



# Council Minutes

May 10, 2010  
10:00 a.m.

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## REPRESENTATIVES PRESENT

Chair, Commissioner Jack Mariano, Pasco County  
Vice Chair, Ms. Jill Collins, Hillsborough County Gubernatorial Appointee  
Secretary/Treasurer, Commissioner Larry Bustle, Manatee County  
Past Chair, Commissioner Bill Dodson, City of Plant City  
Commissioner Nina Bandoni, City of Safety Harbor  
Commissioner Ron Barnette, City of Dunedin  
Commissioner Kevin Beckner, Hillsborough County  
Commissioner Neil Brickfield, Pinellas County  
Vice Mayor Woody Brown, City of Largo  
Council Member Alison Fernandez, City of Temple Terrace  
Vice Mayor Al Halpern, City of St. Pete Beach  
Council Member Bill Jonson, City of Clearwater  
Mr. Robert Kersteen, Pinellas County Gubernatorial Appointee  
Vice Mayor Michele King, City of Gulfport  
Ms. Angeleah Kinsler, Hillsborough County Gubernatorial Appointee  
Vice Mayor Bob Matthews, City of Seminole  
Council Member Janice Miller, City of Oldsmar  
Mayor Bob Minning, City of Treasure Island  
Councilwoman Mary Mulhern, City of Tampa  
Council Member Wengay Newton, City of St. Petersburg  
Mr. Andy Núñez, Pinellas County Gubernatorial Appointee  
Mayor Kathleen Peters, City of South Pasadena  
Vice Mayor Robin Saenger, City of Tarpon Springs  
Ms. Barbara Sheen Todd, Pinellas County Gubernatorial Appointee  
Ms. Kim Vance, Hillsborough County Gubernatorial Appointee  
Ms. Laura Woodard, Hillsborough County Gubernatorial Appointee  
Mr. Earl Young, Pasco County Gubernatorial Appointee  
Mr. Waddah Farah, Alt., Ex-Officio, Florida Department of Transportation  
Ms. Pamala Vazquez, Alt., Ex-Officio, Department of Environmental Protection

## REPRESENTATIVES ABSENT

Mayor Scott Black, City of Dade City  
Mayor Shirley Groover Bryant, City of Palmetto  
Mr. Julian Garcia, Jr., Hillsborough County Gubernatorial Appointee  
Mr. Harry Kinnan, Manatee County Gubernatorial Appointee  
Councilman Bob Langford, City of New Port Richey  
Councilman Patrick Roff, City of Bradenton  
Councilman Ed Taylor, City of Pinellas Park  
Mr. Charles Waller, Pasco County Gubernatorial Appointee  
Ms. Michelle Miller, Ex-Officio, Enterprise Florida  
Mr. Todd Pressman, Ex-Officio, Southwest Florida Water Management District

## OTHERS PRESENT

John Healey, Planner, Hillsborough County  
Trisha Neasman, Planner, SWFWMD  
Farrah Gasferd, Planner, IEM  
Jan Platt, Retired  
Sandra Herma, Planner III, Clearwater  
Lauren Matzice, Planner III, Clearwater  
Day Santos, Supervisor, FDOT  
Shawn Colledge, Exec. Planner, Hillsborough County

**STAFF PRESENT**

Mr. Manny Pumariega, Executive Director  
Mr. Donald Conn, Legal Counsel  
Ms. Suzanne Cooper, Principal Planner  
Ms. Lori Denman, Recording Secretary  
Mr. John Jacobsen, Accounting Manager  
Ms. Betti Johnson, Principal Planner  
Ms. Wren Krahl, Director of Administration/Public Information  
Mr. John Meyer, Principal Planner  
Mr. Greg Miller, Senior Planner  
Mr. Patrick O'Neil, Senior Planner  
Mr. Brady Smith, Senior Planner  
Ms. Erika Wiker, RDSTF Planner  
Mr. Avera Wynne, Planning Director

**Call to Order** – Chair Mariano

The May 10, 2010 regular meeting of the Tampa Bay Regional Planning Council (TBRPC) was called to order at 10:03 a.m.

The Invocation was given by Councilor Bob Matthews, followed by the pledge of allegiance.

**Roll Call** -- Recording Secretary

A quorum was present.

**Voting Conflict Report** -- Recording Secretary - None

Announcements: - Chair Mariano

Vice Mayor Michele King, City of Gulfport, was introduced and welcomed to the Council.

Council Member Bob Langford, City of New Port Richey, was welcomed back to the Council.

Congratulations were given to Ms. Laura Woodard, Gubernatorial Appointee-Hillsborough County, for her reappointment.

Councilor Bob Matthews was thanked for providing refreshments.

The Project Get Ready kickoff is tentatively scheduled for Tuesday, June 22<sup>nd</sup> at 10:00 a.m. at Tropicana Field. Chair Mariano asked that Council members save the date and plan on attending.

On April 16<sup>th</sup> the TBRPC co-sponsored the One Bay Congress of Regional Leaders. Over 300 business, civic and elected leaders participated to voice their ideas on how to collaborate and implement the One Bay regional vision. The goal of the summit was to celebrate and recognize the community input received in developing the vision and to share the One Bay vision and recommendations, as well as identify current best practices for fulfilling those recommendations with the vision. Mr. Avera Wynne will provide a report on the event at the June Council meeting. The One Bay insert was provided in Council folders.

Recognition/Presentation - Chair Mariano:

The 2009 recipient of the Herman Goldner Award for Regional Leadership, Mrs. Jan K. Platt, was unable to attend the Future of the Region Awards luncheon.

Mrs. Platt served the region for four years on the Tampa City Council and twenty-four years as a Hillsborough County Commissioner. She is a past Chair of the Tampa Bay Regional Planning Council and was a Council Member for a total of twenty years. During her tenure she was a fervent advocate for the environment, library services, and the arts.

As a commissioner she served as Chair of the Environmental Protection Agency. She also served on the National Estuary Program, the Arts Council of Hillsborough County, the MPO, Keep Hillsborough County Beautiful, HART . . . just to name a few of the many county organizations, authorities, and councils to which she dedicated her hard work and tireless energy.

