



**WITHLACOOCHEE  
REGIONAL  
WATER  
SUPPLY  
AUTHORITY**

## **Board Meeting Package**

November 16, 2016  
3:30 p.m.

### **Meeting Location:**

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

# Withlacoochee Regional Water Supply Authority

## Board of Directors

*Effective November 2016*

<b>Office</b>	<b>Board Members</b>
Chair	<i>Vacancy</i>
Vice Chair	The Honorable Nick Nicholson
Treasurer	<i>Vacancy</i>

<b>Jurisdiction</b>	<b>Board Members</b>
Citrus County	The Honorable Scott Carnahan
	<i>Vacancy</i>
Hernando County	<i>Vacancy</i>
	The Honorable Nick Nicholson
Marion County	<i>Vacancy</i>
	The Honorable Kathy Bryant
	The Honorable Carl Zalak
Sumter County	The Honorable Al Butler
	The Honorable Don Hahnfeldt
City of Belleview	The Honorable Ron Livsey
City of Brooksville	The Honorable William Kemerer
City of Bushnell	The Honorable Dale Swain
City of Crystal River	The Honorable Ken Brown

## Meeting Dates

The schedule of meetings for the 2016-2017 fiscal year are as follows:

<del>October 19, 2016</del>	April 19, 2017
November 16, 2016	May 17, 2017
December 21, 2016	June 21, 2017
January 18, 2017	July 19, 2017
February 15, 2017	August 16, 2017
March 15, 2017	September 20, 2017

**MEMORANDUM**

To: Water Supply Authority Board of Directors and Interested Parties

From: Richard S. Owen, Executive Director

Date: November 4, 2016

Subject: Monthly Meeting of the Withlacoochee Regional Water Supply Authority

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The next meeting of the Withlacoochee Regional Water Supply Authority will be on **Wednesday, November 16, 2016, 3:30 p.m., at the Lecanto Government Center Building, Room 166, 3600 Sovereign Path, Lecanto, FL 34461.**

Enclosed for your review are the following items:

- Agenda
- Minutes of the September 21, 2016 meeting
- Board Package\*

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

Enclosures

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



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

### **From Brooksville:**

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

### **From Ocala**

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

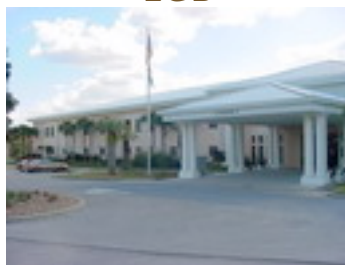
### **From Bushnell**

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

### **From Wildwood**

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

**LGB**





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

**A G E N D A**

**NOVEMBER 16, 2016 -- 3:30 p.m.  
LECANTO GOVERNMENT BUILDING -- ROOM 166  
3600 W. Sovereign Path, Lecanto, Florida 34461**

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

	<u>PAGE</u>
1. <b>Call to Order</b> . . . Nick Nicholson, Vice Chairman	
2. <b>Roll Call</b> . . . Richard Owen, WRWSA Executive Director	
3. <b>Introductions and Announcements</b> . . . Richard Owen, WRWSA	
4. <b>Approval of Minutes</b> . . . Nick Nicholson, Vice Chairman .....	9
5. <b>Public Comment</b>	
6. <b>Hydrologic Conditions</b> . . . Lois Sorensen, SWFWMD .....	17
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8. <b>Charles A. Black Wellfield – Implementation of New Water Supply Contract</b> . . . Richard Owen, WRWSA .....	21
9. <b>Executive Director’s Report</b> . . . Richard Owen, WRWSA	
a. <b>Bills to be Paid</b> [October bill summary included in packet; November bills provided at the meeting] .....	23
b. <b>Correspondence</b> .....	25
c. <b>News Articles</b> .....	33
d. <b>Other</b> [Display: EPA Honors Citrus County Utilities as a WaterSense 2016 Partner of the Year]	
10. <b>Legislative Report</b> . . . Diane Salz, WRWSA Governmental Affairs	
a. <b>Draft Legislative Matrix</b> .....	67
b. <b>Florida Water Forum</b>	
c. <b>Other</b>	
11. <b>Attorney’s Report</b> . . . Larry Haag, WRWSA Attorney	
12. <b>Other Business</b>	
13. <b>Next Meeting</b>	
• <b>Consider Canceling December 21, 2016 Meeting</b>	
• <b>Next Meeting:</b> January 18, 2017; 3:30 p.m.; Lecanto Government Building, Room 166	
14. <b>Adjournment</b>	

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





## **Item 4**

### **Approval of Minutes**

# DRAFT

## WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD OF DIRECTORS

### Minutes of the Meeting September 21, 2016

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

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

#### 1. Call to Order

Commissioner Dennis Damato, Chairman, called the Withlacoochee Regional Water Supply Authority (WRWSA) meeting to order at 3:33 p.m. and asked for a roll call.

#### 2. Roll Call

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

##### BOARD MEMBERS PRESENT

Dennis Damato, *Chairman*, Citrus Co. Commissioner  
Nick Nicholson, *Vice Chairman*, Hernando County  
Commissioner

Earl Arnett, *Treasurer*, Marion Co. Commissioner  
Jim Adkins, Hernando County Commissioner  
Al Butler, Sumter County Commissioner  
Scott Carnahan, Citrus County Commissioner  
Ken Brown, Crystal River City Councilor  
William Kemerer, Brooksville City Councilor  
Dale Swain, Bushnell City Councilor

##### BOARD ALTERNATE PRESENT

Angel Roussel, Marion Co. Utilities Director

##### BOARD MEMBERS ABSENT

Kathy Bryant, Marion County Commissioner  
Don Hahnfeldt, Sumter County Commissioner  
Carl Zalak, Marion County Commissioner  
Ron Livsey, Belleview City Commissioner

#### 3. Introductions and Announcements

- *Introductions.* Mr. Owen recognized Authority staff present for this meeting. Audience members introduced themselves for the Board's information.
- *Announcements.* Mr. Owen noted that Ms. Kim Dinkins is now a Board Alternate for Marion County and Mr. Angel Roussel is returning as an alternate for Marion County. He said Ms. Melissa Gulvin, SWFWMD Government Affairs Program Manager (Northern Region), has replaced Mr. Chris Zajac who has taken another position at the SWFWMD. Ms. Gulvin introduced herself to the Board.

##### WRWSA STAFF PRESENT

Richard Owen, Executive Director  
Larry Haag, Attorney  
Diane Salz, Governmental Affairs  
LuAnne Stout, Administrative Asst.

##### LOCAL GOVERNMENT STAFF PRESENT

Jacob Arnette, Marion County Water Resources Coordinator  
Alys Brockway, Hernando County Water Resources Manager  
Ken Cheek, Citrus County Water Resources Director  
Kim Dinkins, Marion County Utilities Department  
Melissa Gulvin, SWFWMD Gov't Affairs Program Manager  
Jack Overdorff, Eco Land Design, LLC  
Jack Pepper, Attorney and WRWSA Special Counsel  
Richard Radacky, City of Brooksville Public Works

#### 4. Approval of Minutes

A copy of the July 20, 2016 minutes was provided in the Board's meeting materials. Following consideration, **Mr. Butler moved to approve the minutes for the July 20, 2016 meeting as presented. The motion was seconded by Mr. Carnahan and carried unanimously.**

#### 5. Public Comment – No speaker cards were submitted and no one requested to address the Board.

**6. Charles A. Black Wellfield Engineering Analysis Acceptance of Final Report and Approval of Payment**

Mr Owen noted that, at the July 20, 2016 Board meeting, the Board received a report on the draft Engineering Evaluation of the Charles A. Black Water Supply Facilities. He briefly reviewed the proposed recommendations presented at the July meeting and presented for the Board's information.

Subsequent to the July meeting, WRWSA and Citrus County staff met with Jones Edmunds to review the draft and various updates have been incorporated into the final report. Mr. Owen reviewed the changes made to the report.

As a part of this work effort, Jones Edmunds was requested to present the draft report to the Board at the July meeting. This presentation was not a specified task within the original work order. Jones Edmunds has requested reimbursement for the expenses associated with this presentation. Two documents were included as exhibits to this item: (1) an amendment to the original work order 16-01 authorizing the presentation work and (2) a final invoice with charges in the amount of \$3,590 for preparation of the presentation and attendance at the July Board meeting. This amount is in addition to the original work order amount of \$25,000.00, of which \$24,250 has previously been billed and paid. Staff believes these presentation costs are appropriate and that Jones Edmunds should be paid for this work as well as the outstanding amount of the original work order.

Following consideration, **Mr. Carnahan moved to accept the Charles A. Black Wellfield Engineering Analysis Final Report, authorize the Executive Director to execute Amendment No. 1 to Work Order 16-01, and authorize payment of the final Jones Edmunds invoice in the amount of \$4,340, as presented. The motion was seconded by Mr. Arnett and carried unanimously.**

**7. Charles A. Black Wellfield Water Supply Contract**

Mr. Owen said that, subsequent to the July Board meeting, staff received an updated, strike-through and underline version of the proposed new water supply contract from Citrus County. He noted that, due to a printing delay, the proposed revised document and contract exhibits were provided with the Board's meeting materials.

Mr. Owen said the revised provisions address how the funds received by the Authority for the sale of water from the Authority-owned Charles A. Black (CAB) wellfield to Citrus County can be used by the Authority. As proposed by Citrus County, the funds could only be used for projects in Citrus County. Staff informed Citrus County it could not recommend these changes to the Board. Citrus County has requested the WRWSA consider a compromise that would prioritize funding for projects in Citrus County. In response to that request, at the County's request, Authority staff provided the following to the County:

**UTILIZATION OF CONTRACT REVENUES.** The Authority may utilize the revenues derived from this Contract for the purposes deemed necessary and appropriate in the sole discretion of the Authority Board, including but not limited to administration, water supply development projects, including water conservation projects, and for the purpose of securing any revenue bonds issued by the Authority to finance new water supply projects of the Authority. In recognition of the fact that these revenues originate from Citrus County, the Authority Board, in its sole discretion, may give priority consideration to projects which benefit Citrus County utilities.

Following ongoing discussions, Mr. Owen said Citrus County has informed the Authority staff that the compromise language addressing utilization of contract revenues is satisfactory to the County. Staff believes this was the only outstanding substantive issue to be resolved and that the Contract is now ready for consideration for Board approval.

Mr. Jack Pepper, Attorney and WRWSA Special Counsel, noted the County will consider this item for approval in early October. He then provided a brief overview as follows:

- Recommended Contract Major Provisions
  - Citrus County continues to be responsible for operation and maintenance of the CAB facilities.
  - The current amortization and administration fixed payments are replaced with a volume-based, per-thousand gallons charge.
  - Citrus County continues to make contributions to the Renewal and Replacement (R&R) fund, but at a significantly reduced rate based upon experience to-date and the latest CAB Engineering Evaluation report.
  - The County would notify the Authority in advance for anticipated utilization of R&R funds and would request reimbursement of costs incurred.
  - Total costs to Citrus County (amortization, administration and R&R combined) are to remain relatively stable in the transition to the volume-based rate.
- New Contract Major Accomplishments
  - Accomplishes the major goals set forth by the WRWSA Board.
  - Assures Citrus County of a continued reliable water supply at a known, reasonable cost.
  - Assures WRWSA of a reliable revenue stream.
  - Eliminates unnecessary provisions of the current contract that have been problematic.
  - Addresses past WRWSA audit comments and comments from the Joint Legislative Auditing Committee.
  - Volumetric Rate - \$0.1335 per thousand gallons.
    - ♦ Intended to generate approximately the same revenue as the current contract.
    - ♦ No impact on the County's water rates.
    - ♦ Derived by dividing the current revenue of approximately \$224,000 per year by the permitted quantity of 4.597 mgd.
  - COLA – establishes a Cost of Living Adjustment.
    - ♦ Tracks the County's COLA; no impact on the County's water rates.
  - Minimum production charge – set at current revenues of approximately \$224,000 per year.
    - ♦ In case actual pumpage is significantly less than permitted quantity.
    - ♦ Collected annually, no later than the third month of the following Contract Year, after the previous year's total pumpage determined.
  - R&R Fund – establishes a fixed annual contribution of \$180,000.
    - ♦ Less than the current amount of approximately \$183,000.
    - ♦ Less than the amount required by the end of the current contract of \$271,748 in 2021.
    - ♦ Saving the County money.
  - Term – takes effect upon execution by all parties.
    - ♦ 10-year term with option for County to renew four additional 10-year terms.
    - ♦ Will automatically renew unless County notifies Authority six months in advance.
  - Replaces all past CAB contracts/agreements to the extent possible.

Discussion ensued regarding benefit to other counties, renewal term, contract amendment, daily volume, capacity and water use permit parameters. Messrs. Owen, Pepper and Cheek provided clarifying information.

