



**GOVERNING BOARD MEETING
TUESDAY, AUGUST 22, 2023 – 9:00 AM
2379 BROAD STREET, BROOKSVILLE, FL 34604
(352) 796-7211**

MINUTES

Board Members Present

Ed Armstrong, Chair
Michelle Williamson, Vice Chair
John Mitten, Secretary
Jack Bispham, Treasurer
Joel Schleicher, Member
Kelly Rice, Member
Ashley Bell Barnett, Member
John Hall, Member*
James Holton, Member
Dustin Rowland, Member
Robert Stern, Member
Nancy H. Watkins, Member

*Attended via electronic media

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
Michael Molligan, Division Director
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Brandon Baldwin, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lori Manuel, Lead Administrative Coordinator

1. Convene Public Meeting

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., August 22, 2023, at the Brooksville Office, 2379 Broad Street, Brooksville, Florida 34604.

This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 Call to Order

Chair Ed Armstrong called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Armstrong stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should complete and submit a "Request to Speak" card. Chair Armstrong stated that comments would be limited to three minutes per speaker, and when appropriate, exceptions to the three-minute limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same topic designate a spokesperson. Chair Armstrong

introduced each member of the Governing Board and staff present at the dais (this served as roll call). A quorum was confirmed.

1.2 Oath of Office

Ms. Virginia Singer, Boards and Executive Services Manager, administered the Oath of Office to new Board Member Nancy Watkins and reappointed Board Members Kelly Rice, Joel Schleicher and Ashley Bell Barnett.

1.3 Invocation and Pledge of Allegiance

Board Member Kelly Rice offered the invocation and led the Pledge of Allegiance,

1.4 Employee Recognition

Chair Armstrong recognized Anthony Andrade for 25 years of service.

1.5 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions to the agenda.

Board Member Joel Schleicher requested the following item be moved to Discussion:

Operations, Lands and Resource Monitoring Committee

2.3 Sale of Easement to Verizon Wireless - Lake Marion Creek - Horseshoe Scrub Tract, SWF 20-597-110X

A Request to Speak card was submitted for the following item. This item was moved from Consent to Discussion:

Regulation Committee

2.5 Water Use Permit No. 20 002715.027, Mosaic Fertilizer, LLC, and South Ft. Meade Partnership, LP / Mosaic Agricultural WUP (Hardee and Polk Counties)

There was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

1.6 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis, Jr., spoke regarding the use of herbicides on native plants.

Mr. Tim Richie spoke regarding wetlands and water quality.

Consent Agenda

Finance/Outreach and Planning Committee

2.1 Authorization to Dispose of Equipment

Staff recommended the Board approve disposition of the New Holland TS6.125 tractor (Unit 2120) through the auction process.

Resource Management Committee

2.2 FARMS – Bay Grove – T&T Environmental, LLC, Phase 2 (H818), DeSoto County

Staff recommended the Board:

1. Approve the Bay Grove - T&T Environmental, LLC, Phase 2 project for a not-to-exceed project reimbursement of \$350,540 provided by the Governing Board;
2. Authorize the transfer of \$350,540 from fund 010 H017 Governing Board FARMS Fund to the H818 Bay Grove - T&T Environmental, LLC, Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Operations, Lands and Resource Monitoring Committee

2.3 ~~Sale of Easement to Verizon Wireless – Lake Marion Creek – Horseshoe Scrub Tract, SWF 20-597-110X~~

Staff recommended the Board:

- ~~• Accept the offer of \$3,700; and~~
- ~~• Approve the Purchase/Sale Agreement and authorize the Executive Director to execute on behalf of the District; and~~
- ~~• Approve the Grant of Utility Easement and authorize the Chair and Secretary to execute on behalf of the District; and~~
- ~~• Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.~~

2.4 Modification of Restrictive Covenant – Charlotte Sarasota Holdings, LLP, SWF Parcel No.20-708-128S

Staff recommended the Board:

- Approve the request to modify the restrictive covenant contained in the Quit Claim Deed dated June 10, 2005, from 1.5 residential units per acre to 2.5 residential acres per unit; and
- Authorize the Governing Board Chair and Secretary to execute the Modification of Restrictive Covenant on behalf of the District.

Regulation Committee

2.5 ~~Water Use Permit No. 20 002715.027, Mosaic Fertilizer, LLC and South Ft. Meade Partnership, LP / Mosaic Agricultural WUP (Hardee and Polk Counties)~~

~~Staff recommended the Board approve the proposed permit attached as an exhibit.~~

2.6 Water Use Permit No. 20 007417.008, Astin Strawberry Property Management, LLC / Astin Blueberry Farm (Hillsborough County)

Staff recommended the Board approve the proposed permit attached as an exhibit.