She has set the standard for community service by being involved in the Suncoast Girl Scouts Council, Friends of the Library, the Sierra Club of Tampa Bay, the Tampa Audubon Society, the Tampa Historical Society, Egmont Key Alliance, and Head Start.

She has been awarded the Black Bear Award, the Liberty Bell Award and the Woman of Distinction Award by the Suncoast Girl Scouts Council. She recently won a leadership award representing eight southern states presented by the National Head Start organization. Last month she also received the 2010 Lifetime Achievement Award given by the League of Women Voters. Another outstanding honor was having one of Hillsborough County's library named after her, the Jan K. Platt Regional Library.

Mrs. Platt worked tirelessly to protect Hillsborough County's pristine lands by helping to establish ELAPP (Environmental Lands Acquisition and Protection Program), and she is most proud of her work as a driving force in creating the Hillsborough County's home rule charter. She has served as Chair of the Charter Review Board which convenes every five years to review the charter.

Along with Governor Bob Martinez, Mrs. Platt was a key player in the federal government designating Tampa Bay as a National Estuary Program.

There is no end to her leadership, dedication, and hard work on behalf of the citizens of Hillsborough County and the Tampa Bay Region.

The Tampa Bay Regional Planning Council is honored to present the 2009 Herman W. Goldner Award for Regional Leadership to Mrs. Jan K. Platt. Mrs. Platt was called to the podium to receive the award.

Mrs. Jan Platt:

Thank you so much for this award, it means a lot to me. I love the Regional Planning Council. They said I was on the Council for 20 years and I loved every minute of it because its such an important organization. We are a region, we are one, and we need to accept that. What's so great about the

Regional Planning Council is that it gives us an opportunity to meet one another, know one another, and we see that we all have the same ideals and we are all aimed in the same direction. It gives us a spirit of oneness.

When I was born in 1936 in St. Petersburg, at St. Anthony's Hospital, the state of Florida had 1.6 million people. Hillsborough County had about 150,000 people. That is really not a long time in the scheme of things when you think about it, that was 73 years ago. Now we are about 19 million people. In the period I was on the County Commission (1978-2004) the state of Florida doubled in population. Hillsborough County doubled in population. What a spurt of growth. And that's when the Regional Planning Council was going full guns and the West Coast Regional Water Supply Authority, on which I served for years, and now we have Tampa Bay Water.

I always looked at this as a region. During the war my Dad was with the Department of the Navy and we lived in Dunedin. I would go regularly to Donald Roebing's house in Clearwater because he invented the alligator and I would tag along and see his air raid shelter and talk with Dutch about how they were developing this alligator. Then I would go to Dunedin and see those alligators (amphibious tanks) go through the mangroves, which they were allowed to do back in those days. Then I would go in front of Courtney Campbell's house because he was involved in that and I would catch red fish on a cane pole in the surf. I hope you can still do that today.

The state of Florida has changed considerably since then and its important for a group like this to keep everybody on track. I've worked over the years with Barbara Sheen Todd with the Friendship Trail Bridge, and then with saving the Skyway for a fishing pier. What hurts me is that in the last several years both of those fishing piers have been diminished. That's a regional issue. There are a lot of people who don't have a boat. When I would go out on the fishing pier part of Friendship Trail, my husband and I would sometimes do that at night, the people we saw fishing were fishing for food. They weren't out there for the sport. They're not organized to lobby when that fishing pier closed. It would seem to me that this is a regional issue that maybe some of us could take up to start looking at public fishing piers.

There are so many things from a regional standpoint - the water, the air, and this group has been the key in forming the Agency on Bay Management, the National Estuary Program - all those sprang from this group. Be innovative. We have a major metropolitan area that's taking shape and you hold the key. You really do. Use your power to look into the future and what this area will be like in the future because just in my lifetime I would never have believed that it would be what it is today. Again, in my lifetime, I would never believed that I, as a woman, would be standing up here receiving an award. The "K" stands for Kaminis because one of my grandparents was Greek and he built sponge boats in Tarpon Springs. I got a lot of grief about being Greek and so when they named the library for me they were going to call it the Jan Platt Library and I said no way, you are going to put Jan Kaminis Platt. They did that for me. Times have changed, thank goodness. I urge you to keep making those times change. Thank you.

1. **Approval of Minutes** – Secretary/Treasurer Bustle  
The minutes from the April 12, 2010 regular meeting were approved (Kersteen/J. Miller).
2. **Budget Committee** – Secretary/Treasurer Bustle
  - A. The Financial Report for the period ending 03/31/10 was approved (J. Miller/Beckner)
  - B. The 2009/2010 Mid Year Budget Amendment  
The Budget Committee met this morning and was presented with the 2009/2010 Mid Year Budget Amendment. The overall budget increased almost \$348,000 primarily due to the following:
    - Federal Revenue increased \$319,000 because of the addition of the Tampa Bay

Cluster Study and increased activity in Florida Catastrophic Planning.

Fees & Contracts increased \$94,000 primarily due to the addition of the Tampa Bay Cluster Study and several RDSTF Tactical Interoperable Plans.

Utilization of Appropriated Fund Balance decreased \$67,000 based on the addition of several new projects and reductions of expenses in several areas.

The Budget Committee unanimously approved the proposed Mid Year Budget Amendment this morning.

The 2009/2010 Mid Year Budget Amendment was approved (Kersteen/Mulhern)

**3. Consent Agenda – Chair Mariano**

**A. Budget and Contractual**

1. Memorandum of Understanding (MOU) with Rocky Mountain Institute

Last month, Council approved the Project Get Ready resolution and the Get Ready Tampa Bay Charter related to preparing the Tampa Bay region for electric transportation. Project Get Ready is a program of the Rocky Mountain Institute, Inc. (RMI). A Memorandum of Understanding (MOU) is required to outline the Council's and RMI's roles and responsibilities related to Project Get Ready.

