



**WITHLACOOCHEE
REGIONAL
WATER
SUPPLY
AUTHORITY**

Board Meeting Package

October 16, 2013
3:30 p.m.

Meeting Location:

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

**MEMORANDUM**

To: Water Supply Authority Board of Directors and Interested Parties

From: Richard S. Owen, Executive Director

Date: October 4, 2013

Subject: October 16, 2013 Meeting of the Withlacoochee Regional Water Supply Authority

The next meeting of the Withlacoochee Regional Water Supply Authority will be on **Wednesday, October 16, 2013, at 3:30 p.m., at the Lecanto Government Center Building, Room 166, 3600 Sovereign Path, Lecanto, FL 34461.**

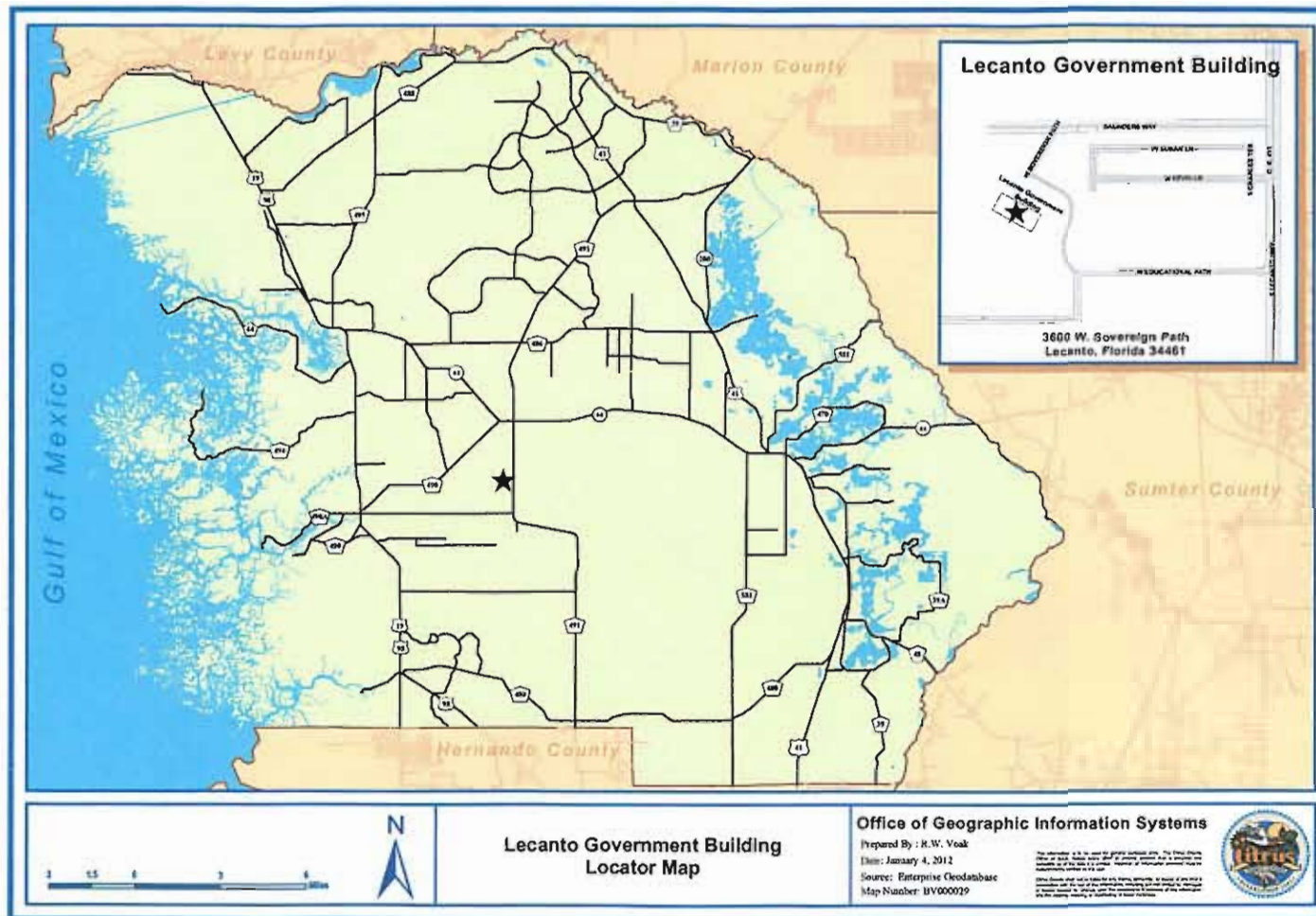
Enclosed for your review are the following items:

- Agenda
- Minutes of the September 18, 2013 meeting
- Board Package*

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

Enclosures

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



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 1st 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.



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

**LECANTO GOVERNMENT BUILDING
3600 W. SOVEREIGN PATH, ROOM 166, LECANTO, FLORIDA 34461
October 16, 2013 @ 3:30 p.m.**

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

- | | | |
|-------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item | #1 | Call to Order |
| Item | #2 | Roll Call |
| Item | #3 | Introductions and Announcements |
| Item | #4 | Approval of Minutes |
| Item | #5 | Public Comment |
| Item | #6 | Introduce and Meet . . . Robert Beltran, Executive Director, SWFWMD |
| Item | #7 | Regional Water Supply Plan Update . . . Gregg Jones, Cardno ENTRIX |
| Item | #8 | Conservation Program Performance . . . Alys Brockway, Hernando County, and Jamie Padgett, The Villages Utilities |
| Item | #9 | Executive Director's Report . . . Richard Owen, WRWSA <ul style="list-style-type: none">a. Bills to be Paid [bills to be provided in hand-out]b. Update on the Florida Water Forumc. Potential Project with the City of Wildwood and Marion Countyd. Correspondencee. News Articlesf. Other |
| Item | #10 | Legislative Update . . . Diane Salz, Governmental Affairs Consultant |
| Item | #11 | Attorney's Report . . . Larry Haag, WRWSA Attorney <ul style="list-style-type: none">a. Revised and Restated Interlocal Agreement Update |
| Item | #12 | Other Business |
| Item | #13 | Next Meeting Time and Location . . . November 20, 2013, 3:30 p.m., Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461 |
| Item | #14 | Adjournment |

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

**Item 4.
Minutes
Sept. 18, 2013**

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
September 18, 2013**

TIME: 4:30 p.m.
PLACE: Lecanto Government Building
3600 W. Sovereign Path, Room 166
Lecanto, Florida 34461

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

1. Call to Order

Chairman Dennis Damato called the Withlacoochee Regional Water Supply Authority (WRWSA) meeting to order at 4:37 p.m. and asked for a roll call.

2. Roll Call

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

MEMBERS PRESENT

Jim Adkins, Hernando County Commissioner
Ken Brown, Crystal River City Councilor
Al Butler, Sumter County Commissioner
Dennis Damato, Chairman, Citrus County Commissioner
Gary Ernst, Belleview City Councilor
Don Hahnfeldt, Sumter County Commissioner
Nick Nicholson, Hernando County Commissioner

MEMBERS ABSENT

Scott Adams, Citrus County Commissioner
Rebecca Bays, Citrus County Commissioner
Kathy Bryant, Marion County Commissioner
Wayne Dukes, Hernando County Commissioner
Joseph Johnston, Brooksville City Councilor
Stan McClain, Marion County Commissioner
David Russell, Hernando County Commissioner
Dale Swain, Bushnell City Councilor
Carl Zalak, Marion County Commissioner

3. Introductions and Announcements

Members of the audience introduced themselves. There were no announcements.

STAFF PRESENT

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

OTHERS PRESENT

Debra Burden, Citrus County Water Resources
Kim Dinkins, Marion County Water Resources
John Ferguson, SWFWMD
Gregg Jones, Cardno Entrix

Richard Radack, City of Brooksville, DPW
Bruce Phillips, Wildwood
Chris Zajac, SWFWMD
Alys Brockway, Hernando County Utilities
Jan Grubman, TOO FAR
Al Grubman, TOO FAR

4. Approval of Minutes of July 17, 2013, 2013 Meeting

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

Following consideration, a motion was made by Mr. Butler to approve the minutes for the July 17, 2013 meeting. Mr. Ernst seconded the motion, which carried unanimously.

<Jim Adkins arrived.>

5. Conservation Program Performance . . . Debra Burden, Citrus County and Kim Dinkins, Marion County

The agenda listed Alys Brockway and Jamie Padgett as presenters under this item; however, each requested a delay until October. Mr. Owen introduced Debra Burden, Citrus County and Kim Dinkins, Marion County, who presented status reports on their water conservation programs that are partially funded by the WRWSA local government water supply funding assistance grants.

