly 16O-1.08, 16O-1.008, Repealed.

49C-1.009 Officers.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS.

Law Implemented 120.53 FS. History–New 6-11-78, Formerly 16O-1.09, 16O-1.009, Repealed.

49C-1.010 Staff.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.10, 16O-1.010, Repealed.

49C-1.011 Meetings.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.11, Amended 8-16-92, 6-7-93, Formerly 16O-1.011, Repealed.

49C-1.012 Committees.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.12, 16O-1.012, Repealed.

49C-1.013 Budget and Finance.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.13, Amended 7-21-92, 6-7-93, Formerly 16O-1.013, Amended 9-8-08, Repealed.

49C-1.014 Amendments.

Rulemaking Authority 163.01, 373.1962 FS as subsequently enacted in 373.713. FS. Law Implemented 120.53 FS. History–New 6-11-78, Amended 8-21-85, Formerly 16O-1.14, Amended 6-7-93, Formerly 16O-1.014, Repealed.

CHAPTER 49C-1 ORGANIZATION

49C-1.001	Name
49C-1.002	Purpose
49C-1.003	Definitions
49C-1.004	Authority
49C-1.005	Organization
49C-1.006	Membership and Representation
49C-1.007	Term and Compensation of Governing Board Members
49C-1.008	Powers
49C-1.009	Officers
49C-1.010	Staff
49C-1.011	Meetings
49C-1.012	Committees
49C-1.013	Budget and Finance
49C-1.014	Amendments

49C-1.001 Name.

The name of this organization shall be the Withlacoochee Regional Water Supply Authority, established as of February 23, 1977, under Chapter 163 and Section 373.1962, Florida Statutes.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History—New 6-11-78, Formerly 160-1.01, 160-1.001.

49C-1.002 Purpose.

The Authority shall function for the purpose of planning, designing, constructing, operating, and maintaining facilities in the locations and at times necessary to insure that an adequate water supply will be available to all citizens within the Authority area while attending to the following:

(1) Giving priority to reducing adverse environmental effects of excessive or improper withdrawals of water from concentrated areas

(2) Not depriving, directly or indirectly, any county wherein water is withdrawn by the Authority, of the prior right to the reasonable and beneficial use of water which is required adequately to supply the reasonable and beneficial needs of the county or any of the inhabitants or property owners therein.

(3) Insuring that each party to the Interlocal Agreement shall have preferential right to purchase water from the regional water supply authority for use by said party to the reasonable and beneficial needs of all citizens therein.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History—New 6-11-78, Amended 8-21-85, Formerly 160-1.02, 160-1.002

49C-1.003 Definitions.

As used in these Rules:

(1) "Authority" means the Withlacoochee Regional Water Supply Authority composed of the general voting membership.

(2) "Interlocal Agreement" means the Interlocal Agreement made and entered into February 23, 1977, by and between the political subdivisions of the State of Florida of Citrus, Hernando, Levy, Marion, and Sumter Counties, and as subsequently amended on September 18, 1984 to include only the political subdivisions of the State of Florida of Citrus, Hernando, Marion and Sumter counties, for the purpose of creating the Withlacoochee Regional Water Supply Authority. All references to the Interlocal Agreement shall include subsequent amendments thereto.

(3) "Resolution" shall mean the resolution of any county or municipality duly adopted seeking to be included in the Authority.

(4) "Large cities" means cities within the geographic area of the Authority that have 25,000 or more population.

(5) "Small cities" means cities within the geographic area of the Authority that have less than 25,000 population.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History-New 6-11-78, Amended 8-21-85, Formerly 16O-1 03, Amended 6-7-93, Formerly 16O-1 003.

49C-1.004 Authority.

The Withlacoochee Regional Water Supply Authority, as provided for in the Interlocal Agreement, is hereby established pursuant to the provisions of Chapter 163.01 and Section 373.1962, Florida Statutes.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History-New 6-11-78, Formerly 16O-1.04, 16O-1.004.

49C-1.005 Organization.

The Withlacoochee Regional Water Supply Authority, as provided for in the Interlocal Agreement, shall be organized in accordance with the provisions of Chapter 163.01 and Section 373.1962, Florida Statutes.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History-New 6-11-78, Formerly 16O-1.05, 16O-1.005.