Additional Material: Memorandum of Understanding

Action Recommended: Authorize Chairman to sign the MOU with RMI

Staff contact: Avera Wynne, ext. 30

2. Contract with SRI International

After a Request for Proposal process and interviews with four outstanding firms/teams, staff recommends SRI international to perform the Industry Cluster Study and Workforce Competency Study. The Council is partnering with the Tampa Bay Partnership on this important study that will enhance the region's economic development. SRI International's contract amount is \$525,000.00. The project total is \$675,125.00. EDA will fund \$540,100.00. Financial partnership commitments have been attained from the Suncoast Workforce Alliance, City of Clearwater, Manatee County EDC, Pinellas County, Worknet Pinellas, Tampa Bay Workforce Alliance, Pasco County EDC, and the Florida High Tech Corridor Council totaling \$110,000.00. TBRPC and Tampa Bay Partnership will each contribute \$12,500.00 in-kind.

Additional Material: Proposed Schedule of Tasks and Deliverables

Action Recommended: Approve contract with SRI International

Staff contact: Avera Wynne, ext. 30

**B. Intergovernmental Coordination & Review (IC&R) Program**

1. IC&R Reviews by Jurisdiction - April 2010

2. IC&R Database - April 2010

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

3. IC&R #036-10, Pasco County Draft RY 2010/11-2011/12 Unified Planning Work Program

Action Recommended: Approve staff report

Staff contact: Greg Miller, ext. 18

**C. DRI Development Order Reports (DOR)**

DRI # 267 - Sunwest Harbourtowne, Pasco County

Action Recommended: Approve staff report

Staff contact: John Meyer, ext. 29

**D. DRI Development Order Amendment Reports (DOAR) - None**

**E. Notice of Proposed Change (NOPC) Reports - None**

**F. Annual Report Summaries (ARS)/Biennial Report Summaries (BRS) - None**

**G. DRI Status Report**

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

**H. Local Government Comprehensive Plan Amendments (LGCP)**

*Due to statutory and contractual requirements, the following reports have been transmitted to the Florida Department of Community Affairs (FDCA) and the appropriate local government in accordance with Rule 29H-1.003(3), F.A.C.*

1. DCA # 10-1, Manatee County (proposed)
2. DCA # 10-1AR, City of Clearwater (proposed)

Action Recommended: For Information

Staff contact: Jessica Lunsford, ext. 38

**I. Local Government Comprehensive Plan Amendments (LGCP)**

The following report(s) are presented for Council action:

1. DCA # 10-1PTF, Manatee County (adopted)
2. DCA # 10-1AR, Pinellas County (adopted)
3. DCA # 10-1AR, City of Tampa (proposed)
4. DCA # 09-1DRI, Pasco County (adopted)
5. DCA # 10-1CIE/AR, City of Dunedin (adopted)

Action Recommended: Approve staff reports

Staff contact: Jessica Lunsford, ext. 38

The Consent Agenda was approved. (Matthews/Jonson)

4. **Item(s) Removed from Consent Agenda and Addendum Item(s) - None**

5. **Review Item(s) or Any Other Item(s) for Discussion - None**

6. **A. Fred Abousleman - National Association of Regional Councils (NARC)**

Mr. Abousleman, the Executive Director of NARC, provided an update on NARC's activities and an overview of the current legislative agenda in Congress and how it may affect regions and local governments in 2010.

NARC is a trade association representing regional councils and MPOs in Washington, DC. It is a national non-profit trade organization which represents multi-jurisdictional regional planning organizations, large and small, urban and rural. There are 240 members representing 97% of the counties and 99% of the U.S. population. We are proud to announce that we will be in the Tampa Bay region in 2012 for the Annual Conference.

There is still about \$260 billion that needs to be spent this year out of the federal government. A lot of money is sitting in projects and programs that the federal government is unsure how to get out. A lot of money was put into agencies that don't necessarily make grants or programs available to local governments, like the Department of Energy, broadband programs. The reason I'm mentioning this is because within the next 3-6 months the federal government is going to have to spend \$260 billion or roll it back over into the general fund. We are encouraging our local governments in our regions and in our states to think about how to put projects together that might be of interest to agencies that might, in the future, be releasing money through discretionary accounts. For example: The Department of Energy has about \$40 billion that they are not clear on what they are going to do with it. It's stimulus money that can be used for things like stimulating the economy, the green job effort, cluster development. We are encouraging regions and local governments to meet with your regional agency (Atlanta) and think about ways to package projects so you will be competitive if the money is released. If you are looking to increase access to green jobs, or sustaining a part of your new cluster development, attracting businesses, retaining or training employees, there is a lot of money to do this. You have to be prepared to be in a position to receive the money.

There will be a second round of funding for broadband which was announced recently. There is a lot of potential new money in the Department of Agriculture to look at things like food systems and sustainable agriculture.

Washington is not talking about anything right now that is of direct interest to the services cities and counties provide with the absence of health care reform. The President has announced his ten points for his agenda for the rest of the year. Unfortunately for us its not about the authorizations that are critical to the programs that you may want at the regional level or at your local governments. For example,

workforce investment, EDA, water or surface transportation. None of those authorizations are necessarily going to be on the table. The President's agenda and the Congressional agenda are dealing with Afghanistan and Iraq, the massive oil spill, immigration reform and a few minor but important programs to the President such as the No Child Left Behind re-authorization, the economy, appropriations and the budget. There is not a lot of time left in the Congressional calendar to get things done. We anticipate a few big problems will be dealt with and then they will go into mid-term elections. When this Congress ends, anything that's introduced this year that's not dealt with will have to be re-introduced in the new Congress. That can mean a lot for us, it can be good or bad depending on the makeup of the next Congress.

Florida is in the forefront of the mid-term elections of leading the charge about the shakeups of who is running for Senate and who is running for House. This will be a big year for both republicans and democrats. Then the question will be, what will Congress take up?

The last big piece that is remaining for us is probably climate change. The President has indicated that after immigration reform and health care and budget and appropriations, if there is time left on the calendar the President will bring another climate change bill to the Senate.

There was a third stimulus package which did a few things of interest to our transportation providers and others. It put some money back into the highway trust fund, gave back Florida money that was taken away and did a few other things. There's potentially a fourth stimulus proposal being floated which would be another project bill. That project bill would have to be done before Congress adjourns for the mid term elections. That could be between \$100-200 billion in money directly to local governments and states for water, sewer, transportation, highways and transit and other projects. There is still some concern about whether Congress would be able to get this done. The way they would pay for it is money that's been recovered from TARP, which is money that's been paid back by the banks.