<Nick Nicholson arrived.>

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

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

Mr. Jones reported on progress made in drafting the Regional Water Supply Plan Update. The Cardno ENTRIX team continues to work on determining the availability of groundwater through 2035. This includes data to be provided from the Northern District Groundwater model, the impact of established and proposed MFLs, and the location and production quantities for wellfields. The Update also includes surface water supply sources, conservation of water and reclaimed water strategies. Mr. Jones said that the University of Florida will provide the technical assistance needed to complete the EZ Guide model to determine the most applicable conservation strategies for this region. Water supply project options and project configurations are being re-evaluated for continued inclusion in the Update.

Mr. Owen stated that the report may be delayed one or two months in order to use the most current information that will be provided from the Northern District Groundwater model.

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

7. Cooperative Funding Application FY 14/15 . . . Richard Owen, Executive Director

Mr. Owen presented a proposed Cooperative Funding Application for fiscal year 2014/15. The proposed application is Phase 3 of the Residential Outdoor Conservation Project. He summarized the Pilot program and Phase 2, both funded under the CFI program. The Pilot program results are nearing completion and show results that exceed expectations. Phase 2 began in April this year and will continue through early 2015. A third phase was proposed for FY 2013/14 but was not funded by SWFWMD. Since that time, Mr. Owen has met with SWFWMD staff, sub-committee members, and water conservation coordinators to prepare this application for a third phase of the program. The application for Phase 3 is a similar program that has been streamlined for completion of irrigation system evaluations within one year of program initiation. The total

program cost is \$79,500 that will be shared equally by SWFWMD and the WRWSA. The four coordinating utilities share one-half of the WRWSA's costs. Mr. Owen recommended that the Board approve the FY 2014-15 CFI application for a total cost of \$79,500. This includes a commitment to fund the Authority's portion of this project, \$39,750.00, in its FY 2014-15 budget if approved for funding by the SWFWMD.

Following consideration, a motion was made by Mr. Adkins to approve the FY 2014-15 Cooperative Funding Initiative application for the Irrigation Audit Program for a total amount of \$79,500.00. This includes a commitment to fund the Authority's portion of this project (\$39,750.00) in its FY 2014-15 budget if approved for funding by the SWFWMD. The motion was seconded by Mr. Butler and carried unanimously.

Mr. Owen then requested consideration by the Board of a letter to Carlos Beruff, Chairman of the SWFWMD Governing Board, regarding the CFI process. This letter is drafted to provide information to the Governing Board on the CFI ranking process and to represent concerns of the WRWSA and the Northern District Region. Mr. Owen reviewed the letter contained in the Board's packet and asked for any input from the Board. No changes were suggested and Mr. Owen recommended that the Board authorize the letter and signature by the WRWSA Chairman.

Following consideration, a motion was made by Mr. Butler to authorize execution of the letter from the WRWSA to the SWFWMD Governing Board Chairman. The motion was seconded by Mr. Adkins and carried unanimously.

8. Correspondence to SWFWMD . . . Richard Owen, Executive Director

Mr. Owen stated that he and Diane Salz have discussed several issues with the SWFWMD staff and with Governing Board members. He presented a draft letter that contains three major issues that are of interest to the Authority, its member governments and other stakeholders within this region. He requested Board concurrence that this letter, with Mr. Owen's signature, be sent to Robert Beltran, recently appointed Executive Director to SWFWMD.

There was consensus from the Board that Mr. Owen should sign the letter as drafted to Robert Beltran, Executive Director of the SWFWMD.

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

a. Bills to be Paid – August 2013

The August 2013 bills were provided in the Board's Packet. Mr. Owen requested the Board approve payment of the August 2013 bills totaling \$32,781.02.

Following consideration, a motion was made by Mr. Adkins to approve payment of the August 2013 bills of \$32,781.02. The motion was seconded by Mr. Butler and carried unanimously.

b. 3rd Quarter Financial Report

Mr. Owen presented the 3rd Quarter Financial Report, which includes a balance sheet, a statement of revenue and expenses, and a budget to actual report. Staff recommends approval of the 3rd Quarter Financial Report.

Following consideration, a motion was made by Mr. Butler to approve the 3rd Quarter Financial Report. The motion was seconded by Mr. Ernst and carried unanimously.

a. Bills to be Paid – September 2013

Because the Board did not meet in August, there are two sets of bills to review and approve. The September 2013 bills are provided in the handout. The September bills total \$53,879.33. Mr. Owen requested approval of the September 2013 bills to be paid.

Following consideration, **a motion was made by Mr. Adkins to approve payment of the September 2013 bills of \$53,879.33. The motion was seconded by Mr. Brown and carried unanimously.**

c. Purvis Gray Letter of Engagement

Mr. Owen presented the Letter of Engagement from Purvis Gray & Company to provide compilation services to the Authority in the amount of \$500.00 per quarter. An updated Letter of Engagement was provided in the handout. Mr. Owen advised the Board that an addition was made to page three of the letter, included in the handout, to provide terms for automatic renewal and for termination. He recommended approval of the Letter of Engagement with Purvis Gray & Company.

Following consideration, **a motion was made by Mr. Brown to approve the Letter of Engagement with Purvis Gray & Company to provide compilation services to the WRWSA. The motion was seconded by Mr. Ernst and carried unanimously.**

d. SunTrust Credit Card

Mr. Owen presented a Corporate Resolution and Certificate of Incumbency form from SunTrust to replace the form approved by the Board in July 2013. SunTrust sent the wrong form in July and apologized for the inconvenience. Mr. Owen requested approval for the WRWSA officers to sign the form.

Following consideration, **a motion was made by Mr. Butler to approve signature of the SunTrust Corporate Resolution and Certificate of Incumbency form. The motion was seconded by Mr. Adkins and carried unanimously.**

e. Correspondence

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

f. News Articles

News articles were presented in the Board's package and additional articles in a handout. This item was presented for the Board's information; no action was required.

g. Other

Mr. Owen presented updates to the Board on the following issues:

- **July 30, 2013 SWFWMD Governing Board Meeting.** The SWFWMD Governing Board reviewed a revised draft of its Strategic Plan for 2014-2018. The strategic plan identifies two areas of priority in the Northern Planning Region. The first is to "improve springs systems" and the second is to "ensure long-term sustainable water supply." Under the second priority are three objectives for public water supply: 1) increased conservation; 2) maximize beneficial use of reclaimed water; and 3) Partner with the WRWSA to promote regional water supply planning and development. This partnership with the WRWSA is an accomplishment and reflects the quality of its relationship with the District.
- **August 27, 2013 SWFWMD Governing Board Meeting.** The District reviewed its 5-year update on the Southern Water Use Caution Area (SWUCA). A major conclusion

of the update shows that the District has achieved its goal of reducing the use of groundwater by 50 mgd. This reduction was designed to reduce the rate of saltwater intrusion. The current finding is that the rate of saltwater intrusion has not changed. Mr. Owen expects the District to revisit its strategy and see what else can be done to address saltwater intrusion, which means more money to fund projects to reduce saltwater intrusion. The WRWSA needs to ensure that the northern region is represented and ultimately receives its fair share of the District's tax dollars.

- ***Consumptive Use Permit Workshops.*** Two workshops were held in August with continuing refinements being made to the consumptive use permit process. Mr. Owen will continue to monitor this process and its implications for water conservation.
- ***Conserve Florida.*** Mr. Owen reported that he and the Cardno staff worked with SWFWMD and the Conserve Florida staff to provide a free training event for utility representatives in August. All of the county cooperators attended. Conserve Florida's commitment to assist the WRWSA in updating its Regional Water Supply Plan will likely be a model for other regional water supply plan updates.
- ***Florida Department of Environmental Protection.*** A public hearing was held regarding the petition filed with the Secretary of DEP contesting the MFLs set for the Chassahowitzka and Homosassa Rivers. The DEP staff draft recommendation is to find the MFLs consistent with 62-40, F.A.C. If the MFLs are revised to allow no further impact, it could result in cutting off any further groundwater supplies to the western portion of our region and would have serious water supply implications. There is no time frame for DEP to issue a final decision.
- ***Levy County Commission.*** Mr. Owen attended the Levy County Commission meeting on September 17 regarding possible renewal of membership in the WRWSA. The Commission had some questions and indicated that they need more information and time to deliberate on the matter. Mr. Owen invited the Commission to send one of their members to attend a WRWSA Board meeting.

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

Ms. Salz reported that a series of County legislative meetings are scheduled in October; she will provide a specific list with dates, times and places next week. The week of September 23rd kicks off interim committee weeks leading up to the 2014 session beginning in March. On Friday, September 20, the Water Summit takes place in Orlando to discuss key water issues within the state. One anticipated topic of interest is renewal of the water protection and sustainability program where a portion of documentary stamp money is sent to the water management districts for distribution to worthwhile projects within the districts.

