

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD MEETING AND PUBLIC HEARING

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

9:00 a.m., Tuesday
March 12, 2013

District Headquarters
Live Oak, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Virginia H. Johns		X	
At Large	Virginia Sanchez		X	
At Large	Guy N. Williams		X	
At Large	Gary Jones		X	

Governing Board General Counsel

Name	Firm	Present	Not Present
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis		X
Administrative Services Division Director	Joe Flanagan	X	
Land Resources Division Director	Charles H. Houder. III	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	
Resource Management Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

Guests:

Kevin Wright, SRWMD
Megan Wetherington, SRWMD
Dave Dickens, SRWMD
Rhonda Scott, SRWMD
Scott Gregor, SRWMD
Lindsey Mark, SRWMD
Sara Alford, SRWMD
Tommy Keiger, SRWMD
Vanessa Furtiz, SRWMD
LeRoy Marshall, SRWMD
Warren Zwanka, SJRWMD
Robert Baker, Our Santa Fe River, Fort White
Sarah Anderson, Town of Lee, Lee
Bob Brown, City of Perry, Perry
Tony Lopez, City of Newberry, Newberry
Dan Buchanan, Farm Bureau, Pinette
Barney & Renate Cannon, Chiefland
James Cornett, Cornett's Spirit of the Suwannee, Live Oak
Annette Long, Save Our Suwannee, Inc., Chiefland
Paul Still, Bradford Soil & Water, Starke
Merrilee Malwitz-Jipson, Our Santa Fe River, Inc., Ft. White
Gary Hardacre, City of Alachua, Alachua
Stoney Smith, Nature Coast Regional Water Authority, Fanning Springs
John McPherson, Cedar Key Water & Sewer District, Cedar Key
Greg Lang, Mittaner & Associates, Inc., Orange Park
Steven Gladin, Trenton
Charles Shinn, Florida Farm Bureau Federation, Greenville
Mayor Frank Ogborn, City of Archer
Charles Williams, City of Jasper
Kim Worley, City of Waldo
Mike New, Public Services Director, City of Alachua
Danny Johnson, County Coordinator, Hamilton County
Mayor Frank Ogborn, City of Archer

The meeting was called to order at 9:00 a.m.

Mr. George Reeves performed the swearing in of the "Oath of Office" ceremony with Virginia Sanchez, newly appointed Governing Board member.

Agenda Item No.3 - Additions, Deletions, or Changes to the Agenda.
No changes.

Agenda Item No. 4 – Approval of Agenda.

MR. ALEXANDER MADE A MOTION TO ACCEPT THE AGENDA. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY)

Agenda Item No.5 – Consent Agenda.

- Agenda Item 7– Approval of Minutes – February 12, 2013 Governing Board Meeting and Workshop
- Agenda Item 10 - Approval of January 2013 Financial Report

Agenda Item No. 6 – Approval of Recommended Consent Items.

DR. COLE MADE A MOTION TO ACCEPT THE CONSENT AGENDA AS READ. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No.7– February 12, 2013, Governing Board Meeting and Workshop. Approved on consent.

Agenda Item No.8 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A presentation of the Hydrologic Conditions was given by Megan Wetherington, Senior Professional Engineer.
- Dr. Ann Shortelle announced the retirement of Joe Flanagan, Administrative Services Division Director, and thanked him for his 35 years of dedicated service to the Suwannee River Water Management District.
- Cooperating agencies and Organizations
 1. Commissioner Gary Hardacre, City of Alachua, introduced Mike New who gave an update on reclaimed water distribution to biomass power plant.
- Public Comments:
 1. Paul Still- Dupont, Camp Blanding [sic]
 2. Annette Long, Freefill for Klausner recharge [sic]
 3. Merrilee Malwitz-Jipson, asking for a moratorium on any new WUP/CUP's until science proves otherwise. Thanked SRWMD working with DEP to restore funding for projects that will help protect the Santa Fe River. [sic]

Agenda Item No.9 – Public Hearings.

Agenda Item 18 - Public Hearing and Authorization to Publish Notice of Proposed Rules 40B-1, 40B-4, 40B-400, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volume II, regarding Statewide Environmental Resource Permitting – heard and voted on during Resource Management portion of the Agenda.