2.7 Water Use Permit No. 20 007121.007, Citrus County Board of County Commissioners and Withlacoochee Regional Water Supply Authority / Charles A Black Water Supply System (Citrus County)

Staff recommended the Board approve the proposed permit attached as an exhibit.

General Counsel's Report

2.8 Approval of Rulemaking to Amend Rule 40D-1.1010, Florida Administrative Code, to Clarify Point of Entry into Proceedings

Staff recommended the Board approve rulemaking to amend Rule 40D-1.1010, F.A.C., to delete rule language that provides additional points of entry to seek an administrative hearing concerning the same agency action.

Executive Director's Report

2.9 Approve Calendar for Fiscal Year 2024 Meeting Dates

Staff recommended the Board approve Fiscal Year 2024 meeting dates as presented.

2.10 Approve Governing Board Minutes – July 25, 2023

Staff recommended the Board approve minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio – 00:20:26)

Finance/Outreach and Planning Committee

Treasurer Jack Bispham called the committee to order.

3.1 Consent Item(s) Moved to Discussion – None

3.2 Budget Transfer Report

This item was for information only. No action was required.

Resource Management Committee

Board Member Ashley Bell Barnett called the committee to order.

4.1 Consent Item(s) Moved to Discussion - None

4.2 Facilitating Agricultural Resource Management Systems Program 20th Anniversary

Ms. Carole Estes, Facilitating Agricultural Resource Management Systems (FARMS) Manager, presented a 20th Anniversary video. She provided a history of the FARMS program and a timeline that displayed the progression of the program. Ms. Estes presented the types of FARMS projects, costs, and benefits. She also provided an overview of the Mini-FARMS program and summarized research and innovation the District supports.

A Request to Speak Card was received for this item.

Mr. David Ballard Geddis, Jr., expressed concerns as to how the sod farming industry relates to the FARMS program.

This was for information only. No action was required.

4.3 Peace River Regional Reservoir No. 3 Project – Third-Party Review (Q272)

Mr. Jay Hoecker, Water Resources Bureau Chief, presented information regarding the Third-Party (TPR) review related to project Q272. He stated this is a prioritized Alternative Water Supply (AWS) project in the District's long-term funding plan. Mr. Hoecker provided a history of the Peace River Manasota Regional Water Supply Authority (PRMRWSA) and the Peace River facility. He outlined cost, budget information and conclusions from the TPR.

Mr. Hoecker stated that the total project cost has decreased from \$551,655,000 to \$358,250,000 since the Fiscal Year (FY) 2024 cooperative funding request. The District's Board-approved funding amount of \$115,700,000 has not changed.

Board Member James Holton asked for more detail regarding the reduction in costs.

Mr. Mike Coates, PRMRWSA Executive Director, thanked the District for their partnership and support. He stated that various factors attributed to the reduction in project costs. This included changes to engineering designs and removal of contingency dollars due to market uncertainty that was in the original design submittal.

Board Member Joel Schleicher asked about security associated with the project. Mr. Coates responded that PRMRWSA does not allow public access and utilizes security staff and cameras to monitor reservoirs.

Treasurer Jack Bispham asked with the use of the Aquifer Storage and Recovery (ASR) System in conjunction with the two existing reservoirs why was a third reservoir necessary. Mr. Coates responded that the existing reservoirs even with the ASR cannot support

additional daily supply. The new reservoir will allow approximately an additional 18 million gallons a day.

Staff recommended the Board authorize continuation of the project and approve modification of the Cooperative Funding Agreement to include a total project cost of \$358,250,000 with the District's share to remain \$115,700,000 for the Peace River Regional Reservoir No. 3 Project (Q272).

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:48:19/56:26)

4.4 Minimum Flows and Minimum Water Levels Priority List and Schedule Update

This was for information. No action was required.

4.5 Lower Hillsborough River Recovery Strategy Implementation – Annual Update

This was for information only. No action was required.

Operations, Lands and Resource Monitoring Committee

Board Member Kelly Rice called the committee to order.

5.1 Consent Item(s) Moved to Discussion

2.3 Sale of Easement to Verizon Wireless - Lake Marion Creek - Horseshoe Scrub Tract, SWF20-597-110X

Ms. Ellen Morrison, Land Resources Bureau Chief, provided a map outlining the location of the proposed easement and information regarding the sale.

Board Member Schleicher expressed concerns regarding the final sale price.

Discussion ensued. The Board asked that the sale price for this easement be re-evaluated and renegotiated. The Board agreed to table this item.

