

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
May 15, 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
Rebecca Bays, Citrus County Commissioner
Ken Brown, Crystal River City Councilor
Al Butler, Sumter County Commissioner
Dennis Damato, Chairman, Citrus County Commissioner
Gary Ernst, Belleview City Councilor
Joseph Johnston, Brooksville City Councilor
Don Hahnfeldt, Sumter County Commissioner
Stan McClain, Marion County Commissioner
Dale Swain, Bushnell City Councilor

MEMBERS ABSENT

Scott Adams, Citrus County Commissioner
Kathy Bryant, Marion County Commissioner
Wayne Dukes, Hernando County Commissioner
Nick Nicholson, Hernando County Commissioner
David Russell, Hernando County Commissioner
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

Gregg Jones, Cardno Entrix
Debra Burden, Citrus County Water Resources
John Ferguson, SWFWMD
Chris Zajac, SWFWMD

Al Grubman, TOO FAR
Jan Grubman, TOO Far
Kim Dinkins, Marion County Water Resources
Alys Brockway, Hernando County Water Conservation
Mike Czerwinski, Environmental Consultant
Catherine Walker, SJRWMD

4. Approval of Minutes of April 17, 2013 Meeting

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

Following consideration, **a motion was made by Mr. McClain to approve the minutes for the April 17, 2013 meeting. Mr. Butler seconded the motion.**

Mr. Brown requested a correction to the April 17, 2013 minutes regarding Item 7, Water Conservation Month Proclamation. The minutes incorrectly state that Mr. Brown voted against the water conservation proclamation “. . . to reflect the fact that the Crystal River City Council had voted against adopting a similar resolution requested by the Southwest Florida Water Management District due to their concerns regarding a water use permit issued by the District for a bottled water operation in the city.” The correction should state, “because the Mayor did not sign the proclamation with the support of the City Council.”

Following consideration, **a motion was made by Mr. Hahnfeldt to approve the April 17, 2013 minutes as amended. Mr. McClain seconded the motion, which carried unanimously.**

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

Mr. Jones presented the second progress report for the Regional Water Supply Plan Update. Work is ongoing in five of the eight task areas including water demand estimates, availability of ground and surface water, conservation and reclaimed water strategies, water supply project options, and meetings with the Technical Advisory Committee (TAC). The first meeting with the TAC was on April 24, 2013; the members of the committee provided good feedback and useful information. The Cardno ENTRIX team continues to work on the availability of surface and groundwater, based on current MFLs. They are working with the local public utilities to get data for the University of Florida EZ Guide Conservation model. Along with conservation efforts, reclaimed projects are expected to play a significant role in meeting the water use needs of this region. Mr. Jones stated that he is meeting individually with utility directors from the member counties and with board members to hear ideas from as many people as possible.

Mr. Owen added that the Northern District Groundwater Flow model is on schedule. He hopes that this model will be available for use in the RWSPU as it includes the most recent information as well as the expanded geographical area.

Mr. Brown requested information from Cardno ENTRIX on the potential Crystal River desalination project. Ms. Bays asked that the team ensure that adequate water demands remain in the plan for future years to accommodate both the possible decline in water use at the Crystal River Nuclear Power Plant and increase in water use at the Levy County nuclear power plant site, which is also likely to affect the region’s ground water supplies.

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

6. Water Use at the Duke Energy Nuclear Power Plant During Decommissioning . . . Duke Energy Representative

Mr. Owen stated that he had contacted Duke Energy for a representative to speak to the Board about the future water needs at the Crystal River Power Plant. Duke Energy has indicated that they are willing to speak to the Board, but were unable to attend today's meeting.

7. Local Government Grant Program – Further Board Direction on Program Guidelines . . . Richard S. Owen, Executive Director

Mr. Owen requested that the Board provide direction and clarification on some of the grant application guidelines. Mr. Owen recommended the following statements for the local government grant program:

- 1) Eligibility: That all public supply utilities within the region and member governments are eligible to apply for the WRWSA local government grants.
- 2) Eligibility: That applicants with past or ongoing grant projects may apply for a new grant, provided that the past, or ongoing, grant is on schedule, unless extenuating circumstances warrant a special exception. Such exceptions would be entirely at the discretion of the Authority Board.
- 3) Ranking criteria: That having had a previous grant from the WRWSA will not diminish standing for ranking applications, but will be only one consideration for ranking applications, including past performance in implementing projects.
- 4) Contract provisions: That the WRWSA local grant program be structured whereby invoices may be submitted monthly or bi-monthly for reimbursement of 50% of the costs incurred, consistent with the approved grant contract and scope of services. A provision will be included that the WRWSA grant funds will be refunded if a project is abandoned before it is completed.

The Board confirmed, by consensus, each of the items as stated.

8. Status Report on the Chassahowitzka and Homosassa River MFLs Petition . . . Richard S. Owen, Executive Director

Mr. Owen asked Diane Salz to present recent information that she has obtained from the Department of Environmental Protection (DEP) about the MFLs petition. Ms. Salz stated that DEP staff indicates that there is some question as to the process, as it is unlike any previous process. There will be a public hearing for testimony from interested parties. DEP will make a determination as to whether the MFLs set for the Chassahowitzka and Homosassa rivers were set in accordance with Rule 62-40, F.A.C. Ms. Salz asked DEP staff if this is a jurisdictional matter and whether water quality is one of the criteria for setting the MFLs.

This case is attracting a lot of attention around the region and the state because it is a unique request. The Board requested additional information on the specific MFLs, what geographic area the rivers or springshed basins encumber, and the effect of considering water quality issues.