Chairman Damato noted that the contract creates an unusual relationship between two entities since the WRWSA owns the wellfield and Citrus County operates the wellfield and is the only customer. He said this has been excellent effort on the part of both parties and important for the Authority's viability for the next 50 years.

Following consideration, **Mr. Butler moved to approve the Water Supply Contract between the Withlacoochee Regional Water Supply Authority and Citrus County, Florida as contained in the Exhibit, including the revised Contract Exhibits; and authorize the Chairman to execute the Contract, as presented. The motion was seconded by Mr. Arnett and carried unanimously.**

Chairman Damato said this is an important day for the Authority and Citrus County, and he appreciated the cordial manner in which it was accomplished. Mr. Owen thanked the Authority's team of Messrs. Larry Haag, Jack Pepper, Pete Hubbell with WRA (technical support), and Mark White with Purvis Gray & Company (financial aspects).

## **8. Phase 4 Enhanced Irrigation Evaluation Program**

### **a. Contractor Selection**

Mr. Owen noted that at its July 2016 meeting, the Board authorized staff to issue a Request for Quotes (RFQ) for Phase 4, Enhanced Irrigation Evaluation Program. Two quotes were received in response to the RFQ. Exhibits for this item were included in the Board's meeting materials: (1) Summary of Quotes; (2) Eco Land Designs, LLC, Quote Submittal; (3) D&C Environmental, LLC, Quote Submittal; and (4) proposed Agreement between the WRWSA and Eco Land Design, LLC, for the WRWSA Regional Irrigation Evaluation Program (N822).

Upon review of the quotes received, staff recommends the Board select Eco Land Designs, LLC, as the most responsive and qualified contractor. Mr. Jack Overdorff, RLA, is the president of the firm and has been conducting irrigation audits for the Authority under previous phases of the program. His work to-date has met and surpassed all contract requirements.

This project is being co-funded by the Southwest Florida Water Management District (SWFWMD). The Authority has not yet entered into the Agreement with SWFWMD and anticipates the proposed Cooperative Funding Initiative (CFI) agreement will be available from the SWFWMD sometime in early 2017. All work performed between October 1, 2016 and execution of the CFI agreement with the SWFWMD will be eligible for reimbursement. If, for some reason the Authority and the SWFWMD do not enter into a CFI agreement for this project, the contract with the contractor has provisions allowing the Authority to cancel the contract, or consider other funding options. If the Board approves the staff's recommendations, as presented below, the Authority's attorney will review and approve the final CFI agreement between the SWFWMD and the WRWSA before presenting the agreement to the Chairman for signature.

Mr. Owen said the staff recommendation is broken into three parts to avoid coming to the Board on separate occasions for each step in the process:

- (1) The Authority Board approve the selection of Eco Land Design, LLC, as contractor to perform the irrigation system evaluations for Phase 4 Enhanced Irrigation System Evaluation program (N822).
- (2) The Authority Board approve the contract between WRWSA and Eco Land Design, LLC, in an amount not to exceed \$171,800 and authorize the Chairman to execute the contract.
- (3) The Authority Board authorize the Chairman to execute the CFI agreement for Phase 4 Enhanced Irrigation System Evaluation program between the SWFWMD and the WRWSA, following review and approval by the Authority Attorney.

Following consideration, **Mr. Nicholson moved to approve the staff recommendations as presented above. The motion was seconded by Mr. Brown and carried unanimously.**

### **b. Agreements with The Villages NSCUDD and VCCDD**

Mr. Owen said two of the utilities that serve areas of The Villages in Sumter County have agreed to participate in the Phase 4 Enhanced Irrigation System Evaluation program. These include the North Sumter County Utility Dependent District (NSCUDD) and the Village Center Community Development District (VCCDD). Participation by these utilities helps their customers who participate save water and money, and helps the utilities ensure they continue to meet and surpass the conservation requirements of their water use permits.

The NSCUDD has agreed to participate at a funding amount of \$8,000, while the VCCDD has agreed to participate at a funding amount of \$4,000. Copies of the proposed agreements between the NSCUDD and WRWSA, and the VCCDD and the WRWSA, were included as exhibits to this item.

Following consideration, **Mr. Butler moved to approve the Agreements between the WRWSA and the North Sumter County Utility Dependent District and the Village Center Community Development District, and authorize the Chairman to execute the Agreements, as presented. The motion was seconded by Mr. Swain and carried unanimously.**

Mr. Owen said Citrus, Hernando and Marion counties continue to participate in the program as well; however, no contracts are currently necessary to effectuate their participation. See the letters to each county in the Correspondence section (Item 11.f.) of the Board's meeting materials. As noted above, if for some reason the Authority and the SWFWMD do not enter into a CFI agreement for this project, the contract has provisions allowing the Authority to cancel the contract or consider other funding options.

#### **9. Citrus County Lease Agreement**

Mr. Owen said the current lease with Citrus County for office space at its Lecanto Government Center expires on October 31, 2016. A proposed new lease with the County was included as an exhibit to this item. Most terms and conditions remain the same, including the annual lease fee. The lease is for a five-year period, expiring on October 31, 2021.

Following consideration, **Mr. Carnahan moved to approve the Lease Agreement with Citrus County and authorize the Executive Director to execute the Agreement, as presented. The motion was seconded by Mr. Arnett and carried unanimously.**

Chairman Damato thanked Citrus County for providing office space and a meeting location along with new signage. Mr. Owen recognized Mr. Jeff Rogers, Citrus County Public Works Director, for his assistance in negotiating the new lease.

#### **10. As-Needed Engineering and Technical Services Work Order to Water Resource Associates**

Mr. Owen noted that at the November 2012 meeting, the Board authorized the Executive Director to enter into contracts with eight firms for as-needed General Professional Engineering/Technical Services. At the July 2016 meeting, the Board authorized staff to extend these contracts for the second and final one-year period. The Fiscal Year 2016-17 budget contains \$75,000 for potential engineering/technical support services.

The Board has also authorized the issuance of a work order to Water Resource Associates (WRA) for as-needed technical and engineering support work each year subsequent to entering into the contract with WRA. The current work order to WRA is scheduled to expire on September 30, 2016. Staff has need for continued as-needed engineering/technical support from WRA, including support for administering the Charles A. Black wellfield. Staff believes that, among the pre-approved consultants for as-needed support services, WRA is uniquely qualified to provide these required services. The purpose of this Work Order is to engage WRA to provide engineering and technical general support services to the Authority Board and Executive Director on an as-needed basis in support of the Authority activities. A copy of the proposed Work Order was included as an exhibit to this item.

Following consideration, **Mr. Carnahan moved to approve Work Order No. 2017-01 with Water Resource Associates, as contained in the exhibit to this item, in an amount of \$25,000 for purposes of providing as-needed engineering/technical support services, with a termination date of September 30, 2017. The motion was seconded by Mr. Swain and carried unanimously.**

#### **11. Executive Director's Report**

- a. **Bills to be Paid** – Mr. Owen presented the August 2016 bills and requested Board concurrence of payment for invoices in the amount of \$39,445.35. **Mr. Nicholson moved to ratify payment of the August 2016 bills in the amount of \$39,445.35. The motion was seconded by Mr. Arnett and carried unanimously.**

Mr. Owen presented the September 2016 bills and requested approval of payment for administrative invoices in the amount of \$16,339.43 and project invoices in the amount of \$7,102.75, totaling \$23,442.18. He noted that payments to the Outside Special Counsel have been adjusted to the projects account (\$6,416.29) instead of administrative. Following consideration, **Mr. Brown moved for payment of the September 2016 bills in the amount of \$23,442.18, as presented. The motion was seconded by Mr. Arnett and carried unanimously.**

- b. **Annual Calendar of Fiscal Year 2016-17 Meeting Dates** – Mr. Owen noted the Authority is required to follow Florida Statute Chapter 189 concerning meeting notices. In response to these statutory requirements, the Authority publishes an annual calendar of meeting dates that is approved by the Board. Any changes to the meeting dates, times or locations must be published in area newspapers to notice the change from the originally published calendar.

Following consideration, **Mr. Arnett moved, seconded by Mr. Nicholson, to approve the Annual Calendar of Fiscal Year 2016-17 Meeting Dates.**

Following discussion, **Mr. Arnett withdrew his motion and Mr. Nicholson withdrew his second, to approve meeting dates. Mr. Arnett moved, seconded by Mr. Nicholson, to approve the Annual Calendar of Fiscal Year 2016-17 Meeting Dates as shown below with changes as directed by the Board (excluding October 19, 2016). Motion carried unanimously.**

Location of Meetings: Lecanto Government Building, Room 166  
3600 W. Sovereign Path, Lecanto, Florida 34461

Start Time: 3:30 p.m.

Meeting Dates:	CANCEL <del>October 19, 2016</del>	April 19, 2017
	November 16, 2016	May 17, 2017
	December 21, 2016	June 21, 2017
	January 18, 2017	July 19, 2017
	February 15, 2017	August 16, 2017
	March 15, 2017	September 20, 2017

- c. **Third Quarter Financial Report** – Mr. Owen briefly noted items for the Board's information and no action is required.
- d. **Public Officials Liability Policy** – Following consideration, **Mr. Carnahan moved, seconded by Mr. Brown, to approve the 2016-2017 Public Officials Liability Policy renewal, as shown in the handout, for the amount of \$2,410.04 as presented during Item 11.a. The motion carried unanimously.**
- e. **Purvis Gray Compilation Engagement Letter** – This item was provided in the Board's meeting materials and is to confirm understanding of the services to be provided for the Authority. There are no substantive changes to the services or fee. Following consideration, **Mr. Butler moved, seconded by Mr. Arnett, to authorize the Executive Director to execute the engagement letter as presented. The motion carried unanimously.**
- f. **Correspondence** – Items were included in the Board's meeting materials.
- g. **News Articles** – News articles of interest were included in the Board's meeting materials.
- h. **Other** – None

## 12. Legislative Report

- Ms. Salz said the draft 2017 legislative matrix is being developed for the Boards' review. She noted that she will be attending the Florida Water Forum (September 22-23) and will provide a report at the Board's next meeting.

- Ms. Salz noted that the 2017 interim legislative committee meeting schedule is unique due to this being an election year. Interim committee meetings will occur in December, January and February. The 2017 Legislative Session begins March 6, 2017 and ends May 2, 2017.
- Ms. Salz said the new water standards are controversial and the Administrative Law Judge has rejected challenges filed by several entities for the health-based surface water quality criteria amendment being proposed by the Florida Department of Environmental Protection (FDEP). Appeals are being filed since the amendments will affect surface water bodies. Mr. Owen noted that this update should have occurred years ago, and staff will continue to monitor technical aspects and proposed actions.

### **13. Attorney's Report**

- Mr. Haag briefly noted several issues to be addressed for the Everglades which is also affecting areas to the south and the Keys.
- In response to Chairman Damato's positive comments, Mr. Haag congratulated Messrs. Owen and Pepper for their work on the Charles A. Black Water Supply Contract.

### **14. Other Business**

- Chairman Damato said there is an effort in Tallahassee regarding funds to restore the Everglades. He noted that the algae bloom has made national news so there may be a diversion of Amendment 1 funds to address the issues which is not an equitable use of funds. He requested Ms. Salz include this issue in the legislative matrix being developed.
- In response to Mr. Brown's inquiry regarding Mosaic and flow directions, Mr. Owen said flows are south-southwest and provided a brief report based on his understanding of the situation.
- Mr. Swain said the public meeting for the proposed groundwater withdrawal in Sumter County is still scheduled for October. Since his report on pumping in Sumterville at the Board's last meeting, a veteran's burial site has been discovered on the land and the two springs are now dry.
- Mr. Adkins addressed the Board to express his appreciation of serving with his fellow members.
- Mr. Arnett noted that, from an education process, it has been a pleasure to serve on this Board.
- Chairman Damato said he is retiring from public service and noted he has served four terms as this Board's chairman. He said that water is an important subject and should not be taken for granted. He said he moved to this area when he was 19, and the importance to him has been about the journey and the betterment of the place where we live. He said it has been an honor to serve on this Board, and he appreciated working together collectively and civilly for this region of Florida.

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

- **Mr. Nicholson moved to cancel the October 19, 2016 monthly meeting as directed by the Board during consideration of Item 11.b. The motion was seconded by Mr. Arnett and carried unanimously.**
- The next monthly meeting is scheduled for November 16, 2016 at 3:30 p.m. at the Lecanto Government Building, Room 166.

### **16. Adjournment**

Chair Damato adjourned the meeting at 4:57 p.m.

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Nick Nicholson, Vice Chairman

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Richard S. Owen, Executive Director



## Item 6

### **Hydrologic Conditions Report**

This item will be presented by Ms. Lois Ann Sorensen, Demand Management Program Manager at the Southwest Florida Water Management District.