Transportation will not move this year. That means that we will be looking at potentially another two years of continuing resolutions. For those of you that follow transportation, this is a \$500 billion bill that would support Florida as a state, your MPOs, your councils of governments, and your local governments. The ranking Chairman and Mr. Mica from Florida introduced a bill this last year which didn't have any money tied to it. One of the issues about transportation re-authorization is that it's a very expensive proposal. There is no funding identified to move a comprehensive surface transportation bill forward in either the House or the Senate. One of the ways they are making up for these project shortfalls is through stimulus funding. That's potentially why we may see this fourth project bill. Best guess is that we will not see this bill this year. It will take them next year to finish and then it will be adopted or finished in 2012. That means two years of projects in Florida that potentially will not have the funding needed to move them forward. We need to push as much money as possible to local governments either through your region or directly in funding.

Right now there is a very strong democratic proposal for climate change to be considered in almost every new authorization that's released, including transportation. That will

have an affect on the cost of doing business in Florida. That's something that very much concerns us.

I want to thank all of you for your support in our initiative called Regional Infrastructure Improvement Zones. I wanted to give you an update on this and the reason why it's important to this discussion today is that this is a way that we can pay for transportation and other projects in our communities. It's being prepared to be dropped in the Senate this year and potentially in the House as well, with a Republican co-sponsor. If this is passed and adopted this year this would allow for private sector investment in your public infrastructure through the creation of these zones. We are looking to get this passed, or at least tied to a bill this year. Regional Infrastructure Improvement Zones (RIIZ) is a non-partisan bill and 100 million people have endorsed this. It allows local governments to be able to centralize private investments, especially in an economic crisis.

Climate change is very important to everyone because we are unclear on how climate change is going to play out, both in the economy and in the new mandates and regulations on local governments and states. There was a potential third bill on the Senate coming out this year that was sponsored by Senators Kerry and Lieberman and Graham. Recently, because of immigration reform, Senator Graham pulled his support from this bill which means this may stall in the Senate. What's important about this was that there are already two other bills, a House bill by Congressman Waxman and Markey and a Senate bill by Boxer and Kerry. There is a lot of maneuvering right now about things like cap and trade, carbon taxes, about how you would actually be able to do projects and programs. This is something that this region and all of the local governments need to watch very closely. None of the bills provide money for transportation, although they identify transportation as being a major source of greenhouse gases. They would tell you that you need to regulate it, but they wouldn't provide the funding. The House passed their bill in June with very strict mandates. We were able to work with the Senate on the Boxer/Kerry bill to temperate it.

What we were concerned about is this new legislation which could have been a game changer. This is the bill that would have allowed substantial new drilling in the Gulf of Mexico. This is the bill that would have allowed for coal exploration. This is a comprehensive energy and climate change bill that may now, because of the Gulf oil spill, stall. What we're not clear about is whether it will be introduced or left to languish until next year. We will continue to update you on this but I do want to make you aware that at the local level and regional level this is the most significant thing I think we will be dealing with in the next two years.

A couple of things we were able to deal with, with the Senate - there was a provision in Senate law that said if employees didn't meet emission standards (whatever they were) that you could be sued. We got that changed. We said you can't sue the Tampa Bay Regional Planning Council because employees are driving too much in SUVs around the parking lot. We said reducing the mileage traveled shouldn't be the only target. There should be a series of incentives that says people are still allowed to drive. It's a strategy,

but not a national goal, because one of the issues we have is that technology is far more important to greenhouse gas emissions than how far you are driving. There are a lot of things that we are working on that we need your support and continued support as we move forward.

One of the things Mr. Pumariega wanted me to hit on was the new livability provisions that are coming through both in the administration and Congress this year. We've been working on sustainable communities for a long time. What's really important for local governments and regions is that there is new funding attached to this for you to do more comprehensive planning, implementation and better leveraging of current resources. Right now there is a bill, 1619, which was introduced by Senator Dodd and recently co-introduced by Representative Perlmutter of Colorado sitting in the House, that needs to move forward and we need your support on this. They will release new money for regions and local governments to do coordinated planning that you currently are required to do, to leverage that money with new money for development in your communities. They're not mandates, they're not land use planning bills. They are simply ways to link current planning efforts together that you already do through the Economic Development Administration or transportation or SBA and to make them more relevant. Urban and rural communities are eligible for funding in this bill. It ties to what is happening in HUD. HUD has recently released \$150 million, or will by the end of this month, for regions and local governments to integrate land use transportation and housing, look at new land use patterns, to better tie in transportation to economic development. The money is available. The question is whether this region or local governments want to package a release for a potential grant proposal to HUD to get this money. The administration is making this a centerpiece for their new budget request for 2011.

We will see an increased amount of money in the HUD budget and we will see the same programs in both EPA and DOT. This is potentially more money and more incentives for regional councils and local governments to do better planning and implementation. We have worked with the TBRPC on what you may be doing as a region and we are happy to continue to provide assistance.

Be aware that there is new money that will be available and that we are interested in working with you to make sure you are competitive and eligible for this money. One thing that will be interesting this year is a new program out of U.S. DOT called the TIGER Program which is similar to HUD funding. It is for better land use transportation decisions. This administration has said they want a link, to see planning requirements together, and we may see combined planning grants. For example, next year's HUD money may well be tied to DOT funding. And next year's DOT funding might be tied to EPA funding. This administration is very interested in working with you to make your communities more "sustainable" and it's our job to help you figure out what that means.

Recently the EPA has said that the air quality standards that are currently in place are to lenient. We need to ratchet ozone and other particulate matter down to better ensure human health and safety. We don't disagree with that. This can be done without Congressional approval and can be done because it's a health finding. We don't disagree

that there are health concerns. What we are concerned about is the implementation of these new standards. Florida is the test state for this. Under your current attainment/non-attainment rankings for pollutants under the Clean Air Act, most of Florida is in attainment (your air is relatively clean according to EPA standards). The strictest standard that EPA could enforce this year could push about 80% of your counties into non-attainment, which would mean that your air is now considered dirty or harmful to human health. This means that you would have to increase your planning efforts to address criteria which could be millions of dollars to the state. We've not disagreed with the EPA review. What we have asked EPA to do, along with our county partners, is to implement the standard in a way that mitigates the expense, especially during this economic downturn, to counties and cities. The State of Florida will be the most impacted and about 80% of your counties will flip within 1-5 years from attainment to non-attainment under the Clean Air Act. That could mean that if you don't meet Clean Air Act requirements your transportation funding and other funding from the federal government will be withheld.