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

11. Attorney's Report . . . Larry Haag, WRWSA Attorney
a. Local Government Grant Agreements

Mr. Haag stated that he had prepared the contracts between the WRWSA and the three counties receiving water conservation funding assistance for fiscal year 2013-2014. He recommended that the Board review and approve each grant separately.

Following consideration, a motion was made by Mr. Butler to approve the Local Government Water Supply Funding Assistance Project Grant Agreement between the WRWSA and Citrus County. The WRWSA will reimburse Citrus County for a total of

\$40,250.00 out of total program costs of \$80,500.00. The motion was seconded by Mr. Adkins and carried unanimously.

Following consideration, a motion was made by Mr. Nicholson to approve the Local Government Water Supply Funding Assistance Project Grant Agreement between the WRWSA and Hernando County. The WRWSA will reimburse Hernando County for a total of \$48,400.00 out of total program costs of \$96,800.00. The motion was seconded by Mr. Adkins and carried unanimously.

Following consideration, a motion was made by Mr. Adkins to approve the Local Government Water Supply Funding Assistance Project Grant Agreement between the WRWSA and Marion County. The WRWSA will reimburse Marion County for a total of \$38,600.00 out of total program costs of \$77,200.00. The motion was seconded by Mr. Ernst and carried unanimously.

b. Public Participation Process

Mr. Haag read the title of Resolution No. 2013-2 into the record. This resolution provides for policies and procedures with respect to allowing the public a reasonable opportunity to be heard on matters and actions of the WRWSA Board. These policies and procedures meet the requirements of Sec. 286.0114, *Florida Statutes*. The public comment portion of the meeting will follow approval of the minutes at each meeting. If a non-agenda item is discussed and action considered, the Board will take public input prior to any action. These policies will be effective October 1, 2013.

Following consideration, a motion was made by Mr. Nicholson to approve resolution No. 2013-2 providing for public participation. The motion was seconded by Mr. Hahnfeldt and carried unanimously.

11.c. Liability Insurance

Mr. Haag stated that one bid was received to provide officers and liability insurance for members of the WRWSA Board and its officers, including the Executive Director. The bid was from VanAllen Insurance for \$1,634.78 for one year.

Following consideration, a motion was made by Mr. Brown to approve the expenditure of \$1,634.78 to purchase liability insurance for the WRWSA Board, its officers, and Executive Director. The motion was seconded by Mr. Nicholson and carried unanimously.

11.d. Rule Repeal and Interlocal Agreement Changes

Mr. Haag presented a draft of the Revised and Restated Interlocal Agreement under which the member governments formed the WRWSA in 1977. He has combined the agreement with changes made in the Rule since the mid-1980s to maintain certain key provisions once the Rule is repealed. He requested that Board members review the draft and provide comments to the WRWSA prior to the next Board meeting. Once the WRWSA Board agrees to the revised Interlocal Agreement, it will be circulated to each County for action and signature. Board discussion followed with Mr. Butler asking members to consider using a population formula based on 100,000 rather than 50,000; Mr. Haag will bring that revision to the October Board meeting.

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

12. Other Business

There was no other business.

13. Public Comment

Mr. Grubman commented that the WRWSA has always handled the public comment portion of its meetings well.

14. Next Meeting Time and Location

The next meeting is scheduled for October 16, 2013, 3:30 p.m., at the Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461. Please note the new meeting time, with the next meeting beginning at 3:30 p.m.

15. Adjournment

Chairman Damato announced there was no further business or discussion to come before the WRWSA and adjourned the meeting at 6:20 p.m.

Dennis Damato, Chairman

Richard S. Owen, Executive Director

Item 6.
Robert Beltran
Executive Director, SWFWMD

Item 6. Meet and Greet ... Robert Beltran, Executive Director, SWFWMD

Mr. Robert Beltran was recently appointed as the executive director of the Southwest Florida Water Management District. Mr. Beltran will introduce himself to the Board and discuss ongoing District priorities.

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

Item 7.
Regional Water Supply
Plan Update

**Withlacoochee Regional Water Supply Authority
Water Supply Plan Update
Progress Report #7 (September 2013)**

Cardno ENTRIX

3905 Crescent Park Drive
Riverview, FL 33578
USA

Phone 813 664 4500
Toll-free 800 368 7511
Fax 813 664 0440
www.cardno.com

www.cardnoentrix.com

1) Task 2. Availability of Ground- and Surface Water

Continued efforts to work with SWFWMD to coordinate the impact modeling of proposed wellfields. SWFWMD delivered their updated and expanded Northern District model in September. However, the additional work listed below must be completed before the model can be utilized.

- a. Re-evaluating the need for and locations of the four wellfields proposed in the WRWSA's 2010 Water Supply Plan Update. The re-evaluation is based on the 2035 population and water demand projections that have recently been developed.
- b. Developing the 2010 and 2030 well packages for use in the model.

2) Task 3. Water Conservation and Reclaimed Water Strategies

- a. Continued to work with the University of Florida EZ Guide staff to assist in their efforts to complete the EZ Guide modeling for public supply utilities.
- b. Refined the second draft of projections of the quantity of reclaimed water that will be available to offset demand through 2035 from each utility in the WRWSA's four counties.

3) Task 4. Water Supply Project Options

- a. Sub consultant completed the update on the feasibility of a seawater desalination project option at the Crystal River Energy site.
- b. Continued with update of the feasibility of surface water supply options for the Withlacoochee River.

Item 8.
Conservation Program
Performance

Item 8. Conservation Program Performance . . . Alys Brockway, Hernando County and Jamie Padgett, Arnett Environmental (Representing The Villages)

At the September 2013 Board meeting presentations were made by Debra Burden with Citrus County and Kim Dinkins with Marion County regarding their respective water conservation programs and how the Authority's grant funds are utilized within these programs. This month the Board will receive similar updates from Alys Brockway, Water Conservation Division, Hernando County and Jamie Padgett, Arnett Environmental, LLC, representing The Villages.

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

**Item 9.b.
Florida Water Forum
Update**

**Report to the Withlacoochee Regional Water Supply Authority on:
Fourth Annual Florida Water Forum
Friday, September 20th, 9:30 am --3:30 pm
Renaissance Orlando at SeaWorld**

PROGRAM:

Hosted annually by the Florida Section of the American Water Works Association and Associated Industries of Florida, the forum addressed critical issues related to Florida's water supply including discussions on: agricultural water supply planning, water use permitting, alternative water supply projects, springs protection and restoration, the Everglades, Numeric Nutrient Criteria (NNC), as well as a preview into the 2014 Legislative Session. Program speakers were: Rep. Ben Albritton (House Agriculture & Natural Resources Appropriations Chairman); Rich Budell (Department of Agriculture & Consumer Services Office of Water Use); Rep. Dana Young (sponsor of 30-year permit duration legislation for alternative water supplies & reclaimed water legislation); Rep. Ray Pilon (advocate for regional water authorities); Rep. Matt Caldwell (sponsor of NNC legislation); Drew Bartlett (NNC expert, Department of Environmental Protection Director of Environmental Assessment & Restoration); Agriculture Commissioner Adam Putnam; Senator Wilton Simpson (represents Hernando & Sumter counties); Ernie Barnett (SFWMD Everglades expert); Department of Environmental Protection Secretary Herschel Vinyard; Rep. Elizabeth Porter (sponsor of MFL cooperation legislation); and Dr. Ann Shortelle (SRWMD Executive Director).

FORECAST FOR 2014:

Promoting increased water use efficiencies
More springs protection and restoration
Funding for water supply development
Additional consistency between water management districts, e.g. methodologies

ATTENDEES:

Over 200 people attended the Annual Water Forum representing public and private water utility interests, city and county governments, environmentalists, water management districts, as well as agricultural and industrial sector representatives from across the state. A collegial program format allowed time for attendees to challenge the speakers with an array of interesting questions. The event provided an excellent opportunity to discuss relevant topics informally with speakers and other attendees, as well as networking within a broad professional arena of water experts.

**Item 9.c.
Potential Project**

Item 9.c. Potential Project with the City of Wildwood and Marion County . . . Richard Owen, Executive Director

The Authority has been approached by the City of Wildwood about the potential to enter into a project relationship regarding two lower Floridan aquifer wells installed by the City. These wells could potentially be incorporated into a regional water supply project serving not only the City of Wildwood but Marion County as well, which has expressed an interest in the project. In order to assist the Authority in evaluating this potential project and in developing a project agreement, it is recommended the Authority retain the services of a qualified consulting firm. The Authority has entered into contracts with eight firms for as-needed General Professional Engineering/Technical services. Authority staff recommends utilizing Jones Edmunds, one of the contracted firms, which has the necessary skills and expertise, to provide these services. The Authority's 2013-14 budget contains \$75,000 for such as-needed services, only a portion of which should be necessary for this effort. A proposed work order and associated dollar amount will be provided in a supplement prior to or at the October Board meeting.