Ms. Sorensen will provide the Board with a review of recent past and projected hydrologic conditions in the region.

#### **Staff Recommendation:**

This is an information item only and no Board action is required.



### **Minimum Flows and Levels**

This item will be presented by Mr. Richard Owen, WRWSA Executive Director.

The St Johns River and Southwest Florida Water Management Districts have recently completed work on establishing proposed minimum flows and levels (MFLs) for Silver Springs and the Rainbow River, respectively. The work and proposed MFLs will be undergoing scientific peer review, and the districts will be soliciting public input in the coming months. These are important MFLs in the region, helping to define the availability of groundwater in portions of the region.

Staff will provide a brief update on the draft proposed MFLs.

#### **Staff Recommendation:**

This is an information item only and no Board action is required.



## Item 8

### **Charles A. Black Wellfield – Implementation of New Water Supply Contract**

This item will be presented by Mr. Richard Owen, WRWSA Executive Director.

The Citrus County Board of County Commissioners unanimously approved the new Charles A. Black water supply facilities water supply contract at its October 11, 2016 meeting. With this approval, the new contract provisions go into effect immediately.

Staff will review with the Board key provisions of the new contract and what can be expected as its implementation takes effect.

#### **Staff Recommendation:**

This is an information item only and no Board action is required.



## **Item 9.a.**

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

#### **Bills to be Paid**

**October 2016 provided in meeting materials.**

**November 2016 to be provided at meeting  
in supplemental materials.**

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

**Bills For Payment**  
**10/19/2016**

<u>Administrative Invoices</u>	<u>Invoice Number(s)</u>	<u>Invoice Date</u>	<u>Amount</u>
Richard S. Owen, AICP, Executive Director	2016-09	10/3/2016	\$6,847.16
Larry Haag, Attorney	32341 32342	10/4/2016	\$930.24
Diane Salz, Governmental Affairs / Professional Fee	#093016	9/30/2016	\$3,500.00
Diane Salz, Governmental Affairs / Travel	#093016	9/30/2016	\$804.95
C. LuAnne Stout, Administrative Assistant	009-Sep-2016	10/1/2016	\$3,125.00
James Adkins (Sept Board Mtg)		9/21/2016	\$19.58
Al Butler (Sept Board Mtg)		9/21/2016	\$27.59
Nick Nicholson (Sept Board Mtg)		9/21/2016	\$19.58
Dale Swain (Sept Board Mtg)		9/21/2016	\$27.59
Citrus County BOCC (yearly office lease)	RLEX000158	10/17/2016	\$2,047.68
FL Dept of State / FAR (advertise mtg dates)	701338	10/11/2016	\$42.56
Citrus Co Chronicle (advertise mtg dates)	12988050	9/27/2016	\$54.93
Ocala Star-Banner (advertise mtg date)	A000897271	9/30/2016	\$113.16
Riverland News (advertise mtg dates)	12988113	9/28/2016	\$59.93
Sumter Co Times (advertise mtg dates)	12988216	10/13/2016	\$59.93
Tampa Bay Times (advertise mtg dates)	82718	9/30/2016	\$48.45
Karen Allen, Web Maintenance			
FL Dept of Economic Opportunity (Special District Fee)	38906	10/3/2016	\$175.00
Purvis Gray & Company (2nd & 3rd quarters)	28252	10/4/2016	\$1,000.00
1-Stop Prints of Citrus County (Sept board pkts)	16-01357	9/15/2016	\$276.80
Sun Trust Business Card Statement (Sept copies/postage)	10.2.2016	10/2/2016	\$213.39
<b>Total Administrative Invoices</b>			<b>\$19,393.52</b>

<u>Water Supply Studies and Facilities</u>	<u>Contract/ Budget</u>	<u>Balance Remaining</u>	<u>Current Invoice(s)</u>
General Services Contract	\$75,000.00	\$18,910.00	
Work Order 15-01. C&D Engineering	\$2,500.00	\$0.00	
Work Order 16-01. Water Resource Associates	\$25,000.00	\$6,225.34	
Work Order 16-02. Jones Edmunds & Associates	\$25,000.00	-\$3,590.00	
Work Order 17-01. Water Resource Associates	\$25,000.00		
<b>FY2015-16 Local Government Water Supply Projects</b>			
Citrus Water Conservation Program	\$36,875.00	\$5,856.23	\$31,018.77 (1)
Hernando Water Conservation Program	\$47,750.00	\$47,750.00	
Marion Water Conservation Program	\$35,475.00	\$35,475.00	
Phase 3 Irrigation Program (2015-2016)	\$17,650.00	-\$5,479.80	\$300.00 (2)
Northern District Grndwtr Flow Model Ext (PO 2016-01)	\$12,500.00	\$12,500.00	
Outside Special Counsel (J.Pepper, Attorney / CAB WF)	\$30,000.00	\$23,583.71	
Purvis Gray CAB Rate Analysis Work Order	\$12,000.00	\$11,100.00	
<b>Total Project Invoices</b>	<b>\$344,750.00</b>	<b>\$152,330.48</b>	<b>\$31,318.77</b>

<b>Total Bills to be Paid</b>	<b>\$50,712.29</b>
-------------------------------	--------------------

<b>State Board of Administration</b>	<b>Transfer from SBA2 to SBA1</b>	<b>\$31,318.77</b>
<b>State Board of Administration</b>	<b>Transfer from SBA1 to SunTrust Bank</b>	<b>\$50,712.29</b>

Notes:

(1) Local Gov't Water Supply Funding Assistance Program

Citrus Co Dept of Water Resources      \$31,018.77      Invoice WCL-2016-06

(2) Phase 3 (N640) - Reinspections

Jack Overdorff, ECO Land Design      \$300.00      Invoice 238



## **Item 9.b.**

**Executive Director's Report**

### **Correspondence**





building better communities • saving special places

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October 10, 2016

Mr. Richard Owen  
WRWSA  
3600 W. Sovereign Path, Suite 228  
Lecanto, FL 34461

Dear Mr. Owen:

I am reaching out to ask for your sponsorship of the 2017 DeGrove Webinar Series. This year has been particularly successful thanks to former United States Senator Bob Graham presenting a free Citizen's Environmental Advocacy Training webinar in April, and our recent free September webinar on Florida 2070 which, combined, attracted close to 550 attendees. We will be holding our free Water 2070 webinar in a few weeks and anticipate an equally strong response. We are working toward an equally informative and thought-provoking series of webinars for 2017.

Our goal for 2017 is to raise \$35,000 to be able to offer these informative events at no charge to attendees. As you can see by the attached, our free webinars receive considerably higher attendance while requiring less administrative work on the part of 1000 Friends staff. Therefore, permanently shifting to a no-cost model will be more effective and efficient. However, as a not-for-profit, we still need to cover the hard costs associated with the webinars (go-to-webinar subscription, fees for professional certification credits, etc.) plus some funding to cover the considerable staff time necessary to organize and conduct the webinars.

Since 2011, 1000 Friends has reached more than 9000 attendees with cutting-edge information on planning and conservation issues facing the fastest growing state in the nation. Sponsors are recognized at the beginning of each webinar and in the manner described on the attached sponsor sheet. As a sponsor, you have the satisfaction of knowing that you are helping to educate engaged Floridians and decision makers on innovative planning and environmental strategies to make our state more livable. Information on past webinars is available at [www.1000friendsofflorida.org/communications/past-webinars/](http://www.1000friendsofflorida.org/communications/past-webinars/).

I hope you will join us in reaching out to an ever-expanding network of Floridians who share our commitment to shaping a better quality of life and protecting special places in Florida.

With appreciation for your consideration,

*Vivian*

Vivian Young, AICP  
Communications Director

*I hope you will consider becoming a sponsor of the DeGrove webinar series.*

**Officers:** Timothy Jackson, *Chair* • Victoria Tschinkel, *Vice Chair* • F. Gregory Barnhart, *Secretary* • Terry Turner, *Treasurer*  
**Board of Directors:** Lee Constantine, Courtney Cunningham, Jim Nicholas, Susan Trevarthen, Mark Watts  
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**President:** Ryan Smart

Post Office Box 5948 • Tallahassee, FL 32314-5948 • PHONE 850.222.6277 • FAX 850.222.1117

[www.1000friendsofflorida.org](http://www.1000friendsofflorida.org) • [friends@1000f.org](mailto:friends@1000f.org)

Printed on recycled paper





**Dr. John M. DeGrove Community Steward Webinars  
2016 – 2017**

---

**TO:** Mr. Richard Owen  
WRWSA  
3600 W. Sovereign Path, Suite 228  
Lecanto, FL 34461

**FROM:** 1000 Friends of Florida  
P.O. Box 5948  
Tallahassee, FL 32314-5948

**DATE:** October 10, 2016

**FOR:** Sponsorship of the Dr. John M. DeGrove Community Steward Webinars

---

- |   |  |
|---|--|
| <input type="checkbox"/> Florida Guardian - \$5,000 | <input type="checkbox"/> Sponsor - \$500   |
| <input type="checkbox"/> President's Club - \$2,500 | <input type="checkbox"/> Supporter - \$250 |
| <input type="checkbox"/> Friend - \$1,000           | <input type="checkbox"/> Other - \$_____   |
- 

**PAYMENT METHOD**

- ☐ Please find our check enclosed payable to **1000 Friends of Florida**
- ☐ Please charge the following credit card \_\_\_\_\_ MC \_\_\_\_\_ Visa

Number: \_\_\_\_\_ Exp. \_\_\_\_\_

Billing Address: \_\_\_\_\_

Name on Card: \_\_\_\_\_

Signature: \_\_\_\_\_

For additional information on our upcoming webinars visit:  
[www.1000friendsofflorida.org/communications/webinars/](http://www.1000friendsofflorida.org/communications/webinars/)

Questions? Contact Vivian Young at 850-222-6277 ext. 109 or [vyoung@1000fof.org](mailto:vyoung@1000fof.org)

Florida Department of Agriculture and Consumer Services Registration Number CH124. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll free 1-800-HELP-FLA (435-7352) within the state or by visiting their website at [www.800helpfla.com](http://www.800helpfla.com). Registration does not imply endorsement, approval or recommendation by the state.

**2011 – September 2016**  
**Dr. John M. DeGrove Webinar Attendance**

		Attended
<b>2011-2012 Free Energy Webinars</b>	<b>11 webinars</b>	<b>Approx. 2800</b>
<b>2012 Free Webinars</b>	<b>5 webinars</b>	<b>Approx. 500</b>
<b>2013 Free Webinars</b>	<b>11 webinars</b>	<b>Approx. 1900</b>
<b>2011-2013 SUBTOTAL</b>		<b>Approx. 6262</b>
	Registered	Attended
<b>2014 DeGrove Webinars - \$10</b>		
February – Coastal Planning	93	72
March -- Legislative Preview*	141	103
April – DeGrove Legacy	90	66
May -- Legislative Wrap Up*	132	103
June – Planning Ethics**	127	99
September – State Sea Level Rise Programs	151	121
October – Broward Sea Level Rise Programs	101	76
November -- Complete Streets	155	123
December -- Greenways	101	65
<b>2014 TOTAL</b>	<b>1082</b>	<b>830</b>
<b>2015 DeGrove Webinars - \$10</b>		
January -- Sea Level Rise Planning Strategies	191	161
February -- Dover on Streetscape Design	128	94
March -- Legislative Preview*	149	108
April -- Citizen Participation*	114	89
May -- Legislative Wrap Up*	200	149
September -- Sign Regulation*	200	129
October -- FREE Citizen Advocacy	157	71
November -- Sprawl Repair	104	64
December – Economics of Preservation	113	83
<b>2015 TOTAL</b>	<b>1356</b>	<b>948</b>
<b>2016 DeGrove Webinars - \$10</b>		
January -- Legislative Preview*	138	94
February -- Complete Streets	165	134
March -- Legislative Wrap Up*	214	164
April – Graham Environmental Advocacy (Free)	450	283
May -- Planning Ethics**	161	123
September -- Florida 2070 (Free)	401	264
<b>2016 YEAR TO DATE TOTAL</b>	<b>1529</b>	<b>1062</b>
<b>2014 – 2016 SUBTOTAL</b>	<b>3967</b>	<b>2840</b>
<b>2011-2016 GRAND TOTAL (APPROX.)</b>	<b>51 webinars</b>	<b>9102</b>

