

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

Note: A digital recording system has been used to record these procedures 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  
February 10, 2009

District Headquarters  
Live Oak, Florida

Members of the Governing Board Present:

Louis Shiver, Chairman  
Georgia Jones, Secretary/Treasurer  
J. P. Maultsby, Vice Chair  
Dr. Linden Davidson  
David Flagg  
Heath Davis  
O. J. Lake  
Don Quincey, Jr.

Members of the Governing Board Absent:

None

Staff:

David Still	Tom Brown, Legal Counsel
Charlie Houder	Kirk Webster
Jon Dinges	Joe Flanagan
Lisa Cheshire	Melanie Roberts
Megan Wetherington	Carlos Herd
Glenn Horvath	John Kruse

Participating Guests:

Russ Augspurg, Our Santa Fe River, Inc., High Springs, FL  
Rob Birrenkott, Manson Law Group,  
James Bloomingfield, Mayo, FL  
Dan Buchanan, Florida Farm Bureau Federation, Pinetta, FL  
Barney and Renate Cannon, Chiefland, FL  
Greg Driskell, Plum Creek,  
Roland Garcia, Florida Fish and Wildlife Commission, Tallahassee, FL  
Dwight Jenkins, St. Johns River Water Management District, Palatka, FL

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Carl Meece, O'Brien, FL  
Bob Moresi, Moresi Hydrogeologic Services, Lutz, FL  
Steve Peene, Tallahassee, FL  
Bobby Strauder, White Springs, FL  
Don Thomas, White Springs, FL  
Ray E. Thomas, Bell, FL  
Joseph Wallmeyer, Mayo, FL

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

Tom Brown, Legal Counsel, gave the invocation and led the Pledge of Allegiance to the flag.

The roll was called and a quorum noted.

Agenda Item No. 3 - Approval of Minutes. January 13, 2009 Governing Board Meeting Minutes.

ON A MOTION BY MR. LAKE, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE JANUARY 13, 2009 GOVERNING BOARD MEETING MINUTES.

Agenda Item No. 4 - Additions, Deletions, or Changes to the Agenda.

Additions:

RM Department:

- Florida Department of Transportation Mitigation Plan 2009-2013.
- Approval of Water Use Permit Application WUP83-0142RM.

Amended:

RM Department:

- Agenda Item 14, Authorization to Publish Notice of Rule Development for 40B-3.902, Florida Administrative Code (F.A.C.).

WR Department:

- Agenda Item 30, Authorization for the Executive Director to Execute a Contract with Entrix Water Solutions for the Preparation of a District-wide Water Supply Assessment Update and Regional Water Supply Plan for the Upper Santa Fe River Basin.

Agenda Item No. 5 - Approval of Agenda.

ON A MOTION BY MR. QUINCEY, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE FEBRUARY 10, 2009, AGENDA AS AMENDED.

Agenda Item No. 6 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A. A Tarmac America presentation regarding mining in southern Levy County was given by Jake Varn, Esq.
- B. Megan Wetherington gave a presentation on the hydrologic conditions of the District.
- C. Ray Thomas, representing Blue Springs, requested the Governing Board consider an extension of the mediation agreement.

**DEPARTMENT OF ADMINISTRATION**

Agenda Item No. 7 - Approval of December Financial Report. Joe Flanagan, Deputy Executive Director, presented the December Financial Report, as shown in the Board materials.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE DECEMBER FINANCIAL REPORT.

Agenda Item No. 8 – Approval of Resolution 2009-02. Mr. Flanagan presented the staff recommendation for approval of Resolution 2009-02 to establish the National Incident Management System, as shown in the Board materials.

ON A MOTION BY MR. MAULTSBY, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED RESOLUTION 2009-02 TO ESTABLISH THE NATIONAL INCIDENT MANAGEMENT SYTEM.

Agenda Item No. 9 – Authorization to Enter into Contract with Dewberry. Mr. Flanagan presented the staff recommendation for authorization for the Executive Director to enter into a contract with Dewberry for quality control of topography contour and breakline data of Jefferson County, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH DEWBERRY FOR QUALITY CONTROL OF TOPOGRAPHY CONTOUR AND BREAKLINE DATA OF JEFFERSON COUNTY.

Agenda Item No. 10 - Activity Report, Administration. The Activity Report for the Department of Administration was provided as an informational item in the Board materials.

## **DEPARTMENT OF RESOURCE MANAGEMENT**

Agenda Item No. 11 - Permitting Matters.