49C-1.006 Membership and Representation.

The Authority shall be governed by a Board comprised of representatives of the parties to the Interlocal Agreement. Initially, the governing Board shall consist of no more than eleven (11) members, which may be increased, each having one vote. There are hereby established two (2) classifications of Governing Board representation:

(1) County Representation – Each county represented as a party to the Interlocal Agreement shall appoint one (1) County Commissioner for the first 50,000 population and one (1) additional County Commissioner for each additional 50,000 population, or increment thereof. The population of large cities which are members of the Authority will be deducted for representation and assessment purposes from their respective county population.

(2) Municipal Representation – Authority membership, and Governing Board representation, is hereby extended to all municipalities as follows:

(a) Any municipality, upon adoption of a resolution indicating a desire to become an Authority member, shall be included as a member of the Authority upon such terms and conditions as set forth herein.

(b) Large cities shall appoint one (1) representative for the first 50,000 in population; and one (1) representative for each additional 50,000 in population or increment thereof. Small cities within each member county will have one (1) joint representative who shall be selected by all member small cities within their respective county by selecting the said representative who will thereafter represent all member small cities within the respective county.

(c) All municipal memberships heretofore selected to serve shall remain as the representative to the Withlacoochee Regional Water Supply Authority with any new member to be appointed pursuant to the provisions of Fla. Admin. Code paragraph 49C-1.006(2)(b), with the term of said municipal member to be provided for in the same manner as prescribed in Section V (2)(b) of the Interlocal Agreement, as the situation may dictate.

(d) Total representation, including municipal and county membership, from a single county may not exceed six (6) representatives to the Authority Board of Directors. Representation from the jurisdictions within the County shall be as follows:

1. The representative from small cities shall be and remain at one (1) per county.

2. County representation shall be in accordance with the formula provided in these rules, up to five (5) members. If a member large city is contained within a county, the representation between the county and municipality must be shared. These rules assume no more than one municipality within a county will exceed 25,000 population. When more than one municipality within a single county exceeds 25,000 population, based on official population estimates of the Department of Administration as published by the University of Florida, Bureau of Business and Economic Research, the Authority Board of Directors shall initiate rule-making to revise the representational formula for representation on the Board of Directors.

3. Large cities shall be represented in accordance with the formula provided in these rules. Representation for such cities shall be shared with a member county.

4. Both the member county and the member large city may continue to add representatives until the cap of five (5) members is

reached. Each year, based on the most recent Department of Administration population estimates as published by the University of Florida, Bureau of Business and Economic Research, an allocation of representatives for the city and county shall be made. If both units of government have sufficient population for three members, the third representative will be awarded to the unit of government with the greatest population. For purposes of this allocation, the County's population will be calculated based on the population in the unincorporated area.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Amended 8-21-85, Formerly 16O-1.06, Amended 10-6-92, 2-15-93, 6-7-93, Formerly 16O-1.006.

49C-1.007 Term and Compensation of Governing Board Members.

- (1) Representatives to the Governing Board shall serve for two (2) year staggered terms.
- (2) The method of staggering said terms shall be determined by the Governing Board.
- (3) The balance of the term of any Governing Board member who resigns or is unable to continue to serve shall be filled in the same manner as prescribed in Section V(1) or Section V(2) (b) and (c) of the Interlocal Agreement, as the situation may dictate.
- (4) Members of the Governing Board shall serve without compensation but shall be reimbursed for travel expenses as provided in Section 112.016, Florida Statutes.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Amended 8-21-85, Formerly 16O-1.07, 16O-1.007.

49C-1.008 Powers.

The Withlacoochee Regional Water Supply Authority may exercise any and all powers and all authority as may now or hereafter be vested in said authority by law including but not limited to its powers and authority as provided for in Sections 163.01 and 373.1962, Florida Statutes.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Formerly 16O-1.08, 16O-1.008.

49C-1.009 Officers.