DIVISION OF ADMINISTRATIVE SERVICES

Agenda Item No. 10 – Approval of January 2013 Financial Report. Approved on consent.

Public Comment resumed with Merrilee Malwitz-Jipson, asking for a moratorium on any new WUP/CUP's until science proves otherwise. Thanked SRWMD working with DEP to restore funding for projects that will help protect the Santa Fe River.

DIVISION OF LAND RESOURCES

Agenda Item No. 11 – Authorization to Initiate Rule Development for Chapter 40B-9, Florida Administrative Code. Charles Houser, Division Director, presented the staff recommendation to authorize the Governing Board to initiate Rule Development for Chapter 40B-9, Florida Administrative Code, as provided in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE GOVERNING BOARD TO INITIATE RULE DEVELOPMENT 40B-9, FLORIDA ADMINISTRATIVE CODE. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 12 – Approved Letter of Intent for Sublease Agreement to ForVets, Inc., by Gilchrist County for Otter Springs. Mr. Houser presented the staff recommendation to approve and execute a Letter of Intent for sublease Agreement by Gilchrist for the use of Otter Springs by ForVets, Inc., as provided in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE AND EXECUTE A LETTER OF INTENT FOR SUBLEASE AGREEMENT BY GILCHRIST COUNTY FOR THE USE OF OTTER SPRINGS BY FORVETS, INC. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 13 – Damascus/Ellaville Land Exchange. Mr. Houser presented the staff recommendation to (1) subordinate the District's agreement with Rich Property and Investment Group, Inc. (Rich) to purchase and sale agreement between Rich and the Trustees of the Internal Improvement Trust Fund (Trustees); (2) approve the exchange agreement with the Trustees; and (3) authorize the Chairman, Secretary and Executive Director to execute required documents, as provided in the Board materials.

Mr. Quincey publically announced that the March 12, 2013 Governing Board meeting would be held open to be continued on March 18, 2013 at 2:00 p.m. for possible discussion and action, if necessary, on the Damascus/Ellaville Land Exchange negotiations and agreement.

MR. ALEXANDER MADE A MOTION TO APPROVE STAFF RECOMMENDATION TO (1) SUBORDINATE THE DISTRICT'S AGREEMENT WITH RICH PROPERTY AND INVESTMENT GROUP, INC. (RICH) TO PURCHASE AND SALE AGREEMENT BETWEEN RICH AND THE

TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND (TRUSTEES); (2) APPROVE THE EXCHANGE BETWEEN RICH AND THE TRUSTEES; AND (3) AUTHORIZE THE CHAIRMAN, SECRETARY AND EXECUTIVE DIRECTOR TO EXECUTE REQUIRED DOCUMENTS. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 14– Land Resources Activity Summary - The Land Resources Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

Agenda Item No. 15 –Approval to Declare April 2013 as Water Conservation Month. Carlos Herd, Water Supply Division Director, presented the staff recommendation to declare April 2013 as Water Conservation Month, as provided in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE APRIL 2013 AS WATER CONSERVATION MONTH. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No.16 – Approval to Declare March 10 – 16, 2013 as Groundwater Awareness Week. Mr. Herd presented the staff recommendation to declare March 10 – 16, 2013 as Groundwater Awareness Week, as provided in the Board materials.

MRS. JOHNS MADE A MOTION TO APPROVE MARCH 10 -16, 2013 AS GROUNDWATER AWARENESS WEEK. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

DIVISION OF WATER RESOURCES

Agenda Item No. 17 –Approval of Resolution No. 2013-03 Returning Unexpended Funds Associated with Resolution 2008-10. Erich Marzolf, Ph.D., Water Resources Division Director, presented the staff recommendation to adopt Resolution No. 2013-03 to rescind Resolution 2008-10 and return unexpended funds to the Florida Department of Environmental Protection as provided in the Board materials.

MR. CURTIS MADE A MOTION TO ADOPT RESOLUTION 2013-03 TO RECIND RESOLUTION 2008-10 AND RETURN UNEXPENDED FUNDS TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No 18 –Public Hearing and Authorization to Publish Notice of Proposed Rules 40B-1, 40B-4, 40B-400, Florida Administrative Code (F.A.C.) and Applicant’s Handbook Volume II, regarding Statewide Environmental Permitting. Leroy Marshall, Sr. Professional Engineer, presented the staff recommendation to approve proposed changes and authorization to publish notice of proposed rules 40B-1, 40B-4,40B-400, Florida Administrative Code and Applicant’s Handbook Volume II, regarding statewide environmental permitting, and file with the Department of State as provided in the Board materials.