We are also looking at mitigating greenhouse gas emissions through EPA regulation. EPA has the ability, if they find a harm to human health, to regulate greenhouse gas emissions. We are concerned about regulation of greenhouse gas emissions through the Clean Air Act and through NEPA. This means that any new big projects, whether they are water, transit, highway, or anything that would have federal money involved, you would now have to figure out how to regulate greenhouse gas emissions. There is not a technical ability in our regions, states, cities or counties that are robust enough to meet this requirement. This is potentially other millions of dollars of new requirements for you. We are working on creating air quality tool kits, working with our city and county partners to figure out what all this means. The EPA has been very aggressive in taking up where Congress is leaving off and they are doing it without debate or deliberation because there are harmful findings to human health.

Positive signs: There are a number of the big things which are moving off the Congressional calendar this year and hopefully we can get some stuff moving that is of importance to local governments.

Negative signs: No one is talking about raising taxes, which unfortunately for most of our programs we require, like the highway trust fund and raising the gas tax to be able to fund it. Raising the aviation tax to be able to build and expand new airports. We need to find ways to encourage Congress to look for alternative and innovative financing.

Questions & Comments:

Commissioner Beckner: The \$1.25 billion that's already been given to Florida for High Speed Rail, that's not impacted by this current bill, is it?

Mr. Abousleman: No, that's actually stimulus money.

Commissioner Beckner: So the future of the other part of that money, is that also tied in to the stimulus dollars?

Mr. Abousleman: There are two ways that you will get your High Speed Rail funding, congratulations! It will either be the new bill where there is a High Speed Rail provision but doesn't have money attached to it, or potentially this new project bill which could be stimulus. Outside of that there is no money targeted for High Speed Rail.

Commissioner Beckner: We (Hillsborough County) are getting ready to go through a referendum and I believe that we have paperwork into the FTA. Is anything tied into this bill for existing paperwork/applications for federal funding for our local transportation initiative, or would that impact additional future requests?

Mr. Abousleman: Not necessarily. What will be impacted is that funding will be retained at 2009 levels, which would mean that they still have to get the money out the door because you still have to authorize transportation programs. It's just the level of funding will be impacted. You may actually see a cut in what you can actually move forward.

Councilwoman Mulhern: One thing that seems strange to me is the VMT being under energy and climate change. If we are having trouble meeting their standards and greenhouse gas emissions, why wouldn't we be having more VMT which I know in the transit world people want this - the fact that we get our money based on that.

Mr. Abousleman: We said VMT should be one of the strategies. What we found in doing the clean air act initially was that the amount of travel related to technology was not equal, meaning the cleaner the engines got the better the air got. It has nothing to do with how much you are driving. The administration initially said it should all be tied to getting people to drive less and we said that should be one goal. The other goal should be investing in new technology and investing in transit.

Councilwoman Mulhern: That's a question I have. If we can do this locally and regionally since there is that \$40 billion from the Department of Energy. Is that something that you can use for promoting technology?

Mr. Abousleman: We're not sure what we can use it for. We just know that they are going to have to spend it. So you need to be creative.

Mr. Young: You mentioned that transportation remains unfunded but every single item that you talked about had a transportation element. What's going on?

Mr. Abousleman: We have to authorize programs to run because its an authorized program. You have authorization and appropriation. We are currently running under a program that's met its lifetime. While money can still be given out, you can't change the policy or the formulas or anything you do with the money because there is no current law for it. It's basically saying that we have to use the law that just passed and hold it at a certain level. For example: Climate change or transit funding, we can't change anything because we don't have a law that authorizes us to do anything. They are still funding transportation but it will now be at levels that are lower than where you currently are, fixing for inflation, new needs on the states and other key provisions. We also gave out a lot of money in

the stimulus bills for transportation. We gave out about \$100 billion for transportation, which is what you're spending now in high speed rail. That's separate from an actual surface transportation authorization which authorizes you to do a lot of things in the law. Very different from an earmark. For example: An earmark is an unauthorized transportation expenditure. You can do those independently of authorizations. Authorizations give us the ability to change the law to better meet your needs. That's what we currently don't have, that law has expired. All we're doing is saying we carry funding over every year from where we were in 2009, nothing else can be done. You want authorizations to be done. The debate on things in DC right now are obviously important, but there are programs that need the legal standing to move forward. Currently we have no authority to make any changes in the law.

- Mr. Young: So its not coordinated. And everyone is off on a spending spree.
- Mr. Abousleman: We just keep giving you a check and say you have to do exactly what you did for the last three years with this check, and you can't make any changes.
- Councilman Newton: You said the clean air quality that they mandated, I guess the logic is to reduce the carbon footprint. If we know what creates it wouldn't it make more sense to plan for things that contribute less to it? I guess that's where they are going with the more efficient cars, the greener cars, and transportation?
- Mr. Abousleman: Unfortunately, the law does not account for things like transport, which means if your neighbor is polluting and the pollution falls in your county you are responsible for it. If the state next to you is polluting and the pollution falls into your state, your state is responsible for it. It doesn't account for things like agriculture, it doesn't say that it's OK for you to farm but not to drive. If you farm and you drive they count it the same.
- Councilman Newton: How do you go about, when you look not just at accountability but for funding, you say it's my responsibility to clean it up but they have to help me clean it up, correct?
- Mr. Abousleman: They will provide you with what they assume is the appropriate amount of money, but it never is.
- Councilman Newton: What's the formula for that?
- Mr. Abousleman: There are air quality mitigation dollars, which now your state holds at the state level because you are all in attainment. If 80 of your 100 counties flip into non-attainment, you are all going to get 1/80th of that amount. It's not the most efficient way to clean the air if you are following our logic. The worst example we have in the country is the central valley of California, from Sacramento to Bakersfield. They trip every year with what we call conformity clause, which EPA says now you are violating federal air quality standards. Every year they trip about eight of those, and not because of what they are doing, its because they are a primary agricultural/manufacturer of the nation and trips that go from Los Angeles to San Francisco, and truck movement. EPA

doesn't care whether those are trucks that are going from San Francisco to Chicago, all they care is that they are moving through the region and when they move through the region they contribute to unclean air. They are responsible for basically cleaning up California's air quality problem. Our second fight is to clean up the way we do the process.