\* AICP CM LEGAL CREDITS FOR PLANNERS

\*\* AICP CM PLANNING CREDITS FOR PLANNERS



## DR. JOHN M. DEGROVE COMMUNITY STEWARD WEBINARS

### Sponsor Levels 2016 - 2017

#### Florida Guardian -- \$5,000

- one year membership with 1000 Friends of Florida
- prominent acknowledgment as Florida Guardian in each webinar
- prominent recognition in *Foresight* and in the annual report
- recognition on website and in email blasts going out to 8000 contacts
- 6 - 1000 Friends of Florida water bottles
- 6 - 1000 Friends of Florida shopping bags
- 3 copies of James Valentine's book, *Florida's Magnificent Wilderness*

#### President's Club -- \$2,500

- one year membership with 1000 Friends of Florida
- prominent acknowledgment as President's Club in each webinar
- prominent recognition in *Foresight* and in the annual report
- recognition on website and in email blasts going out to 8000 contacts
- 4 - 1000 Friends of Florida water bottles
- 4 - 1000 Friends of Florida shopping bags
- 2 copies of James Valentine's book, *Florida's Magnificent Wilderness*

#### Friend -- \$1,000

- one year membership with 1000 Friends of Florida
- acknowledgment as Friend in each webinar presentation
- prominent recognition in *Foresight* and in the annual report
- recognition on website and in email blasts going out to 8000 contacts
- 3 - 1000 Friends of Florida water bottles
- 3 - 1000 Friends of Florida shopping bags
- 1 copy of James Valentine's book, *Florida's Magnificent Wilderness*

#### Sponsor -- \$500

- one year membership with 1000 Friends of Florida
- listing as Sponsor in each webinar presentation
- recognition in *Foresight* and annual report
- recognition on 1000 Friends of Florida website
- 2 - 1000 Friends of Florida water bottles
- 2 - 1000 Friends of Florida shopping bags

#### Supporter -- \$250

- one year membership with 1000 Friends of Florida
- listing as Supporter in each webinar presentation
- recognition in *Foresight* and annual report
- recognition on 1000 Friends of Florida website
- 1 - 1000 Friends of Florida water bottle
- 1 - 1000 Friends of Florida shopping bag

## THANK YOU

### DR. JOHN M. DEGROVE COMMUNITY STEWARD WEBINARS

#### SPONSORS 2015-2016



**FLORIDA STEWARD**  
The Archibald Foundation, Inc.

**FLORIDA GUARDIAN**  
John M. DeGrove Eminent Scholar Chair,  
Florida Atlantic University

**PRESIDENT'S CLUB**  
Mosaic Fertilizer, LLC

**FRIEND**  
Cobb Cole  
Ms. Kimberly A. DeGrove  
and Dr. William Partin  
William Howard Flowers, Jr. Fnd.  
Kitson Evergreen, LLC  
Law Offices of Robert L. Parks, P.L.  
The Perkins Charitable Foundation  
Mr. Robert M. Rhodes

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Ms. Nancy Stroud  
Tallahassee State Bank  
Thomson Brock Luger & Company  
Treasure Coast RPC  
Mr. & Mrs. Peter R. and Helen Wallace



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LAW OFFICES

**HAAG, FRIEDRICH & WILLIAMS, P.A.**

452 PLEASANT GROVE ROAD  
INVERNESS, FLORIDA 34452

JEANNETTE M. HAAG\*\*  
JOHNNYE L. FRIEDRICH°  
LARRY M. HAAG°  
TANYA M. WILLIAMS

TELEPHONE: (352) 726-0901  
FACSIMILE: (352) 726-3345

\*CERTIFIED CIRCUIT COURT MEDIATOR  
\*BOARD CERTIFIED CITY, COUNTY AND  
LOCAL GOVERNMENTAL LAW  
°ADMITTED TO OKLAHOMA BAR

October 11, 2016

Purvis Gray and Company, LLP  
Certified Public Accountants  
2347 SE 17<sup>th</sup> Street  
Ocala, FL 34471

Re: Withlacoochee Regional Water Supply Authority  
Fiscal Year Ended September 30, 2016

Dear Sir or Madam:

I have been asked to advise you of the legal status of the Withlacoochee Regional Water Supply Authority with reference to any current, pending, or potential litigation claims or assessments as to the year ending September 30, 2016 and through the date of this letter.

For the fiscal year of October 1, 2015 through and including September 30, 2016, and through today's date, the Withlacoochee Regional Water Supply Authority was not involved in any litigation nor, to my knowledge, are there any pending or threatened litigation claims or assessments against the Authority. Additionally, from my knowledge of the Withlacoochee Regional Water Supply Authority, there exist no unasserted claims or assessments against same through the date of this correspondence.

This is to confirm that in the course of performing legal services to the Withlacoochee Regional Water Supply Authority, with respect to matters recognized to involve an unasserted possible claim or assessment that may call for a financial statement disclosure, I will so advise the Authority and your office and will additionally consult with all parties as to any questions when it is necessary.

Page 2 of 2 Pages  
Letter to Purvis Gray and Company  
Re: WRWSA  
October 11, 2016


Additionally, this is to acknowledge that if I form any professional conclusion which would, in my opinion, need to be disclosed as to certain possible claims and assessments, that I will do so and advise my client to that effect.

The Authority owed the amount of \$930.24 for professional services and expenses incurred up to and including September 30, 2016.

If you have further questions, please feel free to call.

Cordially,

HAAG, FRIEDRICH & WILLIAMS, P.A.

By:   
LARRY M. HAAG

LMH/ss

cc: Richard S. Owen, Executive Director, WRWSA



## **Item 9.c.**

**Executive Director's Report**

**News Articles**

## **SOWW 2016: Understand the value of water**

Wilton Simpson, guest column, 9/11/16

Saturday, September 10, 2016 at 5:11 pm (updated: September 10, 5:30 pm)

As the senator-elect for the newly created Florida Senate District 10, which includes part of Pasco and all of Hernando and Citrus counties, I was asked to share my perspective on Florida's most important natural resource: water.

As a farmer, I've long understood water's value.

All living things need an adequate supply of safe and reliable water in order to survive. But survival shouldn't be our goal; that's setting the bar far too low. As Floridians, and as the residents of Citrus County, which is home to some of the most beautiful springs and rivers on this earth, we have to do much more than simply survive.

We have to protect and ensure that the actions we take today will result in future generations being able to enjoy these gifts. My family and I treasure our time at our home in Homosassa. My granddaughter is only 2 years old, but when she's grown and has her own family, I want her to be able to come here and enjoy old Florida, as it was meant to be.

These are my motivations and beliefs. But as a farmer will tell you, words don't put food on the table. That's why, when I ran for public office for the first time in 2012, I began working hard to produce results.

This summer, I worked with Save Crystal River to secure over \$2 million in additional funding from the Department of Environmental Protection for lyngbya removal at Kings Bay.

Restoring our springs is crucial. I supported the Florida Senate's plan and last year we allocated over \$50 million per year for each of the next ten years in new funding for springs restoration. This ensures our local communities can do long-term planning for springs restoration in a more efficient way.

Did you know that one in every three Floridians is affected by the water quality of the Everglades?

This is why I also sponsored during my first legislative session the Florida's Everglades Restoration Act, which included \$880 million in funding over a 10-year period to restore the Everglades back to final water quality. In that legislation, we also required our farmers to institute best management practices and to pay a per-acre fee for the cleanup that will further help sustain our environment.

I was also approached by a community in my district that was being forced to purchase water from a private company at rates so high, it was unaffordable.

I took on that utility and the Public Service Commission and changed the law to stop water utilities around the state from raising rates when basic water quality standards, like taste and smell, was not being met. Then, I secured funding for these residents to hook up to the clean county water supply system.

My second year in office, I passed a law mandating a study of reclaimed water in our state to determine how it's used, where it's used and, most importantly, why billions of gallons of water are being dumped into the ocean each year instead of being reused. That study was completed and I am now overseeing

the Reclaimed Water Working Group Committee meetings. Meetings are being held all around the state of Florida with stakeholders from every walk of life to see what we can do to improve reuse.

These are some of the things that I've done in my role as an elected official to ensure that our water is protected and valued. There are many things that all of us can do at our homes, businesses and schools that have positive impacts, as well as being very important to our common goal of clean, safe water.

If you need more information or ideas on keeping or making clean water cool, please contact me at [Simpson.Wilton@FLSenate.gov](mailto:Simpson.Wilton@FLSenate.gov) or Citrus 20/20, the sponsor of Save Our Waters Week.

*A native Floridian and Pasco County resident, Senator Wilton Simpson represents Florida Senate District 10 and is the vice chairman of the Florida Senate's Committee on Environmental Protection and Conservation.*

## Challenges to new water standards tossed out

By Jim Saunders

10:41 a.m. EDT September 14, 2016

Siding with the Department of Environmental Protection on procedural grounds, an administrative law judge has rejected a series of challenges to controversial new state water-quality standards.

Judge Bram D.E. Canter on Tuesday issued an 11-page ruling that dismissed the challenges filed last month by the Seminole Tribe of Florida, the city of Miami, Martin County and Florida Pulp and Paper Association Environmental Affairs, Inc.

A key focus of the ruling was whether the challengers met a legal deadline for filing their cases in the state Division of Administrative Hearings, which operates under different requirements and guidelines than circuit or county courts. In part, the challengers argued that a "notice of correction" published by the department after a July 26 hearing on the water standards bought them more time to file the petitions.

But Canter's ruling, reflecting the somewhat-arcane system of administrative law, said such a deadline extension could only apply if the department had published a "notice of change" to the standards, not a notice of correction.

"Some petitioners argued that the notice of correction, for the first time, made (a rule that contained the new water standards) comprehensible," Canter wrote. "Even if true, it does not establish that the rule was changed. The rule was not changed. If the notice of correction revealed an effect of the proposed rule that was not previously apparent, that is no different than if this effect was revealed by an oral or written statement from a DEP (Department of Environmental Protection) employee. Such statements do not change the rule that is proposed for adoption."

The standards, which were developed by the Florida Department of Environmental Protection and approved July 26 by the state Environmental Regulation Commission, have been highly controversial. They involve new and revised limits on chemicals in waterways, with the department saying the plan would allow it to regulate more chemicals while updating standards for others.

But opponents raised a variety of objections, with the Seminole Tribe, for example, saying tribal members would be harmed because the standards don't take into account people who eat fish and other types of wildlife at a "subsistence level." As another example, the city of Miami argued that the plan "loosens restrictions on permissible levels of carcinogens in Florida surface waters with absolutely no justification for the need for the increased levels of the toxins nor the increased health risks to Florida citizens."

Immediately after the Environmental Regulation Commission approved the standards, some Florida Democratic members of Congress called on the federal Environmental Protection Agency to closely scrutinize the plan.

In his ruling Tuesday on the challenges, Canter pointed to a legal timeline that required petitions to be filed by Aug. 5. The Seminole Tribe filed its petition at 5:02 p.m. on Aug. 5, but the Department of Environmental Protection cited a rule that said petitions had to be filed by 5 p.m., Canter wrote. That meant the petition wasn't technically filed until 8 a.m. Aug. 8, after a weekend.

The tribe and other challengers, who filed petitions later, argued that notice of correction published Aug. 4 gave them more time. But Canter disagreed in dismissing the cases.

## Judge dismisses Seminole's petition against new Florida water toxin rule

Jim Waymer, USA TODAY NETWORK-FLORIDA

11:37 p.m. EDT September 14, 2016

A Florida administrative law judge has dismissed the Seminole Tribe's petition against a new water rule, but the larger legal battle might be far from over, clean water advocates say.

Administrative Law Judge Bram Canter ruled Tuesday that the Seminole Tribe and three other petitioners against Florida's new water toxin rules did not meet the deadline for challenging the rule.

Lawyers for the Seminole Tribe, Martin County, the city of Miami, and the Florida Pulp and Paper Association had argued during a Sept. 7 hearing that Florida rushed through new, complex criteria for more than 80 water toxins without properly notifying the public.

But the Florida Department of Environmental Protection's lawyers said the legal challenge to the new water criteria should be dismissed because the Seminoles and other petitioners missed the deadline for petitioning for an administrative hearing on the new rules.

Two minutes made the difference. The deadline to petition the new water toxin rule was 5 p.m. Aug. 5, DEP lawyers said, 10 days after the Environmental Regulation Commission passed the rule during a July 26 hearing.

But the Seminole Tribe's petition was filed electronically with the Division of Administrative Hearings at 5:02 p.m. Aug. 5, the 10th day after the ERC hearing. Under state administrative rules, any document received by the agency clerk after 5 p.m. is considered filed as of 8 a.m. on the next regular business day. So, the official time of filing for the Seminole Tribe's petition wound up being 8 a.m. on Aug. 8, three days late.

The Seminole Tribe filed its petition Aug. 8, with the city of Miami and others joining later.

But the tribe argues that DEP filed a "notice of change/withdraw" entitled a "correction" on Aug. 4 that made significant changes to the rule, which should have extended the deadline.