Staff Recommendation: Staff recommends the Board authorize the Executive Director to issue a work order to Jones Edmunds to provide technical assistance to the Authority in support of the proposed City of Wildwood/Marion County/WRWSA regional water supply project including development of an interlocal agreement for the proposed project. The proposed work order and associated dollar amount will be provided in a supplement prior to or at the October Board meeting.

Item. 9.d.
Correspondence



September 26, 2013

Robert Beltran, Executive Director
Southwest Florida Water Management District
2379 Broad St.
Brooksville, FL 34609

Re: Residential Outdoor Water Conservation Project, FY 2015
Ranking Letter

Dear Mr. Beltran,

The Withlacoochee Regional Water Supply Authority (Authority) Board has submitted one application, therefore it is considered as having the highest ranking.

If you have any questions or need additional information for this application, please contact me at richardowen@wrwsa.org, or 352-293-5955, or Nancy Smith, our project manager, at nsmith@wrwsa.org, or 352-527-5795.

Sincerely,

Richard S. Owen, AICP
Executive Director

cc: WRWSA Board Members
Larry Haag, WRWSA Attorney



September 26, 2013

Robert Beltran, Executive Director
Southwest Florida Water Management District
2379 Broad St.
Brooksville, FL 34609

Re: Phase 3, Residential Outdoor Water Conservation Project, FY 2015
Funding Letter

Dear Mr. Beltran,

The Withlacoochee Regional Water Supply Authority (Authority) Board approved submittal of a Cooperative Funding Initiative (CFI) application for Phase 3 of the Residential Outdoor Water Conservation Project at its regular Board meeting on September 18, 2013.

In an effort to conserve potable water and to reach, maintain and surpass the District's maximum 150 gallons per capita requirement, the Authority and the District have cooperated on two previous projects, the Pilot Irrigation System Evaluation project in FY 2010-11 and Phase 2, in FY 2012-13 to identify efficiency measures and reduce waste in outdoor water use. For single-family residences in the northern district, it is estimated that more than 50 percent of potable water is used, on average, for lawn irrigation. This project will help to reduce the amount of potable water used for lawn irrigation.

The Authority Board's action included a commitment to include matching funds for this project in the FY 2014/15 budget. The total project cost is \$79,500, and all of the costs associated with Phase 3 are eligible for SWFWMD cooperative funding. SWFWMD is requested to provide up to 50 percent for the Phase 3 program, or \$39,750.00.

If you have any questions or need additional information for this application, please contact me at richardowen@wrwsa.org, or 352-293-5955 or Nancy Smith, our project manager, at nsmith@wrwsa.org, or 352-527-5795.

Sincerely,

Richard S. Owen, AICP
Executive Director

cc: WRWSA Board Members
Larry Haag, WRWSA Attorney



September 25, 2013

Kimberleigh Dinkins, Water Resource Coordinator
Marion County Engineering
412 S.E. 25th Ave.
Ocala, FL 34471

Re: Regional Irrigation Evaluation Program, Phase 2

Dear Kim:

The Regional Irrigation System Evaluation Program, Phase 2, is an outdoor water conservation program aimed at assisting participating utilities to reach and maintain a water use compliance rate of 150 gallons per capita per day. This program is partially funded by the Southwest Florida Water Management District (District) under the Cooperative Funding Initiative (CFI). The District will reimburse up to 50 percent of our expenditures, or \$96,100. The WRWSA will administer this program through December 2015 and fund 25 percent of the total cost. The participating utilities will share the remaining 25 percent of the funding.

Marion County's share of the program cost is projected to be \$12,012.50 based on 96 evaluations for the portion of the county within the SWFWMD as well as any marketing costs attributable to Marion County. The WRWSA will invoice Marion County for its portion of the costs for each evaluation based on the actual cost to the WRWSA.

- The first invoice will be for evaluations completed during May, June, July, and August.
- Mailing and marketing costs will be allocated based on actual use and itemized in supporting documentation.
- The WRWSA will bill Marion County every other month for Phase 2 of the Irrigation System Evaluation Program.
- Marion County will pay 25% of the evaluation program costs, up to a total of \$12,012.50.

For your records, included below is the funding breakdown for the total program under contract with the SWFWMD:

| Utility | Utility Costs | WRWSA Costs | SWFWMD | No. of Audits | Total Costs |
|--------------|--------------------|--------------------|--------------------|---------------|---------------------|
| Citrus | \$12,012.50 | \$12,012.50 | \$24,025.00 | 96 | \$48,050.00 |
| Hernando | \$12,012.50 | \$12,012.50 | \$24,025.00 | 96 | \$48,050.00 |
| Marion | \$12,012.50 | \$12,012.50 | \$24,025.00 | 96 | \$24,025.00 |
| NSCUDD | \$8,008.33 | \$8,008.33 | \$16,016.67 | 64 | \$32,033.34 |
| VCUDD | \$4,004.17 | \$4,004.17 | \$8,008.33 | 32 | \$16,016.66 |
| Total | \$48,050.00 | \$48,050.00 | \$96,100.00 | 384 | \$192,200.00 |

The WRWSA appreciates this opportunity to partner with Marion County to implement a program to save our water resources. If you have any questions, please let me know. If you agree with the above described method of billing for the irrigation system evaluation program, please respond by letter or email to that effect.

Sincerely,



Nancy H. Smith, AICP
Project Manager

Cc: WRWSA Board Members
Richard S. Owen, Executive Director
Larry Haag, WRWSA Attorney



Hernando County Legislative Delegation Public Meeting



CHAIRMAN

Senator Wilton Simpson

REPRESENTATIVES

Representative Robert C Schenck

Representative Jimmie T. Smith

PUBLIC MEETING NOTICE

September 9, 2013

Contact: Patty Harrison
352-540-6074 or email:
harrison.patty@flsenate.gov

FOR IMMEDIATE RELEASE

Senator Wilton Simpson, Chair of the Hernando County Legislative Delegation, announces the annual Legislative Delegation public meeting to be held on **Monday, October 14, 2013** at the Brooksville City Hall, City Commission Chamber Room, located at 201 Howell Avenue from 1:00 pm until 4:00 pm. The public meeting is held to receive testimony from other elected officials, organizations and the general public.

Decisions regarding local legislation for the 2014 Legislative Session will be made at this time. All proposals for local bills will be presented at the hearing and accompanied by a Resolution from the local government supporting the proposed legislation. This information must be submitted to Senator Simpson's office, P O Box 938, Brooksville, FL 34605 **on or before noon on Monday, October 7, 2013.**

If you would like to be placed on the printed agenda, please contact Senator Simpson's office at harrison.patty@flsenate.gov or at 352-540-6074 by Monday, October 7, 2013. You may also complete a Speaker's Form on the day of the meeting and you will be afforded time to speak in the order in which it was received. Please bring or submit four (4) copies of all handouts to the Meeting for distribution.

If you would like more information regarding this meeting, please contact Patty Harrison at the above information or Judy Parker at email: parker.judy@flsenate.gov or 727-816-1120.



Sumter County Legislative Delegation Public Meeting



CHAIRMAN
Senator Wilton Simpson

SENATOR
Senator Alan Hays

REPRESENTATIVE
Representative H. Marlene O'Toole

PUBLIC MEETING NOTICE

September 16, 2013

Contact: Patty Harrison
352-540-6074 or email:
harrison.patty@flsenate.gov

FOR IMMEDIATE RELEASE

Senator Wilton Simpson, Chair of the Sumter County Legislative Delegation, announces the annual Legislative Delegation public meeting to be held on **Tuesday, October 29, 2013** at the Sumter County Governmental Complex, 7375 Powell Road, Wildwood, Florida from 2:00 pm until 4:00 pm. The public meeting is held to receive testimony from other elected officials, organizations and the general public.

Decisions regarding local legislation for the 2014 Legislative Session will be made at this time. All proposals for local bills will be presented at the hearing and accompanied by a Resolution from the local government supporting the proposed legislation. This information must be submitted to Senator Simpson's office, P O Box 938, Brooksville, FL 34605 **on or before noon on Monday, October 21, 2013.**

If you would like to be placed on the printed agenda, please contact Senator Simpson's office at harrison.patty@flsenate.gov or at 352-540-6074 by Monday, October 21, 2013. You may also complete a Speaker's Form on the day of the meeting and you will be afforded time to speak in the order in which it was received. Please bring or submit four (4) copies of all handouts to the Meeting for distribution.