Chair Mariano:

Thank you for coming down. We are glad you will be looking at our region a little closer.

Mr. Abousleman:

We will be spending the rest of the week here and will be seeing almost all of your region and we are looking forward to it. This Council has been very favorable to us spending time all over the region. We are visiting 8-10 properties all over the region.

## **B. Regional Water Supply Plan 2010 Update**

The Southwest Florida Water Management District (SWFWMD) is updating the 2006 Regional Water Supply Plan (RWSP) in accordance with Section 373.0361, F.S. First published in 2001 and updated every five years, the document addresses the water supply demands, sources, and resource protection criteria to the year 2030. Mr. Roy A. Mazur, P.E., Planning Director provided a presentation.

Mr. Mazur stated the draft RWSP is currently available for public review and comment. What is a RWSP? We are required by statute, every five years, to complete this plan. It is a 20-year planning horizon intended to cover areas where 20 year demand is anticipated to overcome the 20 year supply. We identify demand projections for all categories which includes home, agriculture, industry as well as recreation. We list an inventory of all potential sources, projects that could develop those sources in the drinking water, and potential funding mechanisms. The best way to describe it - the RWSP is a catalog of demand projections, supply sources, supply projects, and potential funding mechanisms.

The Florida Department of Environmental Protection takes a statute and adds certain things they would like to see in it and creates guidelines and gives that to the water management districts and we conform to all those requests and requirements. We like to make the document more streamlined and user friendly than it has been in the past. The current RWSP is 550 pages of non-stop water supply planning. It is indeed humorous. If you try to use this document there is a lot of paging back and forth and its quite impressive in terms of thickness. What we try to do is to put some ideas together to make it more user friendly. We also wanted to emphasize current and known information. The WMD has funded numerous long term water supply planning documents, such as with Polk County, the current Polk County Master Plan. We've also helped fund the Withlacoochee Water Supply Authority's Long Term Planning, as well as some documents produced in the southern part of our region. So while we have current research, which we help fund, we know its quality work, and we are going to incorporate that into our plan because we thought that would be a more effective use of funding rather than to reinvent the wheel and reinvent the research.

How is this document different than the last document? We took the WMD and broke it down into four planning regions. Each planning region will have its own volume. The idea there is a utility in Charlotte County might not be as interested in what's going on in Levy County. So the utility in Charlotte County could just read their regional volume, which is more like 125 pages. We thought that breaking it down into regional volumes would add to the usefulness of the document. We also are including the northern six counties for the first time. I spoke earlier about how the intent of the document by statute is any areas that we think 20 year demand will overcome 20 year supply and we include those areas in the document. We do not think that's the case in our northern six counties. We included them in the RWSP to prevent such a situation from happening. We would like to include the north in this longer term collaborative planning process to prevent that supply from overcoming demand. We would like the document to assist our local government partners perhaps more than it has in the past. We are creating an addendum to the plan called Local Community Planning Sheets.

How it was prepared. We created demand projections from all our use categories and presented those to our advisory committees and various other stakeholders. We used the existing documents (Tampa Bay Water Long Term Plan, Polk County Comprehensive Water Supply Plan, and the Withlacoochee Regional Water Supply Authority) as the base for our project research. We also emphasized conservation and reuse and the demand for environmental restoration.

What does it mean to me? For local governments, utility planners - the only thing the RWSP triggers is a statutory requirement for local governments to produce this 10 year water supply work plan. This work plan has to be adopted into the Comprehensive Plan and has to detail how that local government will provide water supply for its citizens. That can be done through water supply projects, conservation projects, reuse projects and the key is that the local government has a document. Our RWSP triggers that requirement we are also producing a Community Planning Sheet. We are going to mail that out to all local governments and all utilities once our governing board approves this plan. That will be a one or two pager of all the data that the local government is required to produce the ten year work plan. We have targeted some of the smaller local governments in the north, such as the metropolitan area of Webster. Smaller communities that don't have the larger staff perhaps can use this community planning sheet. They have all the data they need to create their ten year work plan more easily. Some of the larger communities as well will see all the data that we will be using to help evaluate these work plans as well as other comprehensive plans.

The public supply for Tampa Bay by 2030 will need approximately 65 million gallons a day. The Tampa Bay area shows a slight decrease in agriculture, an increase in industrial, recreation, and restoration. The restoration number for the northern area is 0. We don't anticipate a recovery strategy or anything like that in the north for the next 20 years.

Outreach and discussion with stakeholders:

Our drafts are currently available and we have a dedicated web page. You can make comments directly on the web page, or via email or by calling staff. Comments are due July 16, 2010.

Presentations are being provided to all of the Regional Planning Councils, several commissions throughout the district, and we are holding four public meetings - one of each at our service office. Next Tuesday a public meeting will be held in Brooksville, and the following Tuesday at the Tampa office.

I ask that you speak with your staff, stakeholders, constituents and anyone you feel is interested to take a read of the Tampa Bay volume. We are extremely interested in your comments to enhance the quality of this document.