Chairman Quincey opened the public hearing for comments.
Mrs. Renatta Cannon provided public comment.

There were no other public comments. The public hearing was closed.

MR. CURTIS MADE A MOTION FOR AUTHORIZATION TO APPROVE PROPOSED CHANGES AND PUBLISH NOTICE OF PROPOSED RULES 40B-1, 40B-4,40B-400, FLORIDA ADMINISTRATIVE CODE AND APPLICANT’S HANDBOOK VOLUME II, REGARDING STATEWIDE ENVIRONMENTAL PERMITTING AND TO FILE WITH THE DEPARTMENT OF STATE. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No 19—Authorization to Enter into Contract for Fiscal Year 2013 with Local Government Regional Initiative Valuing Environmental Resources (RIVER) Cost Share Program. , Tim Sagul, Division Director, Resource Management, presented the staff recommendation to authorize the Executive Director to enter into contracts with fourteen (14) applicants for Fiscal Year 2013 Local Government Regional Initiative Valuing Environmental Resources (RIVER) Cost Share Program, as provided in the Board materials.

Mr. Williams stated a possible conflict of interest and abstained from voting on Agenda Item 19.
Mr. Williams completed and signed a conflict of interest form. This form is hereby made a part of these minutes.

Public comment was given by:

John McPherson, Cedar Key Water & Sewer District, Cedar Key
Stoney Smith, Nature Coast Regional Water Authority, Fanning Springs
Greg Lang, Mittaner & Associates, Inc., Orange Park
Sarah Anderson, Town of Lee
Charles Worley, City of Waldo
Danny Johnson, County Coordinator, Hamilton County

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS WITH 14 APPLICANTS FOR FY 2013 LOCAL RIVER COST SHARE PROGRAM. THE MOTION WAS SECONDED BY MRS.JOHNS. UPON VOTE OF THE GOVERNING BOARD,

THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, AND QUINCEY.)

Agenda Item No. 20- Authorization for the Executive Director to Amend the Grant Contract for Santa Fe River Basin Management Action Plan (BMAP) Grant from Florida Department of Environmental Protection (FDEP). Kevin Wright, Professional Engineer, presented the staff recommendation to amend the Grant Contract for Santa Fe River Basin Management Action Plan (BMAP) Grant for additional \$434,750 from Florida Department of Environmental Protection (FDEP), as provided in the Board materials.

Public Comments:

Steven Gladin

Mayor Frank Ogborn, City of Archer

James Cornett, Spirit of Suwannee

DR. COLE MADE A MOTION TO AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE GRANT CONTRACT FOR SANTA FE RIVER BASIN (BMAP) GRANT FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR AN ADDITIONAL \$434,750. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 21 – Approval of Water Use Permit Application No. 2-12-00073.001, Absaroka, Hamilton County. Mr. Wright presented the staff recommendation for approval of Water Use Permit No. 2-12-00073.001, with eighteen (18) standard conditions and three (3) special limiting conditions to Absaroka Holdings, LLC, in Hamilton County, as provided in Board materials.

Special Conditions were discussed and public comments were given by:

Steven Gladin

James Cornett, Spirit of Suwannee

Charles Shinn, Florida Farm Bureau Federation

Merrilee Malwitz-Jipson

Renatta Cannon

MRS. JOHNS MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-12-00073.001, WITH EIGHTEEN (18) STANDARD CONDITIONS AND THREE (3) SPECIAL LIMITING CONDITIONS TO ABSAROKA HOLDINGS LLC, IN HAMILTON COUNTY. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 22 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item in the Board materials.

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 23 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials.

Mr. George Reeves gave an update on SRWMD v. Paul Moody Bradford County Case No. 2010-CA-701 and requested a determination as to whether or not to proceed in setting the damages issue for trial in an attempt to secure a judgment against Paul Moody for attorney’s fees and costs as well as a civil penalty.