If you would like more information regarding this meeting, please contact Patty Harrison at the above information or Judy Parker at email: parker.judy@flsenate.gov or 727-816-1120.

Item. 9.e.
News Articles



FOR IMMEDIATE RELEASE: Oct. 1, 2013

CONTACT: DEP Press Office, 850.245.2112, DEPNews@dep.state.fl.us

DEPARTMENT COMPLETES STATEWIDE RULEMAKING TO PROTECT SURFACE WATERS, WETLANDS

~One statewide rule for the Environmental Resource Permit program will improve consistency without lowering or changing environmental standards~

TALLAHASSEE – A more than yearlong rulemaking process to provide more consistency for environmental resource permitting, which affects surface waters and wetlands, go into effect today.

The Florida Department of Environmental Protection and Florida's five water management districts previously used at least five different versions of the rules, which regulate permits designed to regulate activities that affect Florida's wetlands and surface waters. An ERP is required before beginning any construction activity or operation that would affect wetlands and other surface waters or contribute to water pollution. The permit process exists to protect Florida's lakes and streams, wetlands and other surface waters from stormwater pollution, flooding and any other environmental risk factors.

"Environmental protection is everyone's responsibility and should be everyone's goal. Having a permitting process that Florida's residents can understand will help accomplish that goal," said DEP Secretary Herschel T. Vinyard, Jr. "Creating a statewide ERP rule allowed us to make long-overdue improvements to a confusing process while maintaining our stringent environmental standards."

The Department began the rulemaking process in June 2012, following legislation signed being in April by Governor Rick Scott granting the Department authority to create one statewide rule for the environmental resource permit program.

The new rule standardizes processing procedures, definitions, and forms that need to be submitted. The permit fee categories have also been standardized and the permit processing fees are now based upon the area of work activities instead of the fee being based upon the entire site or parcel of land.

The Department worked with the water management districts, local governments, citizens and businesses throughout the development of the statewide rule, hosting more than 10 workshops, most via webinar and exceeding 150 participants at each webinar. For the first time, stakeholders were able to communicate, discuss, comment and make suggestions in an online open discussion forum and participate in workshops via webinar. This allowed allow

interested individuals to comment on the rule drafts and offer suggestions on rule revisions. All interested parties were able to see the comments and responses during the rulemaking process.

To assist with implementation and understanding of the new statewide rule, the Department also hosted a webinar to assist the regulated community. Over 700 landowners, environmental consultants and engineers participated. Additional training opportunities are being provided this week by the Water Management Districts and the Department's local offices.

Today, the Department is also rolling out an electronic application site where applicants will be able to apply for ERP permits by submitting the application and associated materials online instead of having to submit paper copies to the Department. This new service was developed alongside the statewide ERP rulemaking process. This will save time and money for applicants and the Department.

To access information on the rule or access e-Permitting visit

<http://www.dep.state.fl.us/water/wetlands/swerp/>.

About the Florida Department of Environmental Protection

The Florida Department of Environmental Protection is the state's principal environmental agency, created to protect, conserve and manage Florida's environment and natural resources. The Department enforces federal and state environmental laws, protects Florida's air and water quality, cleans up pollution, regulates solid waste management, promotes pollution prevention and acquires environmentally-sensitive lands for preservation. The agency also maintains a statewide system of parks, trails and aquatic preserves. To view the Department's website log on to www.dep.state.fl.us.



FOR IMMEDIATE RELEASE: Sept. 30, 2013

CONTACT: DEP Press Office, 850.245.2112, DEPNews@dep.state.fl.us

U.S. EPA APPROVES DEP'S DISSOLVED OXYGEN CRITERIA TO PROTECT AQUATIC LIFE

~Criteria designed to further protect Florida's water as DEP strives to get the water right~

TALLAHASSEE - The United States Environmental Protection Agency has approved the Florida Department of Environmental Protection's water quality criteria governing the oxygen levels needed in waterways to protect the aquatic species living there. Water quality criteria are also used to determine the health of the state's waterways and appropriately guide restoration where needed, and are used to prevent pollution by establishing discharge limits in the permits issued by the Department.

In a [letter](#) sent this month, EPA provided an official Clean Water Act approval of Florida's recently adopted water quality standards addressing dissolved oxygen levels in surface waters. The approval acknowledges the Department's hard work to update criteria that until now have been based on national guidance developed using studies -- not specific to Florida -- dating back to the 1960s and 1970s.

"Department experts have invested years evaluating Florida's unique ecosystems in order to establish these fully protective water quality criteria," said Drew Bartlett, Deputy Secretary for Water Policy and Ecosystem Restoration. "The old criteria is simply out of date and does not work in Florida's waterways. The new criteria is specific to Florida's waterways and the species that live there. EPA has recognized once again that the Department's water quality standards are sound, both to prevent future pollution and to serve as the targets for restoring the waters we know need help."

The dissolved oxygen criteria being replaced have in the past resulted in some erroneous conclusions regarding whether aquatic life was appropriately protected. To establish the right criteria for Florida, the Department conducted

a comprehensive study of dissolved oxygen levels in streams, lakes and canals across the state. The Department's extensive data collection effort generated the scientific foundation for more accurate criteria.

The science was peer-reviewed and subsequently used to establish updated statewide criteria for both fresh and marine waters. The Department also used an EPA-recommended methodology to help set protective criteria for Florida's unique estuaries.

The Department held eight public workshops about the revised dissolved oxygen criteria to solicit input and promote understanding. Florida's Environmental Regulation Commission approved the criteria in April 2013 and EPA, in turn, approved them on September 9.

"We would like to commend you and your staff for your continued efforts in environmental protection for the State of Florida," wrote James D. Giattina, Director of EPA's Water Protection Division, Region 4.

A [factsheet](#) about the Department's Triennial Review of water quality standards is available on the Department's website along with a [technical support document](#) for the revised dissolved oxygen criteria, which includes an easy to understand executive summary.

About the Florida Department of Environmental Protection

The Florida Department of Environmental Protection is the state's principal environmental agency, created to protect, conserve and manage Florida's environment and natural resources. The Department enforces federal and state environmental laws, protects Florida's air and water quality, cleans up pollution, regulates solid waste management, promotes pollution prevention and acquires environmentally-sensitive lands for preservation. The agency also maintains a statewide system of parks, trails and aquatic preserves. To view the Department's website log on to www.dep.state.fl.us.

<http://content.govdelivery.com/accounts/FLDEP/bulletins/8b887e>

From: Diane Salz <disalz@yahoo.com>
To: Nancy Smith <nsmithnhs@aol.com>
Subject: Fwd: STATEMENT FROM DEP SECRETARY HERSCHEL T. VINYARD JR. REGARDING EPA ACTION TODAY ON NUMERIC NUTRIENT CRITERIA
Date: Thu, Sep 26, 2013 6:18 pm

Sent from my iPhone

Begin forwarded message:

From: Diane Salz <disalz@yahoo.com>
Date: September 26, 2013 at 6:17:56 PM EDT
To: Pat Lehman <plehman@regionalwater.org>
Subject: Fwd: STATEMENT FROM DEP SECRETARY HERSCHEL T. VINYARD JR. REGARDING EPA ACTION TODAY ON NUMERIC NUTRIENT CRITERIA

FYI.

Sent from my iPhone

Begin forwarded message:

From: "Florida Department of Environmental Protection" <FloridaDEP@public.govdelivery.com>
Date: September 26, 2013 at 6:09:16 PM EDT
To: disalz@yahoo.com
Subject: STATEMENT FROM DEP SECRETARY HERSCHEL T. VINYARD JR. REGARDING EPA ACTION TODAY ON NUMERIC NUTRIENT CRITERIA
Reply-To: FloridaDEP@public.govdelivery.com



FOR IMMEDIATE RELEASE: Sept. 26, 2013

CONTACT: DEP Press Office, 850.245.2112, DEPNews@dep.state.fl.us

STATEMENT FROM DEP SECRETARY HERSCHEL T. VINYARD JR. REGARDING EPA ACTION TODAY ON NUMERIC NUTRIENT CRITERIA

TALLAHASSEE – "Today, the U.S. Environmental Protection Agency approved the DEP's numeric nutrient criteria for numerous estuaries of Florida including those in the Panhandle, Big Bend and Springs Coast. This brings to 100 percent the Florida estuaries with protective state nutrient standards in place.

"Florida has now fulfilled its obligations under the path forward agreement reached with EPA in March 2013, eliminating the need for continued dual federal and state rulemaking and securing the foundation for a Florida-led solution to nutrient pollution in the state. Not only are the state's rules the most comprehensive standards in the nation, no other state has even come close to adopting complete nutrient standards

that cover 100 percent of lakes, rivers, streams, springs, and now 100 percent of its estuaries, as Florida has.