Questions & Comments:

- Council Member J. Miller: How will this impact cities like Oldsmar who is about to go on-line with their own reverse osmosis?
- Mr. Mazur: The only direct impact is that within 18 months after our governing board adopts this plan, Oldsmar will have to produce its ten year water supply work plan and adopt that into their comprehensive plan. That is the only direct impact. Again, the document being a catalog of demands, projects, sources, and we hope that our communities can use all these listings of projects within their ten year water plan. That's less water supply projects because Tampa Bay Water has a strong handle on that and more so conservation projects, reuse projects.
- Commissioner Brickfield: When you use the word "reuse" - I notice you are not using the word reclaimed. Could you define "reuse."
- Mr. Mazur: Reuse is the same term as reclaimed, water coming out of a treatment plant meeting certain standards.
- Commissioner Brickfield: I'm on the Tampa Bay Water board and when we use the word "reuse" we're talking about taking sewer water and turning it back into drinking water.
- Mr. Mazur: When I say reuse it's in the same context as reclaimed, which is highly treated wastewater used for irrigation, inferior drinking water.
- Chair Mariano: To follow up, if someone is going to hear about reclaimed water I don't think we are thinking of drinking it.
- Councilman Newton: Doesn't the reuse entail rainwater?
- Mr. Mazur: It does. I had a question about the presence of cisterns in Sarasota in the plan. The gentleman was from a green building organization where they're using cisterns and green roofs. We've discussed the use of cisterns, very superficially, and given the area we may give that a more in depth look in this plan as a way to provide irrigation. This gentleman was saying in some of his plans they may be using cisterns to flush

toilets. That's an offset of drinking quality water. We don't really talk much about it but I think we will be.

Councilman Newton:

What about the concern of rainwater?

Mr. Mazur:

In terms of if we use rainwater, how will that infiltrate? There's your discussion point. The idea that if you gather rainwater to a very high degree, how will that rainwater infiltrate and then be available for groundwater usage? Or even get back into the natural system to help sustain some of the streams and rivers. There's your dilemma.

Commissioner Bustle:

One of your comments made me think about something that happened in Manatee County recently and it leads to Amendment 4. You said that the Ten Year Water Supply Work Plan has to be included in the Comprehensive Plan. If Amendment 4 passes, and if there were a referendum and this were on the ballot to change the Comp Plan and it failed, what would happen?

Mr. Mazur:

I hope that's a rhetorical question. That same statute that requires the Ten Year Work Plan, there's no punitive aspect. If you do not do it, there's no hammer on the outside, however, DCA could view Comp Plan Amendments that have a large use component, they could view them not in compliance due to lack of a Ten Year Work Plan.

Council Member Jonson:

Bottom line, by 2030 will we have enough water?

Mr. Mazur:

It appears in this area, and in the district's entirety, we have plenty of sources of water. I would say currently in our southern counties the Peace River/Manasota Water Supply Authority and their member governments currently have about 40 million gallons a day in excess capacity. Overall we think they are going to need about 45 million gallons a day by 2030. They're almost there today. In this area, between the long term planning of Tampa Bay Water and their unprecedented system of conjunctive use and multiple supplies, between their planning efforts it looks like it will not be a strong issue for all the supply in this area.

Council Member Jonson:

In other words, we are OK?

Mr. Mazur:

Very strong. I think Tampa Bay Water would probably say they do not need any more quantities until after 2020. I don't think there is any dispute about that. Through the projects that they have in their Long Term Plan, which are also in our plans, and the implementation of those projects should provide enough supply to 2030.

Vice Mayor Halpern:

Tampa Bay Water has the big desalination plant, and Oldsmar was just brought up. I don't know how many more desalination plants are available in the area, but one thing I'm concerned about is desalination and oil don't mix. They ruin the membranes of the plant and the plant would have to be shut down. What kind of impact would that have if we did have oil in the water shutting down the plant?

Mr. Mazur:

Initially that desal plant is approximately 8-12% of their supply. If that went totally un-operational for any reason, that source would have to be accommodated by either surface operations or groundwater. Currently

their reservoir is, if its not full it's near full. If this were to become an issue with the oil they would draw from that reservoir, I would assume. Secondly, the intake of source water for the desal plant is actually water coming out of the cooling operations of TECO. I think TECO might have a larger issue than Tampa Bay Water as far as oil in the water.

Ms. Collins: Are watering restrictions here to stay?

Mr. Mazur: Water restrictions are not a part of the RWSP. We are currently working on a water shortage rule. I know that our staff has been getting input from various utility staffs and what's interesting is some of these utility staffs like watering restrictions and some do not want those restrictions to stay so they can sell more water. We will make this ongoing for water shortage rules and we are taking a lot of comment from local utilities on that.

Councilwoman Mulhern: The City of Tampa put the most stringent restrictions on watering last year and we had public support. There was an understanding about conserving water. The water utilities do have that problem that they want conservation then they don't generate enough revenue, but on the other hand the public understands, at least in Tampa and part of Hillsborough County where we supply their water.

Council Member Newton: I think the logic was that when water management does capital improvement projects they have to get enough revenue and the water that they sell will pay for it. The people that over use the system are creating all these massive sinkholes in the state, what's happening with that?

Mr. Mazur: We have feedback that the revenue they were counting on to operate and maintain their systems, they are having to adapt. SWFWMD is planning on having five public meetings. We had one in Plant City approximately two months ago and we invited stakeholders, what we are calling a panel of experts, from the agriculture industry, Hillsborough County Commission members, and also public utilities, Tampa Bay Water has a member of that committee and we broke down into three more meetings to discuss the technical aspects of that. Is there a land use aspect in terms of future land use planning or changing the land development code to adjust it minimize the impact of pumping? There are a series of technical discussions going on to address this issue. When we are completed with those meetings, we will compile all the data and have another open public meeting to discuss those findings.

Council Member Newton: Why don't they harvest some of the water during the rainy season? And cover the crops so they don't freeze?

Mr. Mazur: That's called Tail Water Cover planning. We have a program called Farms Facilitating Agricultural Management Practices where we will fund approximately 50 cents on the dollar, also the Department of Agriculture puts in money as well to develop that system. We've had a lot more success in the southern portion of our district. The feasibility of that is one of the most examined ideas. Farms is one of our hallmark programs right now.

Chair Mariano:

In Pasco County there is a lake called Cruise Lake that feeds our wetlands and that lake has almost nothing in it. In Hudson, 6-7 miles away, we just had a public water company come before us and they found in SWFWMD's data that the water level there has only shrunk about 3 feet in the past ten years. A presentation was provided here a few years ago and said that certain levels of Peace River have shrunk down 50 feet. At the Howard Curran Plant they are dumping 60 million gallons a day of highly treated reclaimed water back into the Bay. There was talk about a reclaimed water line that could pump from that plant all the way to Pasco County, but that got abandoned because of the high expense. What Plant City just went through with the road construction, is there a way that you are looking at trying to work out something closer rather than going all the way to Pasco County? Because a dried up lake needs some help to boost that water level back up around, have you investigated that at all?