Agenda Item No. 11A - Approval of Environmental Resource Permit Application Number ERP08-0377. Jon Dinges, Director, presented the staff recommendation for approval of Environmental Resource Permit Application Number ERP08-0377 with thirty-one standard conditions to Madison County for Northeast Myrrh Street, as shown in the Board materials.

ON A MOTION BY MR. MAULTSBY, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED ENVIRONMENTAL RESOURCE PERMIT APPLICATION NUMBER ERP08-0377, WITH THIRTY-ONE STANDARD CONDITIONS TO MADISON COUNTY FOR NORTHEAST MYRRH STREET.

Agenda Item No. 12 – Authorization to Publish and File Amendments for 40B-1.901, Florida Administrative Code. Mr. Dinges presented the staff recommendation for authorization to publish amendments and to file amendments for 40B-1.901, Florida Administrative Code, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO PUBLISH AMENDMENTS AND TO FILE AMENDMENTS FOR 40B-1.901, FLORIDA ADMINISTRATIVE CODE.

Agenda Item No. 13 – Authorization to Publish Notices of Rule Development and Proposed Rule and Authorization to File Amendments for 40B-4.1090, Florida Administrative Code. Mr. Dinges presented the staff recommendation for authorization to publish notices of rule development and proposed rule and

authorization to file amendments for 40B-4.1090, Florida Administrative Code, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO PUBLISH NOTICES OF RULE DEVELOPMENT AND PROPOSED RULE AND AUTHORIZED STAFF TO FILE AMENDMENTS FOR 40B-4.1090, FLORIDA ADMINISTRATIVE CODE.

Agenda Item No. 14 – Authorization to Publish Notice of Rule Development for 40B-3.902, Florida Administrative Code. Mr. Dinges presented the staff recommendation for authorization to publish notice of rule development for 40B-3.902, Florida Administrative Code, as shown in the Board materials.

ON A MOTION BY MR. QUINCEY, SECONDED BY MR. FLAGG, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO PUBLISH NOTICE OF RULE DEVELOPMENT 40B-3.902, FLORIDA ADMINISTRATIVE CODE.

Agenda Item No. 15 – Approval of the Entry of Final Order for Charles Troy Wadford. Mr. Dinges presented the staff recommendation for approval of the entry of Final Order for Charles Troy Wadford, as shown in the Board materials.

ON A MOTION BY DR. DAVIDSON, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE ENTRY OF FINAL ORDER FOR CHARLES TROY WADFORD.

Agenda Item No. 16 – Authorization to Enter into a Local Agency Program Agreement with the Florida Department of Transportation and Approval and Execution of Resolution 2009-05. Mr. Dinges presented the staff recommendation for authorization for the Executive Director to enter into a Local Agency Program Agreement with the Florida Department of Transportation and for approval and execution of Resolution 2009-05 for Hart Springs Greenway, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A LOCAL AGENCY PROGRAM AGREEMENT WITH

THE FLORIDA DEPARTMENT OF TRANSPORTATION AND APPROVED  
RESOLUTION 2009-05 FOR HART SPRINGS GREENWAY.

Supplemental Agenda Item – Approval of the Florida Department of Transportation Mitigation Plan 2009-2013. Mr. Dinges presented the staff recommendation for approval of the Florida Department of Transportation Mitigation Plan 2009-2013, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE FLORIDA DEPARTMENT OF TRANSPORTATION MITIGATION PLAN 2009-2013.

Supplemental Agenda Item – Approval of Water Use Permit Application WUP83-0142RM. Mr. Dinges presented the staff recommendation for approval of Water Use Permit application WUP83-0142RM.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. MAULTSBY, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED WATER USE PERMIT APPLICATION WUP83-0142RM.

Agenda Item No. 17 - Activity Report, Quality Communities. The Quality Communities Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 18 - Activity Report, Resource Management Regulatory. The Resource Management Regulatory Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 19 - As-Built Compliance Summary. The As-Built Compliance Summary was provided as an informational item in the Board materials.

Agenda Item No. 20 – Individual Permits Issued by Staff. Individual permits issued by staff were provided as an informational item in the Board materials.

**DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT**

Agenda Item No. 21 – Approval of Resolution 2009-03. Charlie Houser, Deputy Executive Director, presented the staff recommendation for approval of Resolution

2009-03, authorizing the Executive Director to convey 40 acres +/- at Hart Springs Park to Gilchrist County, as shown in the Board materials.

A MOTION WAS MADE BY MR. LAKE, AND SECONDED BY MS. JONES FOR APPROVAL OF RESOLUTION 2009-03, AUTHORIZING THE EXECUTIVE DIRECTOR TO CONVEY 40 ACRES +/- AT HART SPRINGS PARK TO GILCHRIST COUNTY.