Staff recommended the Board:

- Accept the offer of \$3,700; and
- Approve the Purchase/Sale Agreement and authorize the Executive Director to execute on behalf of the District; and
- Approve the Grant of Utility Easement and authorize the Chair and Secretary to execute on behalf of the District; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

The Board agreed to table this item for a future meeting.

5.2 Hydrologic Conditions Report

Ms. Tamera McBride, Hydrologic Data Manager, provided the hydrologic conditions report. She presented a rainfall distribution map for July, a 12-month rainfall map, a 12-month rainfall departure from mean graph, and map of August rainfall to date. Ms. McBride stated the Climate Prediction Center has predicted an above normal hurricane season. She stated that Districtwide rainfall was lower than average in July. Groundwater levels remained in the normal range for northern and central counties but below normal levels in the southern counties. Lake Wales Ridge and Polk Upland lakes were in the normal range. Surface water levels were in the below normal range for the northern and Tampa Bay lakes. She stated that rivers remained in the normal range

with the exception of the Peace River in the below normal range. Water supply levels in the Hillsborough reservoir were full. The Bill Young Reservoir has a healthy supply and is continuing to refill. Ms. McBride presented climate information and the tropical storm outlook for upcoming months

This was for information only. No action was required.

5.3 Overview of Land Management Plan Updates

Mr. Chris Reed, Land Management Manager, presented an overview of land management plan updates. He stated the District owns 459,000 acres of conservation land and manages approximately 263,000 of those acres. Mr. Reed summarized the District policy that governs the management of conservation properties. He explained District management plans and the update process for them. Mr. Reed provided a five-year schedule of management plan updates. He outlined four management plans that will be included on the Consent Agenda at the September Board meeting.

This was for information only. No action was required.

5.4 Surplus Lands 2023 Biennial Assessment

Ms. Ellen Morrison, Land Resources Bureau Chief, provided an overview of the surplus lands biennial assessment. She provided a history of surplus assessments, a surplus lands summary, the Governing Board policy, review criteria, the evaluation process and stakeholder input. Ms. Morrison stated that in addition to requesting approval of properties for surplus, there are three properties that staff is asking for the removal of surplus declaration.

Ms. Morrison provided an overview of the seven parcels considered for surplus. She provided an overview of the three parcels identified for removal of surplus declaration.

Board Member Kelly Rice proposed that the surplus lands policy be reviewed to address consideration of what is accomplished with fee ownership that can't be accomplished with less than fee ownership.

Chair Ed Armstrong stated that the surplus lands policy will be added to the Governing Board Workshop in November.

Staff recommended the Board:

- Accept the District's 2023 Surplus Lands Biennial Assessment conducted in accordance with Governing Board Policy.
- Approve, by a two-thirds majority vote, the surplus of properties identified through the assessment process that are no longer needed for conservation purposes. Such properties are identified in Exhibit 1 and may continue to be protected through deed restriction and sold for the highest price obtainable.
- Approve removal of the declaration of surplus for TBC-8, TBC-12, and TBC-17.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:52:30)

5.5 Summary of Fiscal Year 2023 Interagency Land Management Reviews

This was for information only. No action was required.

Regulation Committee

Board Member Dustin Rowland called the committee to order.

6.1 Consent Item(s) Moved to Discussion

2.5 Water Use Permit No. 20 002715.027, Mosaic Fertilizer, LLC and South Ft. Meade Partnership, LP / Mosaic Agricultural WUP (Hardee and Polk Counties)

A Request to Speak card was received for this item.

Mr. Tim Richey spoke in opposition to the approval of the permit.

Staff recommended the Board approve the proposed permit attached as an exhibit.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio –01:56:38)

6.2 Denials Referred to the Governing Board

None were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

Committee/Liaison Reports

8.1 Environmental Advisory Committee

A written summary of the July 11 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, stated that the surplus lands policy will be added to the agenda for the Governing Board Workshop in November. In addition, he indicated that Item 2.3 will be presented again at a future Board meeting once additional negotiations have been completed.

Chair's Report

10.1 Chair's Report

Chair Armstrong stated the next meetings are as follows: FY2024 Tentative Budget Hearing is scheduled for Tuesday, September 12 at 5:01 p.m. in the Tampa office. The next Governing Board Meeting is scheduled for Tuesday, September 26 at 3:00 p.m. in the Tampa office followed by the FY2024 Final Budget Hearing at 5:01 p.m.

10.2 Employee Milestones

A written summary was provided.

Adjournment

The meeting adjourned at 11:00 a.m.