Amy Taylor Petrick, the West Palm Beach attorney representing the Seminole Tribe, had argued that DEP's public notices were incomprehensible and that the agency was trying to "close the door before it ever reasonably opened" for the tribe's rule challenge.

The Seminoles argue that the new rule would harm tribe members because it fails to protect human consumption at subsistence level for those who exercise their traditional fishing, hunting, trapping and frogging rights.

The challengers also argued that DEP's public notices were written in ways to obfuscate the consequences of the new water toxin criteria.

But Canter disagreed. The petitioners knew DEP was changing the new water rules, he said in his order: "Workshops and a public hearing were held on the proposed rules," Canter wrote.

“The procedural errors alleged by Petitioners are matters that must be raised in a timely petition,” he added. “It is concluded that the alleged errors do not establish a basis for excusing an untimely rule challenge petition.”

On July 26, by a 3-2 vote, the state’s Environmental Regulation Commission signed off on the new water quality standards for more than 80 toxic chemicals, including benzene, a cancer-causing petroleum byproduct used in hydraulic fracking.

The U.S. Environmental Protection Agency also must approve the new criteria.

It was uncertain Wednesday how the petitioners might proceed next.

But at least one major water advocate in Florida says they plan to keep fighting.

“We can potentially file a lawsuit in federal court,” said Linda Young, director of the Florida Clean Water Network, an advocacy group monitoring the Seminoles’ challenge.

Her group is petitioning EPA to try to get the federal agency to force Florida to update its water toxin criteria using EPA’s stricter guidelines.

“It’s not over. It’s far from over,” Young vowed. “None of this is cheap.”

## **St. Johns River Water Management District News Releases**

### **SJRWMD drinking water supplies not at risk from phosphate mine spill in Polk County**

Contact: Teresa Monson, (904) 730-6258 (Office) or (904) 545-5064 (Cell); [tmonson@sjrwmd.com](mailto:tmonson@sjrwmd.com)

PALATKA, Fla., Sept. 19, 2016 -- Drinking water supplies in the 18 counties of the St. Johns River Water Management District are not at risk from a recent Polk County phosphate mine spill caused by a sinkhole, according to district scientists. Recent media reports have caused concern among some residents about impacts from the spill. State agencies and the local company involved are monitoring the situation and have protocols in place to prevent contamination of Florida's drinking water supply.

"Given the regional groundwater flow patterns in the Upper Floridan aquifer in central Florida, drinking water supplies in the St. Johns River Water Management District are not at risk from the spill at the phosphate mine in Mulberry, in western Polk County," said St. Johns River Water Management District Executive Director Dr. Ann Shortelle. "Because the spill was located in Polk County near the Hillsborough County line and the groundwater flow in the Upper Floridan aquifer is generally to the southwest, the spill should not affect water supplies in the district."

The Florida Department of Environmental Protection is performing frequent site visits to make sure timely and appropriate response continues in order to safeguard public health and the environment. Monitoring to date indicated the process water is being successfully contained, and that there is no evidence of offsite movement or threat to offsite groundwater supplies. Groundwater monitoring will continue to ensure there are no offsite or long-term effects.

General information about Florida's aquifer system in north and east-central Florida can be found online at [www.sjrwmd.com/aquifer/](http://www.sjrwmd.com/aquifer/).

### **Cost-share project applications accepted now through Oct. 13**

Contact: Teresa Monson, (904) 730-6258 (Office) or (904) 545-5064 (Cell); [tmonson@sjrwmd.com](mailto:tmonson@sjrwmd.com)

PALATKA, Fla., Sept. 19, 2016 -- The St. Johns River Water Management District is accepting applications now through Oct. 13 to share in \$5 million in cost-share funding for rural communities and innovative projects that support the agency's core missions.

"The district's first round of cost-share funding for Rural Economic Development Initiative (REDI) communities and innovative projects in 2015 was a great success, with eight projects benefiting water resources in six communities, as well as funding four innovative projects," said St. Johns River Water Management District Executive Director Dr. Ann Shortelle. "By providing significant funding assistance, we are ensuring small communities are moving forward and cutting-edge ideas are being implemented on much-needed water resource protection and enhancement projects."

Project proposals considered for funding should help benefit water supply (including water conservation, alternative water supplies, and maintenance and enhancement of REDI community water distribution systems and wastewater collection and treatment systems), improve water quality, provide flood protection, or protect or enhance natural systems. Project criteria, application instructions and

additional information about the program are available on the district's website at [www.sjrwmd.com/funding/REDI.html](http://www.sjrwmd.com/funding/REDI.html).

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

- 10 a.m. on Sept. 20 at district headquarters, 4049 Reid St., Palatka;
- 10 a.m. on Sept. 21 at the district's Maitland Service Center, 601 South Lake Destiny Road, Suite 200, Maitland;
- 10 a.m. on Sept. 22 at the district's Palm Bay Service Center, 525 Community College Parkway S.E., Palm Bay.

These workshops will be broadcast via webinar. Pre-registration to participate via webinar is available on the REDI webpage.

District staff will evaluate each project to determine which provide the most beneficial water resource results and can be constructed in a timely and efficient manner. Staff will then prepare a recommended list for board approval in December 2016.

An innovative project is one that uses emerging or proven technology in a unique way to promote alternative water supply development or to expand available quantities to offset groundwater withdrawal, or to otherwise demonstrate projects to improve the water resources of the district in support of the agency's core missions.

A REDI community is economically disadvantaged with an employment base dominated by traditional agriculture or resource-based industries and a population of 25,000 or less. REDI-designated communities within the district's boundary include Baker, Flagler, Nassau, Putnam and Okeechobee counties (and the communities within) and the communities of Bunnell, Callahan, Crescent City, Fellsmere, Fernandina Beach, Flagler Beach, Glen St. Mary, Hastings, Hawthorne, Hilliard, Macclenny, Palatka, Interlachen, Palm Coast, Pomona Park, Umatilla and Welaka.

## **District and Orange County Utilities partner on water savings program**

Contact: Danielle Spears, (407) 659-4836 (Office) or (407) 961-3838 (Cell), [dspears@sjrwmd.com](mailto:dspears@sjrwmd.com)

MAITLAND, Fla., Sept. 20, 2016 -- The St. Johns River Water Management District is partnering with Orange County Utilities on a project that could realize a 4.9 percent water savings for residential utility customers. The district contributed \$112,334 toward the project as part of its cooperative cost-share program.

"Our cost-share program continues to be a valuable tool in fostering local partnerships that deliver projects to protect Florida's water resources," said St. Johns River Water Management District Executive Director Dr. Ann Shortelle. "This project promotes water conservation which saves groundwater for a more resilient water supply, and results in lower utility bills for customers who conserve water."

"As a data-driven organization, Orange County Utilities is eager to bring this technology and innovative approach to its customers," said Jacqueline W. Torbert, manager, Orange County Utilities Water Division. "The customer portal for communication and engagement, combined with data analytics, represents a real opportunity to quantify the effectiveness of our conservation efforts."



The water-savings project uses a software called WaterSmart to reduce drinkable water consumption across 30,000 households by 4.9 percent, a potential savings of 0.37 million gallons of water a day.

WaterSmart utilizes social norms in conjunction with comprehensive data analytics and targeted messaging to modify water use behavior. Residents receive mobile, print and email reports, which outline each home's water use in relation to homes of similar size and characteristics.

Orange County Utilities was selected for the 12-month program as part of the district's cost-share program, which assists in funding projects related to enhancing water conservation efforts as well as developing sustainable water resources and providing flood protection.

For more information about the district's cost-share program, visit [www.sjrwmd.com/funding](http://www.sjrwmd.com/funding).

**Associated Press**

## **Federal Lawsuit Filed by Residents Near Florida Sinkhole**

By Tamara Lush

MULBERRY, Fla. — Sep 22, 2016, 5:38 PM ET

A federal lawsuit was filed late Thursday by three central Florida residents who live near a fertilizer plant where more than 200 million gallons of contaminated wastewater leaked into one of the state's main underground sources of drinking water.

The proposed class-action lawsuit filed Thursday seeks to recover damages, including for the residents' possible losses of private wells, and for water testing, monitoring and treatment.

The lawsuit, filed by the Florida law firm of Morgan and Morgan and by Weitz & Luxenberg of New York, said the phosphate company's "conscious actions and omissions disregarded foreseeable risks to human health and safety and to the environment."

Mosaic, the world's largest supplier of phosphate, said a sinkhole opened up beneath a pile of waste material called a "gypsum stack." The 215-million gallon storage pond sat atop the waste mineral pile. The company said the sinkhole is about 45 feet in diameter.

In response to the lawsuit, Mosaic spokeswoman Callie Neslund said, "We are reviewing the details of this filing and will respond through the judicial process."

Mosaic says it's monitoring groundwater and has found no offsite impacts. It is offering free drinking water testing to the community.

According to a Sept. 21 news release on the company's website, Mosaic has scheduled or collected a total of 106 well water tests through a third-party testing company. They're being prioritized based on their proximity to the property containing the sinkhole.

The sinkhole, discovered by a worker on Aug. 27, is believed to reach down to the Floridan aquifer, the company said in a news release. Aquifers are vast, underground systems of porous rocks that hold water and allow water to move through the holes within the rock.

News of the sinkhole wasn't released to the public until Sept. 11.

Some nearby residents are upset that it took so long for the company and local officials to discuss it. Mosaic acknowledged the information gap on Sept. 20.

"We continue to analyze the situation, and our response to it, and we realize we could have done a better job in providing timely information to our neighbors and the broader community," Walt Precourt, Senior Vice President of Phosphates for Mosaic, said in a statement during a Polk County Commission meeting. "I regret and apologize for not providing information sooner, and am committed to providing regular updates to the public as we move forward."

The suit, filed on behalf of three residents with private wells, says the plaintiffs "are at risk of drinking or using contaminated water" because of Mosaic's actions.

Florida Department of Environmental Protection spokeswoman Dee Ann Miller says there's no evidence the contaminated water has moved beyond the site and is threatening groundwater supplies.

The Floridan aquifer is a major source of drinking water in the state. One of the highest producing aquifers in the world, it underlies all of Florida and extends into southern Alabama, Georgia, and South Carolina.

According to the University of Florida, it's the principal source of groundwater for much of the state, and the cities of Tallahassee, Jacksonville, Gainesville, Orlando, Daytona Beach, Tampa, and St. Petersburg all rely on it. The aquifer also supplies water to thousands of domestic, industrial and irrigation wells throughout the state.

Mosaic began diverting the pond water into an alternate holding area to reduce the amount of drainage when the problem was first detected. The company said it has been "recovering the water by pumping through onsite production wells."

## Editorial: No notice is no good

Monday, September 26, 2016 -- Posted at 2:01 AM

The sinkhole at Mosaic Co.'s plant in Polk County offered the makings of a major environmental disaster. The crater beneath a hill of gypsum yawned, discharging more than 200 million gallons of wastewater tainted with sulfate, sodium and low-level radiation into the underground aquifer that slakes the thirst of most of the state of Florida.

That was a recipe for panic. So far, however, no evidence exists that Mosaic's foul concoction has injured the drinking-water supply. Water migrates slowly through the aquifer — about 10 yards a day — so additional testing is warranted.

For the time being, then, calm should prevail and the emphasis should be on how Mosaic will remediate the sinkhole and possibly prevent a future occurrence. The first part is easy. Mosaic has announced its fix for the 45-foot-wide opening will cost between \$20 million and \$50 million. The other part will be tougher, considering that sinkholes are force majeure that offer little warning, although the company's pumping of the aquifer is being investigated as a potential factor.

Another aspect of this process should be acting on lessons learned, which means it is worth examining what happened before we reached this stage.

Mosaic has been under fire because three weeks passed before this incident became publicly known. The company only acknowledged a mishap once the news media began inquiring.

To recap, workers got a hint something was wrong after observing the water level in the pond in question had ebbed about two feet on Aug. 27. The sinkhole opened on Sept. 5. The Ledger first reported the breach on Sept. 16.

Even allowing for time to assess the situation, Mosaic's tarrying in providing even some initial report on the problem is concerning. On Tuesday, Mosaic executives said they were not prepared to make a presentation when the Polk County Commission offered that opportunity early on. Yet they also admitted they could have been more nimble while offering a mea culpa to the commission on Tuesday.

Since that public relations fumble, however, company executives have not only publicly apologized and accepted responsibility for their slow-footed public notification, they have announced a draft of a repair plan, explained what they did to contain the spill, stepped up monitoring and reached out to the community with testing, bottled water and promises of better, more timely communication.

Government regulators, however, are another story.

Mosaic contacted three separate regulatory agencies — the U.S. Environmental Protection Agency, the Florida Department of Environmental Protection and Polk County — when it first noticed something was awry. None of them, however, issued any public warning.