After discussion, staff recommended the Governing Board table the item until the next regularly scheduled meeting.

MR. LAKE MADE A MOTION TO TABLE THE AGENDA ITEM, MS. JONES SECONDED. BY UNANIMOUS VOTE THE BOARD TABLED THE APPROVAL OF RESOLUTION 2009-03, AUTHORIZING THE EXECUTIVE DIRECTOR TO CONVEY 40 ACRES +/- AT HART SPRINGS PARK TO GILCHRIST COUNTY UNTIL THE NEXT REGULARLY SCHEDULED MEETING.

Agenda Item No. 22 – Approval of Changes to 40B-9, Florida Administrative Code. Mr. Houser presented the staff recommendation for approval of changes to 40B-9, Florida Administrative Code, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED CHANGES TO 40B-9, FLORIDA ADMINISTRATIVE CODE.

Agenda Item No. 23 – Cost-Share Agreement with the Florida Fish and Wildlife Conservation Commission. Mr. Houser presented the staff recommendation for authorization for the Executive Director to enter into a cost-share agreement with the Florida Fish and Wildlife Conservation Commission for Upland Habitat Restoration, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MR. LAKE, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A COST-SHARE AGREEMENT WITH THE FLORIDA FISH AND WILDLIFE COMMISSION FOR UPLAND HABITAT RESTORATION.

Agenda Item No. 24 – Public Hearing and Adoption of the 2009 Florida Forever Workplan. Mr. Houser presented the staff recommendation for approval of a public

hearing and adoption of the 2009 Florida Forever Workplan, as shown in the Board materials.

Mrs. Renate Cannon requested clarification regarding funding for Land Acquisition projects.

There were no further comments made by the public.

ON A MOTION BY MR. QUINCEY, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED ADOPTION OF THE 2009 FLORIDA FOREVER WORKPLAN.

Agenda Item No. 25 – Approval of Resolution 2009-04. Mr. Houser presented the staff recommendation for approval of Resolution 2009-04, requesting quarterly reimbursement for Land Acquisition and Management costs, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED RESOLUTION 2009-04, REQUESTING QUARTERLY REIMBURSEMENT FOR LAND ACQUISITION AND MANAGEMENT COSTS.

Agenda Item No. 26 - Land Acquisition Activity Report. The Land Acquisition Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 27 - Land Management Activity Report. The Land Management Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 28 – R. O. Ranch Activity Report. The R. O. Ranch Activity Report was provided as an informational item in the Board materials.

## **DEPARTMENT OF WATER RESOURCES**

Agenda Item No. 29 – Authorization to Enter into an Agreement with the Florida Department of Environmental Protection. Kirk Webster, Deputy Executive Director, presented the staff recommendation for authorization for the Executive Director to enter into an agreement with the Florida Department of Environmental Protection for grant assistance to fund the Columbia County Aquifer Vulnerability Assessment, as shown in the Board materials.

ON A MOTION BY MR. LAKE, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR GRANT ASSISTANCE TO FUND THE COLUMBIA COUNTY AQUIFER VULNERABILITY ASSESSMENT.

Agenda Item No. 30 – Authorization to Execute a Contract with Entrix Water Solutions. Kirk Webster, Deputy Executive Director, presented the staff recommendation for authorization for the Executive Director to execute a contract with Entrix Water Solutions for preparation of a District-wide water supply assessment update and regional water supply plan for the upper Santa Fe River basin, as shown in the Board materials.

ON A MOTION BY MR. FLAGG, SECONDED BY MS. JONES, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH ENTRIX WATER SOLUTIONS FOR PREPARATION OF A DISTRICT-WIDE WATER SUPPLY ASSESSMENT UPDATE AND REGIONAL WATER SUPPLY PLAN FOR THE UPPER SANTA FE RIVER BASIN.

Agenda Item No. 31 - Activity Report, Department of Water Resources. The Department of Water Resources Activity Report was provided as an informational item in the Board materials.

## **LEGAL COUNSEL REPORT**

Agenda Item No. 32 - Enforcement Status and Litigation Report. The Enforcement Status and Litigation Report was provided as an informational item in the Board materials.

## **EXECUTIVE OFFICE**

Agenda Item No. 33 - Executive Director's Report. David Still, Executive Director, discussed the importance of the Water Supply Assessment Plan.

Agenda Item No. 34 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

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The meeting adjourned at 11:45 p.m.

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Chairman

ATTEST:

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