"The Department appreciates EPA's actions today. They mark a significant step forward in protecting and restoring water quality across Florida and serve as another example of how the environment wins when science and good public policy are chosen over costly litigation."

[Approval Letter and Decision Document](#)

Background:

On March 15, 2013, the Florida Department of Environmental Protection and the U.S. Environmental Protection Agency reached an agreement to continue to protect Florida's waterways from nitrogen and phosphorus pollution. Fulfillment of the agreement, coupled with the previous state and federal actions summarized below, will result in Florida having numeric nutrient standards for more than 99% of its lakes, streams springs, estuaries and coastal waters.

In November 2012, EPA approved Florida's numeric nutrient criteria for lakes, rivers, streams and springs, and the estuaries from Clearwater Harbor to Biscayne Bay, including the Florida Keys. The Department had earlier adopted these criteria, which were approved by Florida's Environmental Regulation Commission in December 2011. Then, late last year, the ERC approved DEP's numeric nutrient criteria for six major Panhandle estuaries: Perdido Bay, Pensacola Bay (including Escambia Bay), Choctawhatchee Bay, St. Andrew Bay, St. Joseph Bay and Apalachicola Bay.

In June 2013, the ERC approved numeric nutrient criteria for 18 estuaries along the Springs Coast, along with 448 miles of open coastal waters. These criteria cover the Loxahatchee River, Lake Worth Lagoon, Halifax River, Guana River/Tolomato River/Matanzas River, Nassau River, Suwannee River, Waccasassa River, Withlacoochee River, and Springs Coast (Crystal River to Anclote River).

State legislation called for in the path forward agreement was passed by the Legislature this session and signed into law by Governor Rick Scott in May. The legislation requires the Department to complete its nutrient criteria rulemaking for remaining estuaries and coastal waters by December 1, 2014 and sets interim nutrient standards until that time. EPA approved this numeric nutrient criteria law, which was supplemented by the Department's August 1, 2013 report to the Governor and Florida Legislature.

Florida taxpayers have invested millions of dollars to create the nation's most comprehensive rules controlling nutrients. These rules account for the diversity and complexity of Florida's waters and afford local communities and private interests the tools essential to protecting rivers, lakes, estuaries, and springs for the future and restoring those waterbodies that do not currently meet standards.

For more information, visit <http://www.dep.state.fl.us/water/wqssp/nutrients>.

[About the Florida Department of Environmental Protection](#)

The Florida Department of Environmental Protection is the state's principal environmental agency, created to protect, conserve and manage Florida's environment and natural resources. The Department enforces federal and state environmental laws, protects Florida's air and water quality, cleans up pollution, regulates solid waste management, promotes pollution prevention and acquires environmentally-sensitive lands for

From: Diane Salz <disalz@yahoo.com>
To: Richard Owen <richardowen@wrwsa.org>
Cc: Nancy Smith <nsmithnhs@aol.com>
Subject: Fwd: NEWS RELEASE: District Approves Millage and Budget
Date: Wed, Sep 25, 2013 1:56 pm

Sent from my iPhone

Begin forwarded message:

From: Chris Zajac <Chris.Zajac@swfwmd.state.fl.us>
Date: September 25, 2013, 1:54:37 PM EDT
Subject: NEWS RELEASE: District Approves Millage and Budget

September 24, 2013

District Approves Millage and Budget

The Southwest Florida Water Management District Governing Board Tuesday adopted its fiscal year 2013-14 (FY2013-14) millage rate and budget.

The Governing Board adopted a FY2013-14 millage rate of 0.3818 mill, which is 2.8 percent lower than the current fiscal year. This millage rate is 0.5 percent below the rolled-back millage rate, and will result in a \$2.9 million reduction in ad valorem taxes for the District's taxpayers. For the owner of a \$150,000 home with a \$50,000 homestead exemption, the FY2013-14 District tax would be \$38.18 a year, or about \$3.18 per month. The 2013-14 fiscal year will run from Oct. 1, 2013, through Sept. 30, 2014.

The total FY2013-14 budget for the District is \$170.8 million.

The budget includes \$95.8 million for capital/infrastructure and other District projects. The District's funds leveraged with its partners will result in a total investment of more than \$138 million for water resource management projects benefitting the region. The budget increase will be funded using balances available from prior years, due to cancelled projects or projects completed under budget, and re-budgeted prior year state trust funds.

Over the long term, the District has identified adequate fiscal resources to address the core mission areas of responsibility for water supply, water quality, flood protection and floodplain management, and natural systems. The District's fiscal resources supplemented with project reserves will adequately maintain a healthy investment in the economy and water resources during the next five to 10 years.

Chris Zajac

Government Affairs Program Manager

Northern Planning Region

From: Diane Salz <disalz@yahoo.com>
To: Richard Owen <richardowen@wrwsa.org>
Cc: Nancy Smith <nsmithnhs@aol.com>
Subject: Fw: NEWS RELEASE: District to Hold Public Workshop on Ranking Water Bodies
Date: Tue, Sep 24, 2013 8:02 am

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

From: Chris Zajac <Chris.Zajac@swfwmd.state.fl.us>
To:
Sent: Tuesday, September 24, 2013 7:29 AM
Subject: NEWS RELEASE: District to Hold Public Workshop on Ranking Water Bodies

September 23, 2013

District to Hold Public Workshop on Ranking Water Bodies

The Southwest Florida Water Management District (District) is seeking public input about the order in which minimum flows and levels (MFLs) for lakes, wetlands, rivers, streams and aquifers in the District will be determined. Legislation requires the District to review and, if necessary, revise the schedule each year.

A minimum flow or level is the limit at which further water withdrawals will cause significant harm to the water resources or environment. The District Governing Board sets these limits as part of achieving the balance between meeting human water needs and those of Florida's natural systems.

A public workshop will be held from 6 p.m. to 8 p.m. September 30 at the District's Tampa Service Office, located at 7601 U.S. Highway 301.

The meeting will provide an important opportunity for local governments, residents and others to be part of the scheduling of minimum flows and levels for priority water bodies. The revised schedule will be considered for adoption at the Governing Board's regularly scheduled meeting in October.

The adopted Minimum Flows and Levels Priority List and Schedule for 2013 is available on the District's website at <http://www.swfwmd.state.fl.us/projects/mfl/FY2013-MFL-Priority-List-Board-Approved.pdf>. The draft 2014 list will be made available on the site as soon as possible following the Governing Board's September 24 meeting.

Written comments on the draft Priority List and Schedule may be submitted to Doug Leeper, chief environmental scientist, at doug.leeper@watermatters.org or to 2379 Broad Street, Brooksville, Florida, 34604-6899 no later than October 16.

For more information, please contact Doug Leeper at 1-800-423-1476, ext. 4272.

Chris Zajac
Government Affairs Program Manager
Northern Planning Region
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604

(352) 796-7211 ext. 4413
Cell # (352) 299-5538
chris.zajac@swfwmd.state.fl.us

From: Diane Salz <salz.govconsultant@gmail.com>
To: WRWSA <richardowen@wrwsa.org>
Cc: Nancy Smith <nsmithnhs@aol.com>
Subject: Fwd: Federal Water Quality Rules
Date: Tue, Sep 24, 2013 8:01 am

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

From: Diane Salz <salz.govconsultant@gmail.com>
Date: Tue, Sep 24, 2013 at 8:00 AM
Subject: Federal Water Quality Rules
To: Diane Salz <disalz@yahoo.com>

Federal court hearing on water rules set for Tuesday as Putnam calls for 'victory lap'
Bruce Ritchie, 09/23/2013 - 04:04 PM

Agriculture Commissioner Adam Putnam says Floridians should enjoy a "victory lap" on the issue of federal water quality, but an attorney representing environmental groups suggests the state has nothing to celebrate.

U.S. District Judge Robert H. Hinkle on Tuesday is scheduled to consider a request by environmental groups asking him to enforce a 2009 court agreement requiring the **U.S. Environmental Protection Agency** to set phosphorus and nitrogen limits in Florida waterways.

Environmentalists have been battling industry groups and state officials since the court agreement with federal officials was signed four years ago. However, federal officials earlier this year reached an agreement with the state that calls for Florida officials to set those pollution limits under a plan favored by industry groups.

"Before we get into the challenges we face moving forward I want to start with a victory lap that everybody in this room deserves to participate in," Putnam told the **Florida Water Forum** on Friday in Orlando before receiving applause. "And that's the win on numeric nutrient criteria."