County officials joined Mosaic executives in admitting that the county could have responded better, yet the EPA and the DEP so far have not acknowledged that.

The problem appears to be with our laws. On Monday, a DEP spokeswoman told the Tampa Bay Times that under state law neither Mosaic nor the agency were required to notify the public until the pollutants had escaped the boundaries of Mosaic's property. The spokeswoman, Dee Ann Miller,

further told the Times that under a 2005 law companies have 10 days after recording the property-line crossing to notify DEP, which, in turn, can wait 30 days before informing neighbors.

Hopefully, Mosaic has contained the spill and the Mulberry area can soon breathe easier. But clearly lawmakers must address the notification process. We could cynically expect a company in such a situation as this to look after its self-interest and remain quiet, but once regulators know, they must speak up. People should not have to wait 40 days before learning disaster has struck.

## Sarasota Patch

# ICYMI: Some Tampa Bay Towns Have Drinking Water Toxin Made Famous by Erin Brockovich, Study Finds

### Health & Fitness

Many Tampa Bay area towns have the cancer-causing toxin in drinking water made famous in the “Erin Brockovich” movie, study says.

By Sherri Lonon (Patch Staff) - September 25, 2016 2:55 pm ET

At least 28 communities in the Tampa Bay area have the cancer-causing toxin in their drinking water that was cast in the national spotlight by the 2000 Julia Roberts movie “Erin Brockovich,” according to a study published Tuesday by the Environmental Working Group.

While water provided in the communities does not exceed U.S. Environmental Protection Agency standards of 100 parts per billion of total chromium, samples do exceed the 0.02-parts-per-billion level set by the California Office of Environmental Health Hazard Assessment as a public health goal in 2011, the study explains. The level set in California poses a “negligible risk over a lifetime of consumption,” according to the study.

The toxin Chromium-6 causes cancer, reproductive problems and liver damage even from little exposure, the report says.

California's public health goal was set after Brockovich was nearly successful in building a case against the Pacific Gas and Electric Company of California in 1993 that blamed the company for contaminating local water.

The Environmental Working Group, a nonprofit, non-partisan organization dedicated to protecting human health and the environment, analyzed federal data from nationwide drinking water tests showing that the compound contaminates water supplies for more than 200 million Americans in all 50 states.

"Yet federal regulations are stalled by a chemical industry challenge that could mean no national regulation of a chemical state scientists in California and elsewhere say causes cancer when ingested at even extraordinarily low levels," according to the report.

EWG estimates that if left untreated, Chromium-6 in tap water will cause more than 12,000 excess cases of cancer by the end of the century.

The EWG group noted that in the film "Erin Brockovich," the environmental crusader played by Roberts confronts the lawyer of a power company accused of polluting the tap water of Hinkley, California, with Chromium-6.

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When the lawyer picks up a glass of water, the report notes, Brockovich says: “We had that water brought in 'specially for you folks. Came from a well in Hinkley.”

The lawyer sets down the glass and says, "I think this meeting's over."

According to the study, these areas exceeded the report's – not the federal EPA's – acceptable level of Chromium-6 in tap water (0.02 parts per billion):

Sarasota County Special Utilities District  
City of Sarasota  
North Port Utilities  
Englewood Water District  
Pluris-South Gate Utilities  
Manatee County Utilities Department  
Palmetto Water Department  
City of Tampa Water Department  
South Central Service Area  
Northwest Utilities  
University of South Florida  
Plant City Utility  
Temple Terrace Utility  
MacDill Air Force Base  
Seaboard Utilities  
Pinellas County Utilities  
City of St. Petersburg  
Clearwater Water System  
Pinellas Park Water Department  
Tarpon Springs Water System  
Safety Harbor Water Department  
Gulfport Water System  
Pasco County Utilities District – West  
Seven Springs  
New Port Richey Water Department  
City of Zephyrhills  
Dade City Water Department  
Hudson Waterworks

The average levels of Chromium-6 found on a countywide basis were as follows:

Sarasota County – 0.0316 parts per billion  
Manatee County – 0.0418 parts per billion  
Pinellas County – 0.0860 parts per billion  
Hillsborough County – 0.0867 parts per billion  
Pasco County – 0.491 parts per billion

To view the full interactive map related to the study, visit the Environmental Working Group online. Read the full report at the Environmental Working Group website [here](#).

A request for comment from the Florida Department of Environmental Protection was not immediately answered.

*With reporting by Patch's Tom Davis*

## **Water management district website is illegally accessed**

By Tori Walker

Posted Sep 27, 2016 at 10:27 PM Updated at 11:48 AM

LAKELAND — The Southwest Florida Water Management District's website, WaterMatters.org, was illegally accessed, the Florida Department of Law Enforcement told the district Monday.

Information obtained during the breach included personal data that some website users entered on the site, reports said.

In most cases, the information accessed is already considered public record such as first and last names and email addresses, but some portions of the website require a password and officials think those were obtained, reports said.

The district said anyone who uses the same password for multiple sites should change it immediately.

Passwords used to access the district's Water Management Information system to view or submit permits and data, as well as passwords used to sign up for district email updates and newsletters through the GovDelivery system were not affected, reports said.

The Southwest Florida Water Management District manages the water resources for west-central Florida, the District's website said.

The District was established as a flood protection agency in 1961 and now it also manages the water supply, protects water quality and preserves natural systems that serve important water-related functions, the website said.

If anyone has any questions about the website breach, contact [Info@WaterMatters.org](mailto:Info@WaterMatters.org).

— *Tori Walker can be reached at [tori.walker@theledger.com](mailto:tori.walker@theledger.com) or 863-802-7590. Follow Tori on Twitter @Torilwalker863.*



## **Putnam: Water policy "a significant piece of legislation that we need to build on"**

By Zac Anderson  
Political editor

Posted Sep 27, 2016 at 7:07 PM / Updated Sep 27, 2016 at 7:07 PM

LAKEWOOD RANCH — As red tide fouls Southwest Florida's beaches, a state official who helped drive water policy legislation that some environmental advocates think did not go far enough to address clean water issues said Tuesday that the bill is "a significant piece of legislation that we need to build on."

Florida Agriculture Commissioner Adam Putnam spoke at a Lakewood Ranch luncheon put on by three local business groups. Water issues have been a big focus for Putnam, a Republican who is considered a likely candidate for governor in 2018.

"It's about water: For building, for growing, for supporting our population, for adding to our population, for supporting the natural resources that make Florida Florida," Putnam told the crowd of more than 100 gathered at the Polo Grill.

Putnam touched on some of the clean water problems that have plagued the state recently. He noted that sewage spills in Tampa Bay caused by overwhelmed wastewater systems have set back seagrass restoration efforts. He also mentioned the problems caused by red tide — which may be exacerbated by excessive nutrients in the water — and polluted water from Lake Okeechobee impacting estuaries on both the east and west coasts.

"People come to our beaches and when we have unnecessary discharges from the lake and they foul our beaches it's a problem. When we have red tide on the beaches, it's a problem," Putnam said, adding that it's also a problem "when we have a \$100 billion dollar agriculture industry that can't be guaranteed access to water."

While the comprehensive water policy legislation that passed the Legislature this year was supported by most Democrats and a number of environmental groups, including Audubon Florida, some environmental advocates thought it was too deferential to agriculture and big business and did not adequately address water quality issues.

Putnam said in an interview after the event that "the water bill that passed last year wasn't the end-all be-all, it's a step in the right direction toward having a long term planning process for water projects and then you need to fund those water projects."

Paying for new water projects — including clean-up efforts such as storing polluted Lake Okeechobee water, helping neighborhoods move from septic tanks to central sewer and decommissioning outdated sewage treatment plants — could be difficult next year.

Incoming Senate President Joe Negron — who represents a region where Lake Okeechobee discharges are a major problem — has said he will champion new water quality projects, but a recent state budget forecast estimated next year's surplus at just \$7.5 million.

“We have to make it a priority and we have to have policies in place that help alleviate that budget gap,” Putnam said after the event. “We want to have a thriving business climate in Florida that’s creating the sales tax revenues.”

Among the other issues Putnam covered in his speech: Boosting education and diversifying the state’s economy. Afterward, he took questions from the media on a range of topics, from the citrus greening disease to his political future.

Putnam praised U.S. Rep. Vern Buchanan, R-Longboat Key, for a bill that offers citrus farmers tax incentives for replanting groves ravaged by citrus greening.

“That bill will be one more measure that buys us time to save the Florida citrus industry,” he said.

The only question from the audience had to do with Putnam’s plans for the 2018 governor’s race.

“Stay tuned,” he said.

**Tampa Bay Times**

## **Adam Putnam offers up a critique of Florida's future**

Mary Ellen Klas, Times/Herald Tallahassee Bureau

Wednesday, September 28, 2016 3:25pm

Adam Putnam, who is positioning himself to run for governor in 2018, issued a critical assessment of the future of Florida at a gathering of business leaders Wednesday, suggesting that the state has veered off course with education reform and economic development and must do better at protecting water, land and business diversity.

Pointing to a series of charts produced by the Florida Chamber of Commerce that showed grim statistics, Putnam joked: "I think we need to order up a round of shots" to "get our head around this."

Among the data presented at the chamber's Future of Florida Forum: 57 percent of the Florida elementary school kids are on free and reduced lunch, 11 percent are obese, that 70,000 students are homeless, 16 percent of the state is in poverty, and per capita income is only \$42,733.

The difference between the areas that are improving and those declining "is leadership," Putnam said. "It's up to us to chart the course of this state."

Putnam urged the audience of business leaders to remember that "water is Florida's golden goose" and to "think about water infrastructure the way we think about other infrastructure in our state."

"You couldn't print enough money to recruit a company to Flint, Michigan" he warned, "because they failed at the most basic function local government has."

But to sustain Florida's economic recovery, the state must focus on education. He noted that the state faces a future budget deficit because spending on Medicaid outpaces growth but "if the state were educating its young and preparing them for careers they're not going to be on Medicaid."

"We have begun to lose the support of the most important shareholders in the education system and that's the parents, in many cases the most involved parents," he said, "...because we got wrapped around the axle of reform for reform's sake instead of explaining to parents why their kids need to learn more" in the third grade today than the previous generation."

He also said that economic development must be less focused on "shiny objects" and more focused on nurturing and encouraging small businesses.

"We need an economic development approach that is respectful to a small business mindset," he said. He noted that Publix started as a small business in Lakeland. Bealls began as a small business in Bradenton. Lilly Pulitzer, Tropicana were also homegrown Florida companies.

"If we're job snobs we're going to miss the opportunity to support those small business leaders who are going to create something big. I want it to begin in Florida," he said to applause.

He suggested that Florida should embrace its talented military veterans in the midpoint of their lives by encouraging them to return to service in the classroom, where they can instill discipline and be a valuable example.

"We know that some of the most talented people in the world are going to end up here at some point in our life. those," he said. "We want them three decades sooner. I want Florida to be more than the prize of a life well-lived and the success accumulated someplace else. We can be the jumping off point for the American Dream. The place where those dreams incubate, grow, develop and explode."

Putnam also emphasized to the chamber, which is funded by the largest corporations in Florida, that their job is "not to protect that we have" because that is short-sighted.

"Think of all the giant companies that would have been the platinum sponsor of this event that aren't in existence anymore," he said. "Our job is not to lock our businesses in place, because we would have picked unwisely a decade ago with banks, law firms, airlines, aerospace companies that have been wiped off the map.

"Our job is to create an economy that is agile and welcoming, perceptive, dynamic and ready for whatever may walk through that door with the quality of our people and the reception of our state government."

*[Last modified: Wednesday, September 28, 2016 3:32pm]*

## St. Johns River Water Management District News Releases

# SJRWMD budget reduces tax rate, funds water resource protection projects

Contact: Teresa Monson, (904) 730-6258 (Office) or (904) 545-5064 (Cell); tmonson@sjrwmd.com

PALATKA, Fla., Sept. 27, 2016 -- The St. Johns River Water Management District's Governing Board today approved its fiscal year 2016-2017 budget, which will provide funds for cost-share projects and major programs to support the agency's core missions of water supply, water quality, natural systems and flood protection. The board also voted to reduce the millage rate for taxpayers for a fourth year.

"The district's emphasis on cooperative funding supports Florida's economy with projects that directly benefit water resources," said St. Johns River Water Management District Executive Director Dr. Ann Shortelle. "This budget demonstrates the Governing Board's commitment to water resource protection as well as responsible stewardship of taxpayer dollars."

The 0.2885 millage rate (rolled-back rate) will generate \$84.1 million in revenue that will be part of a total \$164.6 million budget for the budget year that begins Oct. 1, 2016. The millage rate adopted by the board is approximately 4.6 percent less than the current year's tax rate. The budget is also funded through state, federal and other district sources (including timber sales, cattle leases, interest earnings and permit fees).