Mr. Haag added that the petition requests a stricter standard than was set. If DEP determines that the petition is correct, the issue would go back to rule-making and additional hearings before the Governing Board would be held. Otherwise, the determination by the Governing Board would be upheld. Ms. Salz stated that until the matter is resolved, the Governing Board has agreed that they will not set additional MFLs or take further action regarding the water use caution area that will directly impact this area. Mr. Owen explained that to date, neither the Clean Water Act nor nutrient impact has been factored into the decision-making process to set MFLs. If these water quality issues must be used to set the MFLs, all the MFLs set within the state will have to be re-examined.

Chris Zajac, SWFWMD, stated that the SWFWMD staff recommended 91% of historic flows for the Chassahowitzka River and 97% of historic flows for the Homosassa River. The Governing

Board adopted 97% for both rivers. While a 3% flow reduction is possible under this setting, SWFWMD models show that 1% of historic flow is already consumed, leaving approximately 2% available for future groundwater development. Mr. Grubman, representing TOO Far, explained that a major factor in the petition is the conflict between the MFLs and the Outstanding Florida Waterway designation of these rivers. If additional withdrawals will adversely affect the rivers, then the petition asks that no additional withdrawals be allowed under the MFLs.

Mr. Owen summarized the issue by stating that it is a timing issue of maximizing the groundwater used for human consumption. If groundwater withdrawals are limited to the existing withdrawals, the implications for the WRWSA and water supply planning will be significant. Such restrictions will affect the entire region and will result in potential water supply projects that are order-of-magnitude more expensive than development of groundwater resources.

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

a. Bills to be Paid

The May 2013 bills were provided in the handout. Mr. Owen requested the Board approve payment of the May 2013 bills totaling \$40,121.46.

Following consideration, **a motion was made by Mr. Butler to approve payment of the May 2013 bills of \$40,121.46. The motion was seconded by Ms. Bays and carried unanimously.**

b. FY 2013-14 Proposed Per Capita Assessment

Mr. Owen presented the population estimates for the member counties as of April 1, 2012 for the purpose of establishing the rates for the coming fiscal year. Mr. Owen recommended maintaining the existing per capita rate of \$0.19, which funds the administration of the WRWSA. The administrative costs are either stable or slightly reduced; the project expenses are expected to be significantly lower than this fiscal year.

Following consideration, **a motion was made by Mr. Swain to approve the per capita rate at \$0.19. The motion was seconded by Mr. McClain and carried unanimously.**

c. Correspondence

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

d. 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.

e. Other

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

- ***Hernando County--Groundwater Guardian Workshop.*** Mr. Owen stated that the Hernando County Conservation Coordinator and the Groundwater Guardians had organized a workshop "Your Water, Your World" that was held on May 10, 2013. The WRWSA was recognized as one of the sponsors of that workshop which was excellent and well attended. Both Mr. Owen and Ms. Smith attended the workshop.
- ***SWFWMD Public Supply Advisory Committee.*** The Public Supply Advisory Committee has been working on several issues including the Restore Act and Consumptive Use Permit rule making for review consistency. The DEP is finished with the rule making for 62-40, F.A.C. SWFWMD is making rule changes to be

consistent with DEP. The next workshop is May 23, 2013 at the SWFWMD office in Brooksville. Mr. Owen continues to attend these meetings to stay apprised of rule changes that will affect our member government.

- **Central Florida Water Initiative.** Under this initiative, all three water management districts will adopt one plan that covers the counties this region. This may be a model for other counties that are within split jurisdictions for creating either one plan or for greater coordination between the plans. The districts will go into rule making for issues such as setting MFLs and numeric nutrient conditions.
- **Cooperative Funding Initiative for FY 2014-15.** SWFMWD is holding a workshop on August 1, 2013 for the next CFI cycle. Applications are due in October. The staff is developing strategic initiatives for each of the four regions that may result in different strategies for funding programs. Mr. Owen will attend the August 1, 2013 meeting and will continue to work with the district staff to develop a project or projects for cooperative funding.
- **SWFWMD Governing Board Meeting.** Mr. Owen stated that he would attend the Governing Board meeting on May 21, 2013.
- **City of Belleview.** Mr. Owen will attend the Belleview City Council meeting to meet the Council and to discuss the WRWSA activities. He offered to attend the meetings of all member governments for the same purpose.
- **Board Meeting Times.** A Board member has requested discussion regarding the time of day that the Board meets. The request to consider an earlier start time will be placed on the agenda for June.

These items were presented for the Board's information; no action was required.

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

Ms. Salz reviewed the results of the recent Legislative session regarding water supply, water resource, and public participation bills that are pertinent to the WRWSA and to its member governments. Several water supply and springs projects within the region are included in the budget; Ms. Salz will continue to monitor these items as they are forwarded to the Governor's office for signature. The WRWSA Board adopted a list of legislative and regulatory issues for the 2012-13 session. Ms. Salz provided this list of issues along with the status of each based on action during the session. The issues and actions are included in the Board's packet.

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

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

There was no business from the attorney.

12. Other Business

One bill that passed during the legislative session requires that all boards and commissions provide members of the public with an opportunity to be heard on a proposition before the board or commissions. The effective date of the legislation is October 1, 2013. Mr. Haag was requested to provide direction to the Board as to the best method for obtaining public input during proceedings of the Board.

13. Public Comment

There was no public comment.

14. Next Meeting Time and Location

Next meeting is scheduled for June 19, 2013, 4:30 p.m., at the Lecanto Government Building, Room 166, 3600 W. Sovereign Path, Lecanto, Florida 34461.

15. Adjournment

Chairman Damato announced there was no further business or discussion to come before the WRWSA and adjourned the meeting at 6:10 p.m.

Dennis Damato, Chairman

Richard S. Owen, Executive Director