On June 27, the EPA filed a motion in federal court asking Hinkle to modify the 2009 agreement requiring the federal agency to set nitrogen and phosphorus limits for Florida waterways. The EPA said it is now backing Florida's plan to establish limits called numeric nutrient criteria and that federal limits are not necessary or warranted under federal law.

In a response Monday to Putnam's comments, **Earthjustice** attorney **David Guest** said EPA is not complying with the 2009 consent decree, which his firm will be asking the court to enforce on Tuesday.

"EPA simply caved to the polluting industries in the state in proposing to get out of complying with large fractions of their obligations under it," Guest said. "A substantial part of the state rule that EPA approved does not comport with the consent decree at all."

An EPA spokeswoman did not respond to a request for comment. A DEP spokesman said EPA conducted a detailed review of the state's rules and found them to be consistent with the federal **Clean Water Act**.

Putnam said the issue shows how federal agencies "are looking for creative ways to impose their view on the world without going through the process that all of us learned about in the eighth grade about how a bill is supposed to become law."

But Guest said the EPA must set pollution limits because states have shown they are unable to do so because of the influence of polluting industries.

He said the ecological collapse at Indian River Lagoon and manatee and dolphin deaths point out the problems with state regulations.

"That is the fruit of the state regulatory system," Guest said. "That is what happens when you let the state regulate. This argument is a continuation of that. It comes at a good time the real effects of state regulation are clear in those places."

Drew Bartlett, deputy secretary at the **Florida Department of Environmental Protection**, told the water forum on Friday that if all goes well in court this week that may be the last presentation on water quality participants will have to endure. He said the federal rules were more costly than the state rules and failed to recognize restoration efforts already underway. The department has developed limits for estuaries across the state in advance of a Sept. 30 deadline as provided in a plan with EPA approved in **SB 1808** in 2013.

"In the department's opinion, they (EPA officials) can act on that package and exit the state," Bartlett said.

Tampa Bay Times

Florida activists devise water use protest: applying for 'virtual wells'



Craig Pittman, Times Staff Writer

Thursday, September 19, 2013 6:07pm

Three Citrus County environmental activists have filed applications with the state for each of them to pump 99,999 gallons of water a day out of the aquifer.

But they really don't want to pump any of it. Their goal is to block anyone else — particularly big farming operations or developers — from taking it. They'd rather let nature keep using it.

"We're drilling virtual wells," explained Tracy Colson, 51, a Crystal River native who runs Nature Coast Kayak Tours and is a devoted manatee advocate. "We'll just leave it where it is."

The idea came from Steve Kingery, 58, a semiretired air conditioning contractor from Crystal River. He calls the permit ploy "a fancy protest" of the way the state's five water management districts hand out big water-use permits. Then he recruited Colson and Matt Clemons, 59, a former state biologist and now owner of Aardvark's Florida Kayak Co. to follow suit.

Clemons says he expects the application to expose inequities in the state's water policies. "If we can't get permits to use the water ... and yet you can get permits to use it to sell bottled water, that makes no sense," he said.

They picked the amount of 99,999 gallons because that meant their 10-year permit from the Southwest Florida Water Management District, more commonly known as Swiftmud, would cost just \$50. Greater quantities require far higher fees.

Swiftmud is one of five water districts in the state that regulate water use and wetlands destruction. The permit applications sent in by Colson, Kingery and Clemons reflect a growing distrust of the way the districts and the state Department of Environmental Protection have allowed widespread pumping of millions of gallons a day from the aquifer.

As of 2011, the most recent year with data, Swiftmud had 7,745 water use permits allowing people in 16 counties to pump more than 1 billion gallons of water a day out of the ground. About 37 percent was for agriculture, and about



50 percent was to be used by residents and businesses. The rest goes toward such uses as mining and bottled water.

DEP and the water districts are setting what are known as "minimum flows and levels" for Florida's major waterways. The idea is to figure out how much more those rivers, springs and lakes can be drained for water supply purposes before causing environmental problems.

The Legislature has said that the levels must avoid causing "significant harm" — not all harm, just significant harm.

In an interview two years ago, a Southwest Florida Water Management District official conceded that the law provides no guard against gradual damage from increased pumping: "You're either significantly harmed or you're not."

To Kingery, that makes the minimum flow process "useless."

At a legal hearing in Brooksville last week, St. Petersburg attorney John Thomas, representing the Save the Manatee Club and two other groups, argued that it's worse than that — that the minimum flows and levels being set now by the agency commonly known as Swiftmud are illegal.

Thomas contended they violate standards that are intended to protect against the degradation of the water supply. The damage caused by the reduction in the aquifer is most evident in the decline of Florida's springs, he said, a point that Clemons and the other activists make as well.

Thomas said he had not heard about the permit applications sent in by Colson, Kingery and Clemons, but he thinks "folks should petition the government for relief in any form allowed by law."

However, Thomas and former Swiftmud executive director Emilio "Sonny" Vergara said the activists' goal of getting a permit for water they're not actually going to use might be too similar to the practice of "water-banking," which is against state law.

"Remember, a water permit is not to have water but to use it," Vergara said. "That's why you have to justify the permit. If you can't justify the use, you don't get the water."

So far, Swiftmud officials have not rejected the applications, just asked for more information.

"Anyone can apply for a water use permit, and it will go through the process," Swiftmud spokeswoman Susanna Martinez Tarokh said in an e-mail to the *Tampa Bay Times*. "Not every application is approved."

Kingery said the activists understand that the odds are not in their favor. "There is a very slight chance we can force them to give us the permits," he said. "But we might get some specific answers out of them."

Craig Pittman can be reached at craig@tampabay.com.

Florida activists devise water use protest: applying for 'virtual wells' 09/19/13

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How Cruise Ships Fill Their Unsold Cabins

Item 10.
Legislative Report

Upcoming Legislative Delegation Meetings in the Withlacoochee Region

Hernando County Legislative Delegation Meeting:

October 14, 2013 at 1 p.m.

Brooksville City Hall City Commission Chamber Room

201 Howell Avenue, Brooksville

Hernando County Legislative Delegation Members:

Senator Wilton Simpson, Chairman

Rep. Jimmy T. Smith

Rep. Robert Schenck

Marion County Legislative Delegation Meeting:

October 28, 2013 at 1 p.m.

Extension Services Auditorium

2232 NE Jacksonville Road, Ocala

Marion County Legislative Delegation Members:

Senator Charlie Dean, Chairman

Senator Dorothy Hukill

Senator Alan Hays

Rep. Dennis Baxley

Rep. Marlene O'Toole

Rep. Charlie Stone

Rep. Clovis Watson

Sumter County Legislative Delegation Meeting:

October 29, 2013 at 2 p.m.

Sumter County Governmental Complex

7375 Powell Road, Wildwood

Sumter County Legislative Delegation Members:

Senator Wilton Simpson, Chairman

Senator Alan Hays

Rep. Marlene O'Toole

Citrus County Legislative Delegation Meeting:

October 29, 2013 at 3 p.m.

Citrus County Courthouse

Citrus County Legislative Delegation Members:

Senator Charlie Dean, Chairman

Rep. Jimmy T. Smith

**Item. 11.a.
Revised and Restated
Interlocal Agreement**

REVISED AND RESTATED INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, made and entered into this _____ day of _____, 2013, by and between the following political subdivisions of the State of Florida: Citrus, Hernando, Marion and Sumter Counties.

W I T N E S S E T H:

WHEREAS, it is the finding of the parties hereto that cooperative efforts are necessary in order to meet the water needs of areas experiencing the results of rapid growth and diminishing available water resources, in a manner which will provide adequate and dependable supplies of water without resulting in adverse effects upon the areas from which the water is withdrawn; and

WHEREAS, pursuant to Section 373.~~196(2)~~713, Florida Statutes, local units of government are encouraged to create regional water supply authorities; and,

WHEREAS, it is further the legislative finding that local units of government and regional water supply authorities are to have the primary responsibility for water supply; and,

WHEREAS, the parties hereto, pursuant to the provisions of Section 373.~~196(2)~~713, Florida Statutes, and to the provisions of Section 163.01, Florida Statutes, desire to enter into an INTERLOCAL AGREEMENT among and between themselves respecting the creation of a regional water supply authority.

NOW THEREFORE, the parties hereto do hereby agree, and join together to form a regional water supply authority for the region comprising said counties

represented as parties hereto upon the following terms and conditions and do mutually agree as follows:

SECTION I. – Name: The name of the organization formed pursuant to this Interlocal ~~a~~Agreement shall be the WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY, hereinafter referred to as the AUTHORITY.