Under a 0.2885 millage rate -- 28.85 cents for every \$1,000 of assessed property value -- the owner of a \$200,000 house with a \$50,000 homestead exemption would pay \$43.28 in the coming year in property taxes to the district.

The budget will fund the district's major programs, including springs protection, projects to improve water quality and alternative water supply development. Budget highlights include:

- Nearly \$70 million in cooperative funding, with \$7 million specifically to support water projects in economically disadvantaged rural communities and for innovative technologies, as well as springs and priority water body protection and restoration, water conservation initiatives with public water suppliers, and projects to enhance the reuse of reclaimed water.
- \$6.2 million in new state funding for springs protection projects that support local efforts to protect spring flows and water quality.
- Approximately \$6.6 million toward second-year cooperative projects that support local efforts to protect spring flows and water quality.
- \$8.5 million for the Eau Gallie muck dredging project to improve navigation and water quality.
- \$10.2 million for the district's agricultural cooperative funding program, which assists farmers in implementing water-saving technologies and helps fund dispersed water storage projects.
- \$5.5 million for the Lake Apopka and Upper Ocklawaha River Basin, including \$625,000 for the Emerald Marsh Area 3 Reconnection.
- \$4 million in funding from the Florida Fish and Wildlife Conservation Commission and Florida Department of Environmental Protection for the Lake Apopka Restoration project.
- \$3 million for the Tri-County Agricultural Area (TCAA) Water Management Partnership.
- \$1.4 million for the Canal 1 Rediversion project (Phase 1B) in the Indian River Lagoon Basin.
- \$900,000 for the Fellsmere Water Management Area in the Upper St. Johns River Basin.
- \$2.8 million in new state funding for land management restoration projects, including \$750,000 for a water quality improvement project at the Silver Springs Forest Conservation Area.

The budget is available online at [www.sjrwmd.com/budget](http://www.sjrwmd.com/budget).

## District launches audio guide for Lake Apopka North Shore

Contact: Danielle Spears, (407) 659-4836 (Office) or (407) 961-3838 (Cell), [dspears@sjrwmd.com](mailto:dspears@sjrwmd.com)

MAITLAND, Fla., Sept. 28, 2016 -- The St. Johns River Water Management District is launching an audio guide for visitors to its Lake Apopka Wildlife Drive. The audio guide, which can be streamed through mobile devices, provides visitors with a narrative on the area's history, wildlife and district-led restoration efforts.

"The Lake Apopka Wildlife Drive was designed for recreational use that is also compatible with water conservation," said St. Johns River Water Management District Executive Director Dr. Ann Shortelle. "It's exciting to share with visitors how we're improving water quality and fostering the restoration of a wetlands and wildlife habitat."

By accessing [www.sjrwmd.com/LANS](http://www.sjrwmd.com/LANS), visitors to the 11-mile, one-way wildlife drive can stream the story of the Lake Apopka North Shore, which spans 20,000 acres. The audio guide includes 11 stops along the drive. Numbered signs correspond with audio files and there are several vehicle pullovers, which provide opportunities for stopping.

In addition to streaming the audio guide, visitors can download a property map, a text version of the audio guide and other information about the property. An interactive wildlife drive map and educational video will be available in late 2016.

Development of an audio guide was derived from the overwhelming popularity of the area. Sixteen months after it opened, more than 81,000 visitors have experienced the wildlife drive, which traverses a network of wetlands, levees and canals, providing a variety of wildlife viewing opportunities.

Heightened community interest in the Lake Apopka North Shore is attributed to not only the area's diverse bird population but also the trails that provide unprecedented access to the area for activities such as hiking and bicycling. Once farmed land, the area was acquired by the district between 1988 and 2001 with the goal of reducing discharges of excessive nutrients to Lake Apopka while at the same time providing critical wetland functions.

The Lake Apopka Wildlife Drive is open year-round between sunrise and sunset on Fridays, Saturdays, Sundays and federal holidays. There is no cost to visit the wildlife drive. More information about recreational opportunities on lands owned and managed by the district are available at [www.sjrwmd.com/recreation](http://www.sjrwmd.com/recreation).

## District's quick action helps bring 1,500 jobs to the Jacksonville area

Contact: Teresa Monson, (904) 730-6258 (Office) or (904) 545-5064 (Cell); [tmonson@sjrwmd.com](mailto:tmonson@sjrwmd.com)

PALATKA, Fla., Sept. 29, 2016 -- More than 1,000 jobs are headed to northeast Florida after Amazon announces the opening of its new fulfillment center. The St. Johns River Water Management District supported the move by quickly assessing and issuing environmental resource permits (ERP) for the 105-acre warehouse facility. The applicant and district employees remained committed to working collaboratively through the permitting process to achieve this positive result.

"By opening lines of communication with district technical staff, potential permitting obstacles are addressed early and keep small problems from becoming big problems," said St. Johns River Water Management District Executive Director Dr. Ann Shortelle. "We worked through technical challenges together over the course of several weeks and by the time the applicant submitted the formal application for the project, we were able to issue a permit in just a matter of days. By working through the permitting process thoroughly and expeditiously, we are supporting businesses looking to grow in the Sunshine State while also protecting water resources."

Published reports state that the \$200 million distribution center will bring 1,500 jobs to Jacksonville over the next four years.

The permit issued by the district involved a redesign of a stormwater management system to accommodate the 105-acre warehouse on a vacant site located at I-295 and Duval Road.

## **Seminole Tribe seeks halt to water standards amid appeal**

Jim Saunders, The News Service of Florida

2:33 p.m. EDT October 4, 2016

After losing an initial legal round, the Seminole Tribe of Florida is asking a judge to block the state Department of Environmental Protection from moving forward with controversial new water-quality standards while an appeal plays out.

The tribe, in a document filed in the state Division of Administrative Hearings, requested a stay and pointed, in part, to concerns that the new standards would allow higher levels of some chemicals that could affect fish and other wildlife eaten by tribal members.

"For certain pollutants, the Seminole Tribe's own analysis is already finding levels of the chemicals in the tissue of species that the Seminole Tribe eats as part of its cultural practices above the screening levels identified as levels of concern in DEP's (the Department of Environmental Protection's) own technical documents," the tribe filing said. "Relaxation of the standards for those chemical constituents is likely to lead to an increase in the levels of these chemicals in the fish and aquatic animals that the Seminole Tribe consumes as part of its cultural practices, thereby depriving the Seminole Tribe of consumption rights that are secured both by federal law and by settlement agreements to which both the Seminole Tribe and the state are a party. The exacerbation of environmental contamination of a food source that is an important part of tribal culture and that is expressly recognized as a secured right of the Seminole Tribe constitutes a significant, concrete harm that is irreparable; once the traditional food sources are contaminated, there is no easy way to alleviate the contamination and restore the Seminole Tribe's cultural rights."

### **Water standards fight heads to appeals court**

The request for a stay came Friday as the tribe filed a notice that it was appealing a decision last month by Administrative Law Judge Bram D.E. Canter, who rejected a series of challenges to the water-quality standards. The tribe filed the notice in the 2nd District Court of Appeal. The city of Miami, which also challenged the standards before Canter, has appealed in the 3rd District Court of Appeal.

The standards, which were developed by the Department of Environmental Protection and approved July 26 by the state Environmental Regulation Commission, have been controversial for months. They involve new and revised limits on chemicals in waterways, with the department saying the plan would allow it to regulate more chemicals while updating standards for others.

Canter tossed out challenges filed by the Seminole Tribe, the city of Miami, Martin County and Florida Pulp and Paper Association Environmental Affairs, Inc. Canter sided with the Department of Environmental Protection in ruling that the challengers did not meet a legal deadline for filing the cases in the Division of Administrative Hearings --- a position disputed by the tribe and the city of Miami.

### **Marlette: You down with me, DEP? Oh no, not me!**

The standards are technically known as a rule, which has to go through an adoption process. In the request for a stay, the Seminole Tribe said the Department of Environmental is expected Monday to formally file the rule for adoption.



The department then will be required to file the rule with the U.S. Environmental Protection Agency for review under the federal Clean Water Act. The EPA can approve or reject the rule.

The tribe is seeking the stay to at least temporarily halt state adoption of the rule amid the appeal. In the document filed Friday, the tribe said that "if the EPA review process is completed before the appeal, the proposed rule will authorize higher levels of certain chemical constituents to enter waters in which the Seminole Tribe has a right to frog, hunt, and fish."

As of Tuesday morning, the state Division of Administrative Hearings website did not include any filings in response to the request for a stay.

## **Judge Refuses to Halt Changes in Water Standards**

By Jim Saunders News Service of Florida

October 11, 2016 - 10:00pm

An administrative law judge has refused to block the Florida Department of Environmental Protection from moving forward with new water-quality standards as legal battles continue over the controversial plan.

Judge Bram D.E. Canter issued an order Monday rejecting a request by the Seminole Tribe of Florida for a stay that would have at least temporarily halted the formal process of adopting the standards. The tribe sought the stay as it pursues an appeal of an earlier ruling that tossed out a series of challenges to the standards.

In Monday's order, Canter sided with attorneys for the Department of Environmental Preservation and the state Environmental Regulation Commission who argued that the tribe was unlikely to be successful in the appeal.

"In order to prevail on a motion for stay, a party must demonstrate a likelihood of success on the merits and that it will suffer irreparable harm if the stay is not granted," Canter wrote. "This required demonstration was not made in the (tribe's) motion."

The standards, which were developed by the Department of Environmental Protection and approved July 26 by the Environmental Regulation Commission, involve new and revised limits on chemicals in waterways, with the department saying the plan would allow it to regulate more chemicals while updating standards for others.

But the standards have drawn opposition from a variety of groups and local governments, with the Seminole Tribe, the city of Miami, Martin County and Florida Pulp and Paper Association Environmental Affairs, Inc., filing formal challenges in August. But Canter tossed out the challenges, saying they were not filed by a legal deadline in the state Division of Administrative Hearings.

The Seminole Tribe appealed that dismissal in the 2nd District Court of Appeal and also went back to Canter to request the stay. Meanwhile, the city of Miami filed an appeal of the dismissal in the 3<sup>rd</sup> District Court of Appeal, and Florida Pulp and Paper Association Environmental Affairs filed a notice Tuesday saying it was appealing in the 1st District Court of Appeal.

In seeking the stay, the Seminole Tribe said it was concerned that the new standards would allow higher levels of some chemicals that could affect fish and other wildlife eaten by tribal members.

"The exacerbation of environmental contamination of a food source that is an important part of tribal culture and that is expressly recognized as a secured right of the Seminole Tribe constitutes a significant, concrete harm that is irreparable; once the traditional food sources are contaminated, there is no easy way to alleviate the contamination and restore the Seminole Tribe's cultural rights," attorneys for the tribe wrote in a Sept. 30 petition.

Attorneys for the state, however, disputed that such harm would occur.

"A stay is not in the public interest," attorneys for the state wrote in a filing Friday. "The proposed rule harnesses the latest science to better protect water quality and ensure that Floridians can continue to safely eat Florida seafood and drink local tap water."

The standards are technically known as a proposed rule, which has to go through a formal adoption process. The rule also will have to go the U.S. Environmental Protection Agency for a review under the federal Clean Water Act.

Dee Ann Miller, a Department of Environmental Protection spokeswoman, said in an email Tuesday that the department is continuing to work on completing the rule-making process and has not sent the plan to the Environmental Protection Agency.

## Environmental Protection Agency

# EPA Honors Citrus County Utilities in Florida as a WaterSense 2016 Partner of the Year

FOR IMMEDIATE RELEASE -- October 6, 2016

On 10<sup>th</sup> Anniversary, EPA Honors Citrus County Utilities in Florida as a WaterSense 2016 Partner of the Year

ATLANTA — Today the U.S. Environmental Protection Agency is honoring Citrus County Utilities in Florida along with 20 businesses, municipalities, utilities, and organizations nationally for their commitment to protecting the environment through water efficiency. EPA's WaterSense partners have helped Americans save more than 1.5 trillion gallons of water and \$32.6 billion in water and energy bills since the program began in 2006.

“Over the past decade, EPA's WaterSense partners have made WaterSense more than a label but a way of life,” said EPA Administrator Gina McCarthy. “By helping Americans save water now, they are protecting this precious resource for future generations, even as our changing climate affects water supplies and quality.”

The winners were chosen from nearly 1,700 WaterSense partners, including utilities, local governments, manufacturers, retailers, distributors, builders, and other organizations who have partnered with EPA to produce and promote water-efficient products, programs, and homes.