MR. CURTIS MADE A MOTION TO CLOSE OUT CASE NO. 2010-CA-70/PAUL MOODY. THE MOTION WAS SECONDED BY MS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

EXECUTIVE OFFICE

Agenda Item No. 24 – North Florida Regional Water Supply Partnership Stakeholder Committee Update. Dr. Ann Shortelle, Executive Director, presented to the Board the North Florida Regional Water Supply Partnership Stakeholder Committee update, as an informational item in the Board materials.

Agenda Item No.25- District’s Weekly Activity Reports. The District’s Weekly Activity Reports were provided as an informational item in the Board materials.

The meeting proceedings suspended at 12:13 p.m. to reconvene on March 18, 2013.

The March 18, 2013 continuance teleconference meeting for discussion and possible action upon the Ellaville/Damascus Peanut Land Exchange was cancelled, thus the March 11, 2013 Governing Board meeting did not reconvene and therefore stands adjourned.

Chairman

ATTEST:

SUWANNEE RIVER AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
JOINT GOVERNING BOARD WORKSHOP

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2:00 p.m., Monday
March 11, 2013

Fanning Sprints City Hall
Fanning Springs, Florida

Governing Board:

SRWMD
Alphonas Alexander
Kevin Brown
Dr. George Cole
Virginia Johns
Virginia Sanchez
Don Quincey, Jr.
Gary Williams
Gary Jones

SJRWMD

Douglas C. Bournique
Lad Daniels
Charles "Chuck" Drake
Richard G. Hamann
John A. Miklos
George W. Robbins
Fred N. Roberts Jr.
W. Leonard Wood

Staff:

Ann Shortelle, Executive Director, SRWMD
Jon Dinges, Assistant Executive Director, SRWMD
Lisa Cheshire, SRWMD
Charlie Houser, SRWMD
Carlos Herd, SRWMD
Erich Marzolf, SRWMD
Hans Tanzler, Executive Director, SJRWMD
Woody Boynton, Assistant Executive Director, SJRWMD
Jeff Cole, Chief of Staff, SJRWMD

Al Canepa, SJRWMD
Warren Zwanka, SJRWMD
Peggy White, SJRWMD

Guests:

Deputy Secretary Greg Munson, DEP
Dr. Tom Beck, DEP
Steven Baker, Ft. White
Barney & Renate Cannon, Chiefland
Steven Gladin, Trenton
Merrilee Malwitz-Jipson, Our Santa Fe River, Inc., Ft. White
Annette Long, Save Our Suwannee, Inc., Chiefland
Paul Still, Bradford Soil & Water Conservation District, Starke
Craig Varn, Manson Law Group, Tallahassee
Brett Goodman, Jones Edmunds, Gainesville
Tony Cunningham, GRU, Gainesville
Bobby Crosby, Gilchrist County, Trenton
Judy Etzler, Micanopy
Vivian Katz, Save Our Rivers Organization, Keystone Heights
Jane Nogaki, Fanning Springs
Roger Nogaki, Fanning Springs
Curt Williams, Florida Farm Bureau Federation, Webster
Robert Kerr, City of Fanning Springs
Jennifer Sagan, AMEC, Newberry
Ray Hodge, SMI, McAlpin
Peter Schreuder, Schreuder Inc., Tampa
Jennifer Whiting, Bell

Suwannee River Water Management District Chairman welcomed the St. Johns River Water Management Governing Board members, the Department of Environmental Protection representatives, staff and the public to the first joint workshop between the two districts and thanked them everyone their attendance and participation.

Carlos Herd, P.G., SRWMD Water Supply Division Director, and Al Canepa, P.G., SJRWMD, presented an update on the cooperative water management district activities:

1. North Florida Regional Water Supply Partnership Stakeholder Advisory Committee Overview
2. Interagency Agreement Update

A. Regional Groundwater Decline Literature Review

- B. Collecting and Sharing of Data
 - C. Joint Regional Water Supply Plan Overview
 - D. Minimum Flows and Levels Coordination Between Districts
 - E. Aquifer Replenishment Initiative
 - F. North Florida Southeast Georgia Regional Groundwater Flow Model
3. Florida – Georgia Coordination Meetings

Public Comment:

- Renate Cannon
- Rodger Nogaki
- Paul Still
- Jane Nogaki
- Tony Cunningham
- Vivian Katz
- Judy Etzler
- Bobby Crosby

The workshop adjourned at 4:35 p.m.