SECTION II. – Purpose: The Authority is ~~cre~~ated and shall function for the purpose of designing, constructing, operating and maintaining facilities in the locations and at times necessary to insure that an adequate water supply will be available to all citizens within the Authority while attending to the following:

1. Giving priority to reducing adverse environmental effects of excessive or improper withdrawals of water from concentrated areas;
2. Not depriving, directly or indirectly, any county wherein water is withdrawn by the Authority, of the prior right to the reasonable and beneficial use of water which is required adequately to supply the reasonable and beneficial needs of the county or any of the inhabitants or property owners therein;
3. Insuring that each party hereto shall have preferential right to purchase water from the regional water supply authority for use by said party to the reasonable and beneficial needs of all citizens therein.

SECTION III. – Authority: The Withlacoochee Regional Water Supply Authority as provided for herein is hereby established pursuant to the provisions of Section 163.01 and Section 373.~~1962713~~, Florida Statutes.

SECTION IV. – Organization: The Withlacoochee Regional Water Supply Authority as provided for herein shall be organized in accordance with the provisions of Chapter 163.01, Florida Statutes.

~~SECTION V. – Membership and Representation: The Authority shall be governed by a Board comprised of representatives of the parties hereto. Initially, the Governing Board shall consist of eleven (11) members, which may be increased, each having one vote. There are hereby established two (2) classifications of Governing Board representation:~~

~~1. – County Representation – Each county represented as a party hereto shall appoint one (1) County Commissioner for the first 50,000 population and one (1) additional County Commissioner for each additional 50,000 population or increment thereof. The population of individual municipalities which are members of the Authority having over 25,000 in population will be deducted for representative purposes from their respective county population.~~

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

- ~~A. Any municipality, upon adoption of a resolution indicating a desire to become an Authority member, shall be included as a party hereto upon such terms and conditions as set forth herein.~~
- ~~B. Municipalities of 25,000 or more in population will have one (1) representative for the first 50,000 in population; and one (1) representative for each additional 50,000 in population or increment thereof. Municipalities of less than 25,000 in population within each member county will have one (1) joint representative who shall be selected by all member municipalities within their respective county by selecting the said representative who will thereafter represent all member municipalities within the respective county.~~
- ~~C. All municipal memberships heretofore selected to serve shall remain as the representative to the Withlacoochee Regional Water Supply Authority with any new member to be appointed pursuant to the provisions of Rule 160-1.06 (2)(b), Fla. Admin. Code, with the term of said municipal member to be provided for in the same manner as prescribed in Section V. 2. B. of the Agreement as the situation may dictate.~~

SECTION V. - Membership and Representation: The Authority shall be governed by a Board comprised of representatives of the parties to the Interlocal Agreement, as well as up to one municipal representative from a municipality within each county. Initially, the Each gGoverning Board member shall consist of no more than eleven (11) members, which may be increased, each having have one vote. There are hereby established two (2) classifications of Governing Board representation. A County and municipality represented on the Board may appoint an alternate to each Board member representative and such alternate shall have the power to vote in the absence of the primary designated representative. Alternates must also be a member of the respective County or City elected governing body.

(1) County Representation – Each county represented as a party to the Interlocal Agreement shall appoint one (1) County Commissioner for the first each 50,000 100,000 in population and one (1) additional County Commissioner for each additional 50,000 population, or increment thereof. The population of large cities which are members of the Authority will be deducted for representation and assessment purposes from their respective county population. County representation is limited to a maximum of three (3) County Commissioners.

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

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

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

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

(d) Total representation, including municipal and county membership, from a single county may not exceed six (6)

representatives to the Authority Board of Directors. Representation from the jurisdictions within the County shall be as follows:

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

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

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

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

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

SECTION VI. – Term and Compensation of Governing Board Members:

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

SECTION VII. – Powers: The Withlacoochee Regional Water Supply Authority may exercise any and all powers and all authority as may now or hereafter be vested in said authority by law including but not limited to its powers and authority as provided for in Section 163.01, Florida Statutes, and Chapter 373.~~1962~~713, Florida Statutes.

SECTION VIII. – Officers: The officers of the Authority shall be as follows:

1. A Chairman, who shall preside at meetings of the Authority; sign, as authorized by the Authority, any contracts or other instruments which are deemed to be in the best interest of the Authority; and perform such other duties incident to the office as may be prescribed by the Authority.
2. A Vice-Chairman, who shall act in the Chairman's absence. The Vice-Chairman shall perform such other functions as the Authority may from time to time assign.
3. A Treasurer, who shall be entrusted with the receipt, care and disbursement of Authority funds in accordance with fiscal policies and regulations adopted by said Authority.
- 3-4. If none of the above officers are present at a Board meeting where there is otherwise a quorum, the Authority Board may elect a chairman pro-tem for the duration of the meeting.

SECTION IX. – Staff: The Authority may appoint an Executive Director and prescribe his duties and compensation. Among other duties, the Executive Director shall:

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

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

1. The date and time of Regular—regular meetings of the Governing Board shall, when feasible and convenient, be rotated among the counties representing parties hereto be determined annually and published in the Fla. Admin. Register and as otherwise required by law.
2. Special meetings of the Governing Board may be called by the Chairman or a majority of the members at any time and place upon five (5) days written notice to the parties hereto.
3. A quorum at any meeting shall be declared when a majority of the counties who are parties hereto are present have at least one member present. County Commissioner members and

municipal members shall represent their respective county for purposes of establishing the county membership quorum.

SECTION XI. – Committees: The Chairman with the advice and consent of the Governing Board shall appoint such committees as may be designated by the Governing Board to carry on its work. Committee membership is not restricted to members of the Governing Board.

SECTION XII. – Budget and Finance: Each of the counties represented as parties hereto shall appropriate funds on a county-wide per capita basis as may be necessary or desirable for the purpose of carrying out the provisions of Section 373. ~~1962~~713, Florida Statutes, ~~1976~~2012, and the powers and duties of the Authority or its Governing Board.

1. The per capita appropriation shall be based upon the most current annual population estimates by the Department of Administration.
2. No appropriations shall become effective until it has been adopted by ~~three-fifths (3/5) vote of the full voting membership of the~~ Authority Governing Board and approved by the official action of ~~at least three (3) of each of the~~ respective Boards of County Commissioners representing the parties hereto.
3. Said per capita appropriation may be reduced or eliminated by the Authority Board for any stated or unstated period should

other sources of revenue make it unnecessary to require per capita appropriation.

4. The Authority shall prepare ~~a tentative~~an annual budget for the fiscal year October 1 to September 30, including the proposed per capita appropriation rate and amount for each county, and forward copies of same to the governmental bodies of the counties representing the parties hereto ~~at least four (4) weeks prior to the adoption of a final budget by July~~June 1 of each year in order that said counties shall have an opportunity to take considered action in approving or disapproving the proposed ~~budget and to provide for necessary~~ per capita appropriation, if any. ~~The tentative budget shall be considered final upon approval of a majority of the member counties.~~
5. The budget and such other changes, amendments or supplements as may be necessary to conduct the fiscal affairs of the Authority may be amended from time to time by action of the Governing Board to include any funds accumulated from time to time from sources other than per capita appropriations. The budget may ~~not~~ be amended to increase or decrease the annual per capita appropriation by the counties representing the parties hereto ~~without the same majority as was necessary~~

for original adoption by the same method set forth in paragraph 2. above.

~~SECTION XIII. Amendments: This INTERLOCAL AGREEMENT may be amended by the Authority by at least two thirds (2/3) vote of the Governing Board voting at any regular or special meeting of the full voting membership of the Governing Board called for such purpose after written notice to all parties hereto.~~

SECTION XIII. – New Members: Admission of new members to the Authority and any amendment of this Agreement to reflect said new members shall be by unanimous vote of the Authority Board.

SECTION XIV. – Affirmation:

1. Citrus County hereby affirms that, at a duly constituted meeting of the Board of County Commissioners on the _____ day of _____, 20__, it approved the terms of this Agreement and the execution thereof by Citrus.
2. Hernando County hereby affirms that, at a duly constituted meeting of the Board of County Commissioners on the _____ day of _____, 20__, it approved the terms of this Agreement and the execution thereof by Hernando.
3. Marion County hereby affirms that, at a duly constituted meeting of the Board of County Commissioners on the _____

day of _____, 20__, it approved the terms of this Agreement and the execution thereof by Marion.

4. Sumter County hereby affirms that, at a duly constituted meeting of the Board of County Commissioners on the _____ day of _____, 20__, it approved the terms of this Agreement and the execution thereof by Sumter.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

CITRUS COUNTY

By: _____
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

HERNANDO COUNTY

By: _____
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

MARION COUNTY

By: _____
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

SUMTER COUNTY

By: _____

**CHAIRMAN
BOARD OF COUNTY COMMISSIONERS**