### **2016 Sustained Excellence Award Winners**

**Delta Faucet Company** (Indiana), a two-time Sustained Excellence winner, spread the word about the performance of WaterSense labeled showerheads by featuring them at outdoor showering stations that helped clean more than 34,000 muddy runners at Warrior Dash races across the country as part of its HappiMess campaign. The company's Brizo brand donated WaterSense labeled products to more than 30 homes as part of a charity giveaway supporting pediatric cancer research.

**Kohler Co.** (Wisconsin) earned its fourth Sustained Excellence Award by, in part, cosponsoring the Change the Course campaign to encourage consumers to pledge to reduce water use. Additionally, Kohler's mobile showering stations with WaterSense labeled showerheads, toilets, and faucets reached more than 2,000 San Francisco residents in need, while 100,000 Bonnaroo music festival attendees in Tennessee used similar showering stations.

**The Home Depot** (Georgia) is a two-time Sustained Excellence winner; all the toilets and bathroom faucets sold in its stores are WaterSense labeled. The company worked last year to ensure that all the showerheads it sells in its stores were WaterSense labeled by September 2016. To drive sales of WaterSense labeled products, the company promoted rebates and more than \$43.8 million in product incentives in 2015.

**KB Home** (California), which received its second consecutive Sustained Excellence Award, constructed 233 WaterSense labeled homes in 2015, an increase of 142 percent compared to its labeled homes constructed in 2014. The company introduced four KB Home communities in California in which all homes will be built to meet the WaterSense specification.

## **2016 Partners of the Year**

**Promotional Partner of the Year: Athens-Clarke County** (Georgia) Public Utilities Department's Water Conservation Office expanded its Certified Blue restaurant program to include 33 new local businesses and distributed "We're for Water" activity sheets for kids to complete while waiting for meals. Its Little Lily Pad Hop school outreach project taught students how to conserve water, and its sixth annual Athens Water Festival included a scavenger hunt for the WaterSense logo.

**Promotional Partner of the Year: Citrus County** (Florida) Utilities' We're for Water Classroom Challenge taught 400 third through fifth grade students how to find and fix leaks and save water at home. The utility also celebrated Fix a Leak Week with three adult activities: Schedule a Specialist, Facilities Checkup, and a Water Conservation Expo.

**Promotional Partner of the Year: The City of Charlottesville** (Virginia) promoted WaterSense labeled products during its Love Your Landscape contest during Sprinkler Spruce-Up 2015. For Fix a Leak Week, the city provided off-campus University of Virginia students with leak-detection tablets and held its annual five-kilometer race. A Blue Team of middle and high school students distributed 600 water conservation kits to utility customers.

**Promotional Partner of the Year: Cobb County** (Georgia) Water System, a five-time Partner of the Year Award winner, and its new mascot Tappy the Turtle promoted all WaterSense campaigns in 2015. For Fix a Leak Week, the utility supported the Water Drop Dash 5k and Water Festival, and for Sprinkler Spruce-Up it sponsored an "Ask an Expert" traveling display.

**Promotional Partner of the Year: Metropolitan North Georgia Water Planning District** launched the Great Plumbing Fixture Giveaway, where a local nonprofit selected through social media earned \$1,000 in free WaterSense labeled fixtures. The district sponsored its annual Water Drop Dash 5k and Water Festival for Fix a Leak Week 2015 with more than 500 runners and provided WaterSense activity sheets for kids.

**Licensed Certification Provider Partner of the Year: Energy Inspectors Corporation** (Nevada) certified 233 homes for KB Home to meet the WaterSense labeled homes specification, more than double the number of homes it certified in 2014. As of the end of 2015, the company has trained a dozen inspectors to perform WaterSense specification inspections.

**Professional Certifying Organization Partner of the Year: The Sonoma-Marin** (California) Saving Water Partnership continued to expand the reach of its WaterSense labeled Qualified Water Efficient Landscape (QWEL) certification program. In 2015, the partnership worked with six new organizations to adopt the QWEL program and helped more than 65 irrigation professionals earn certification.

Nine additional WaterSense partners received Excellence Awards to recognize their support for a specific aspect of the program in 2015:

- Cascade Water Alliance (Washington) and High Sierra Showerheads (California) for Excellence in Strategic Collaboration.
- City of Durham (North Carolina) Water Management and Sonoma-Marin (California) Saving Water Partnership for Excellence in Promoting WaterSense Labeled Products.
- City of Carmel (Indiana) Utilities, City of Fort Worth (Texas), Regional Water Authority (Sacramento, California), and the Toro Company (Minnesota) for Excellence in Education and Outreach.
- American Standard for Excellence in Innovation and Research.

Since 2006, EPA's WaterSense program has worked to protect the future of the nation's water supply by offering Americans a simple way to use less water with water-efficient products, new homes, and services. WaterSense labeled products, which are independently certified to use at least 20 percent less water and perform as well or better than standard models, have been on the market since 2007, when toilets first earned the label. Since then, the number of labeled models has grown to more than 16,000, including products used in residential and commercial bathrooms, commercial kitchens, and outdoor irrigation. EPA's WaterSense program certifies homes with WaterSense labeled fixtures and features. To date more than 700 homes have earned the WaterSense label.

Learn more about the 2016 WaterSense Award winners at:  
[www.epa.gov/watersense/partners/watersense\\_awards.htm](http://www.epa.gov/watersense/partners/watersense_awards.htm)

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## State grants will help springs

Posted Oct 24, 2016 at 6:32 PM Updated Oct 24, 2016 at 7:05 PM

### Marion County's cut: more than \$700K

By Fred Hiers

Marion County's springs restoration efforts will get more than \$700,000 worth of help from the state's "Florida First" funding.

The Florida Department of Environmental Protection has awarded the St. Johns River Water Management District \$1.5 million to help fund three springs restoration projects. Marion County will get \$716,250 of that. The rest will go toward a Longwood Island Lake septic tank removal project.

Of Marion County's share of the money, the water district targeted \$475,000 to help groundwater recharge and surface water at the newly created 4,900-acre Silver Springs Forest Conservation Area.

The restoration project at the forest preserve is estimated to remove about 13,000 pounds of unwanted nutrients annually that would otherwise make their way into the aquifer and Silver Springs. The project will also allow the county to conserve as much as 5 million gallons annually that will go toward restoring the flow of Silver Springs and recharging the area aquifer.

The project involves constructing a passive recharge well and using existing recharge basins to avoid turbid water from making its way to Silver Springs. The passive recharge process will reduce the amount of nitrogen that enters the groundwater.

Florida land and water agencies, along with help from private organizations, bought the conservation area last year for \$11.5 million. The property is open to horseback riding, bike riding and trail hiking.

The property is off County Road 315 and connects the Indian Lake State Forest to the northwest, the Cross Florida Greenway to the south and the east, and Silver Springs State Park to the south. It was purchased from the Rayonier Corp., an international lumber company.

The project is being overseen by the St. Johns River Water Management District, not Marion County.

The rest of the Marion County money will be used to retrofit two water retention ponds in Silver Springs Shores. The ponds are in the Silver Springs recharge area.

Each recharge area is about one acre. That project is overseen by county engineers.

The retention ponds currently capture stormwater and return it to the aquifer before bacteria have a chance to remove unwanted nitrogen from the water. The nitrogen is the "pollutant of concern," said Gail Mowry, Marion County's stormwater engineer. That's because it causes unwanted algae and vegetation in Silver Springs and changes the Silver River's chemistry.

The retention ponds currently don't create an environment that allows bacteria to break down nitrogen, Mowry said.

The county will rebuild the retention ponds with a lining made up of clay, sand and used tire particles. The new lining will better hold the water and create an oxygen-free environment in which bacteria can denitrify the unwanted pollutant.

“And it’s passive, so we don’t have to do anything to it except mow it,” Mowry said.

The design allows for water to enter the ground more quickly in case of flooding, but under normal conditions removes about 70 percent of the nitrogen, “which is an astounding number,” she said.

Other retention ponds without the lining typically remove less than 5 percent of the nitrogen before the water makes its way into the ground, Mowry said.

The new design still allows the water to drain about a quarter of an inch per hour, or 6 feet a day, Mowry said.

Four other similar retention ponds are currently under construction. Two are in the Dunnellon area and two are already in Silver Springs Shores.

The money is part of a larger effort by the FDEP and four state water management districts to assist 35 springs with \$56.6 million from the 2016/2017 Florida First budget. The money is being matched with \$33.1 million in state and local funding for a total spring’s restoration budget of \$89.7 million this fiscal year.

— *Reach Fred Hiers at [fred.hiers@starbanner.com](mailto:fred.hiers@starbanner.com) and 352-397-5914.*



## **December hearing set for environmental Amendment 1 lawsuit**

Jim Rosica  
October 26, 2016

A pivotal hearing in a lawsuit over the state's environmental funding is coming up in December.

Lawyers for the Legislature and environmental advocacy groups are set to argue over a summary judgment motion Dec. 5 before Circuit Judge Charles W. Dodson in Tallahassee.

Granting such motions allows parties to win a case without a trial.

Florida Wildlife Federation, Sierra Club and others had filed suit over the "Water and Land Legacy Amendment," the constitutional change approved by voters in 2014 that mandates state spending for land and water conservation.

"Plaintiffs are entitled to summary judgment because (the amendment) prohibits the Legislature from appropriating land acquisition and restoration funds for any other purpose, but the Legislature appropriated most Amendment 1 monies to salaries and ordinary expenses of four state agencies," their motion says.

Those agencies are the Department of Environmental Protection, Fish and Wildlife Conservation Commission, the Department of State, and the Department of Agriculture and Consumer Services.

Attorneys for state lawmakers responded: "While plaintiffs might have struck a different balance than that struck by the Legislature ... the Constitution commits that policy decision to the Legislature. Within constitutional limits, the Legislature alone is responsible for the appropriation of public funds."

Amendment 1 requires state officials to set aside 33 percent of the money from the real estate "documentary stamp" tax to protect Florida's environmentally sensitive areas for 20 years. This year, that number is expected to total more than \$740 million.

The amendment, which needed a minimum of 60 percent to pass, got a landslide of nearly 75 percent, or more than 4.2 million "yes" votes.



## **Item 10.a.**

**Legislative Report**

### **Legislative Matrix (Draft)**

# DRAFT

## Withlacoochee Regional Water Supply Authority 2017 Legislative Issues November 16, 2016

Issue	Type of Change	Further Detail
Support the allocation of state funds that promotes regional partnerships for water resource and supply development through existing statutes and not create additional bureaucracy, or inappropriate funding diversions.	Legislative and Regulatory	Strengthen emphasis on funding regionally significant water projects.
Support enhanced funding for restoration and protection of springs.	Legislative and Water Management Districts	Oppose any diversions away from at least \$50 million annually for springs restoration and protection.
Support funding for the Water Protection and Sustainability Program (SB 444), and funding for implementing the WRWSA Regional Water Supply Plan.	Legislative (section 403.890 and 403.891, F.S.)	Emphasis on implementing the WRWSA Regional Water Supply Plan.
Support Senate confirmations of Southwest Florida Water Management District (SWFWMD) Governing Board Members and new Executive Director: <ul style="list-style-type: none"> <li>Michelle Williamson (Hillsborough)</li> <li>Mark Taylor (Hernando/Marion)</li> <li>Bryan Beswick (DeSoto, Hardee and Highlands)</li> <li>Brian Armstrong, Executive Director</li> </ul>	Legislative (section 373.073, FS)	John Henslick (Manatee) and George Mann (Polk) terms expire March 1, 2017.
Support Senate confirmations of St. Johns River Water Management District (SJRWMD) Governing Board Members: <ul style="list-style-type: none"> <li>John Browning (Area 2)</li> <li>Douglas Bournique (Area 5)</li> </ul>	Legislative (section 373.073, FS)	Marion County is in Areas 3 and 4; At-Large Members Maryam Ghyabi and Douglas Burnett terms expire March 1, 2017.
Monitor the Constitution Revision Commission for recommendations related to the newly passed Land & Water Conservation Constitutional Amendment which will go directly to the voters in 2018.	Every 20 years a commission is appointed to clarify and/or revise Florida's Constitution.	Continue monitoring through 2018 Legislative Session.
Monitor legislation to be filed to implement Florida Department of Environmental Protection (DEP) Reclaimed Water recommendations.	Legislative and Regulatory	Legislation expected to be filed by Senator Wilton Simpson for 2017 Legislative Session.
Support a collaborative approach to water management when there are cross-district impacts for: <ul style="list-style-type: none"> <li>Water supply planning;</li> <li>Setting Minimum Flows and Levels (MFLs), Reservations; and</li> <li>Resource recovery or impact prevention strategies.</li> </ul>	Legislative and Regulatory	Monitor Central Florida Water Initiative for potential statewide impacts.
Monitor efforts to revise the existing surface water classification system or to reclassify surface waters within the region which may limit water resource development opportunities.	Legislative and Regulatory	Continue to monitor rules for the use of surface water for drinking water.