The officers of the Authority shall be as follows:

- (1) A Chairman, who shall preside at meetings of the Authority; sign as authorized by the Authority, any contracts or other instruments which are deemed to be in the best interest of the Authority; and perform such other duties incident to the office as may be prescribed by the Authority.
- (2) The Vice-Chairman, who shall act in the Chairman's absence. The Vice-Chairman shall perform such other functions as the Authority may from time to time assign.
- (3) A Treasurer, who shall be entrusted with the receipt, care, and disbursement of Authority funds in accordance with fiscal policies and regulations adopted by said Authority.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Formerly 16O-1.09, 16O-1.009

49C-1.010 Staff.

The Authority may appoint an Executive Director and hire other staff as may be necessary. The Authority shall prescribe the duties and compensation for the Executive Director. Among other duties, the Executive Director shall:

- (1) Be responsible to the officers and the Authority for supervising and administering the work program of said Authority;
- (2) Act as Secretary to the Authority and shall prepare minutes of each meeting and be responsible for distributing copies to members of the Authority.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Amended 8-21-85, Formerly 16O-1.10, 16O-1.010.

49C-1.011 Meetings.

Meetings of the Authority shall be conducted in accordance with Chapter 120, Florida Statutes, and shall be held at intervals to be determined by the Governing Board.

(1) Regular meetings of the Governing Board shall, when feasible and convenient, be rotated among the counties representing parties to the Interlocal Agreement.

(2) Special meetings of the Governing Board may be called by the Chairman or a majority of the members at any time and place upon five (5) days written notice to the parties to the Interlocal Agreement.

(3) A quorum at any meeting shall be declared when a majority of the county membership is present or represented, excluding delinquent members. County Commission members and municipal members shall represent their respective county for purposes of establishing the county membership quorum. A member large city or member county that has been declared delinquent in payment of its assessments pursuant to these rules, including its small cities, shall not be included in the calculation toward establishing a quorum. When a member county or large city has been reinstated and paid its delinquent dues, the large city or county and any of its small cities may then be counted toward establishing a quorum for meetings.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Amended 8-21-85, Formerly 160-1.11, Amended 8-16-92, 6-7-93, Formerly 160-1.011.

49C-1.012 Committees.

The Chairman of the Governing Board with the advice and consent of the Board of directors shall appoint such committees as is necessary to carry out the work of the Authority. Committee membership is not restricted to members of the Governing Board.

Specific Authority 163.01, 373.1962 FS. Law Implemented 163.01, 373.1962 FS. History--New 6-11-78, Amended 8-21-85, Formerly 160-1.12, 160-1.012.

49C-1.013 Budget and Finance.

Each of the counties represented as parties to the Interlocal Agreement shall appropriate funds on a county-wide per capita basis as may be necessary or desirable for the purpose of carrying out the provisions of Section 373.1962, F.S., 1976, and the powers and duties of the Authority or its Governing Board. Large cities who have adopted resolutions of membership shall appropriate funds on a per capita basis pursuant to the requirements herein. Counties with member large cities shall deduct the large city population from their per capita assessment.

(1) The per capita appropriation shall be based upon the most current annual population estimates by the Department of Administration pursuant to the provisions of Section 186.901, F.S.

(2) No per capita appropriation shall become effective until it has been adopted by three-fifths (3/5) vote of the full voting membership of the Governing Board and approved by the official action of a majority of the contributing local governments representing the members of the Authority.

(3) Said per capita appropriation may be reduced or eliminated for any stated or unstated period should other sources of revenue make it unnecessary to require per capita appropriation.

(4) The Authority shall prepare a tentative annual budget for the fiscal year October 1 to September 30 and forward copies of same to the governmental bodies who are members of the Authority at least four (4) weeks prior to the adopting of a final budget in order that said local governments shall have an opportunity to take considered action in approving or disapproving the proposed budget and to provide for necessary per capita appropriation, if any.

(5) The budget and such other changes, amendments, or supplements as may be necessary to conduct the fiscal affairs of the Authority may be amended from time to time by action of the Governing Board to include any funds accumulated from time to time from sources other than per capita appropriations. The budget may not be amended to increase the annual per capita appropriation by the local governments as members in the Authority without the same majority as was necessary for original adoption.

(6) Should a large city or county fail to pay the approved annual per capita appropriation to the Authority or its billed prorated portion of the annual appropriation within (6) six months of October 1 or the date of the billing, whichever is later, the delinquent