Mr. Mazur:

I know that re-hydrating wetlands with reclaimed water has been done and the idea of re-hydrating some of the lakes is - I don't know if we have existing programs to address that, but I know we are well aware that the Cruise Lake situation by it being so low for such a long time, but I can't tell you that yes we are looking at that. That's a nice suggestion.

## **7. Council Member Comments**

## **8. Program Reports**

### **A. Agency on Bay Management (ABM) – Chair, Mr. Robert Kersteen**

The full Agency will meet on Thursday, May 13<sup>th</sup> at 9 am in this room. On the agenda will be:

#### **THE TAMPA BAY HABITAT MASTER PLAN**

Mr. Doug Robison of Post Buckley, contractor to the Tampa Bay Estuary Program, will present the process of developing the Master Plan, its components, and the recommendations of the Program's Technical Advisory Committee concerning future habitat restoration and mitigation work in the Tampa Bay watershed.

#### **DERELICT CRAB TRAP REMOVAL PROGRAM**

Staff of Tampa Bay Watch will describe the state program for removing abandoned crab traps from Tampa Bay and the upcoming effort, slated for July.

#### **MIGRATORY BIRD PROTECTION PROGRAM**

Mr. Phil Steadham, Tampa Port Authority, and Dr. Ann Hodgson, Audubon of Florida, will relate the committee's function regarding use of Dredge Spoil Islands 2-D and 3-D

in eastern Tampa Bay as it affects state- and federally-listed bird species and the plans for the 2010 nesting season.

The Coast Guard has been on the oil spill in the Gulf since day one. They have opened an operational office last week in St. Petersburg. There was one suggestion to boom off Tampa Bay and the answer provided by Commander Close was that the region would run out of gas and jet fuel in three days. That suggestion cannot be implemented.

Ms. Suzanne Cooper, TBRPC Principal Planner, provided an explanation of the results from the Coast Guard meeting held last week. We prepared a recap of this meeting which was sent to Council members. Another reason we cannot boom off Tampa Bay is because the currents in Tampa Bay and through the ship channel would not allow a boom to be effective. That is a problem we will face all around this region. Vice Mayor Saenger sent a note to me that someone was going to buy a boom and boom off the mouth of the Anclote River and the estuary there right now, in advance of the oil. Hopefully she got an answer from the Coast Guard about why that's not a good idea. I'm sure you are all aware of what is happening in the Gulf and the failed attempt to cap the spill. Right now we have no longer than a 72 hour projection of where the oil in the Gulf will go. We are probably 1½ to 2 weeks away from seeing oil in our area. Of course we are dependent totally on winds and currents, but we won't know until about 72 hours out when oil will hit our shores. At that time, the Coast Guard and the Incident Commands Center will be announcing that and right now they are working on getting the volunteers in place. Not volunteers individually, but volunteer organizations such as [www.volunteerFlorida.org](http://www.volunteerFlorida.org) and United Way of Tampa Bay to coordinate volunteer activities. They think that the first thing that will happen is that volunteers will go out to clean the beaches because they won't be booming our beaches. Sandy beaches are easy to clean. The problem is trash and seagrasses and algae. Those are hard to clean of oil. They think the oil that will reach our shores will be in the form of tar balls, or really heavily weathered oil so it will be thick and sticky. It won't be like gasoline. Again, that will make it somewhat easier to clean but when it gets into the estuaries, mangroves, and sea walls it won't be easy to clean. It will stick to everything. It will stick to the birds and it will be a mess. At that point they will be working to boom off the estuaries and boom off the really sensitive areas to keep the oil out. It will deflect the oil to other places, it won't gather oil because the tar balls won't stick to that certain material. If the tar does get into the mangroves and the salt marshes they probably won't clean it well because you can destroy habitat by trying to clean that kind of material out of there rather than letting nature slowly degrade that material.

The first defense is to keep it out of the sensitive areas. Second, have the beaches clean so when the oil does arrive it will be easier to clean the beaches. With hurricane season coming all bets of trajectory are off and where the oil will go if we get a hurricane early in the season or before this gets under control. They also expect that the tar balls we will receive will continue for some time to come, depending on the longevity of the spill and the quantities, winds and currents. It's not going to be good, and it will last a long time.

Mr. Kersteen mentioned “patties” and Ms. Cooper explained that those are a type of weathered oil which depends on how long the oil has been in the water, how much it has mixed with sand and seagrasses and everything else that’s out there.

Discussion:

Commissioner Beckner: It sounds like what they are saying is that there is no preventive steps that we can do now that would protect our shores. You said that booms won’t work and there’s nothing we can do?

Ms. Cooper: No. They have skimmer boats out there and they are working as hard as they can to capture oil in the water. The oil first floats but then collects water. It’s coming from a mile below the surface so it incorporates water as it’s rising to the surface and as it rolls around in the waves it gathers more water and it gathers other particles, and it’s also degraded by bacteria and the lighter portions of the oil evaporates. All of that leads to it becoming heavier and it sinks and it’s in the water column. It’s not all on the surface of the water. If you notice the trajectories and the pictures of the size of the spill in the Gulf, it doesn’t seem to be getting much bigger. It’s moving a little but it’s not growing considering the 200,000 gallons per day. I think that is partially because you can’t see it all in the water column and how far out it’s dispersed within the water column.

Commissioner Beckner: So it is their belief it’s not a matter of if it hits our shores, it will be a matter of when?

Ms. Cooper: Right.

Ms. Todd: Have you heard of any new plans to stop this thing?

Ms. Cooper: Just what you have seen in the newspapers. They are going to be working on the box and they are drilling relief wells to try to take the pressure off that point. It’s a disaster. We think we have serious problems facing us, the northern coast of the Gulf and their fishing industry will be devastated for decades. They will be in worse shape than we will be in.

Council Member Newton: I think one of the concerns about the booms was that there aren’t enough to go around, and also the waves push the oil over those booms. Every year our Council (St. Petersburg City Council) passes a resolution against off shore drilling and a lot of people came to tell us about this new industry and how it will create jobs. The irony is that the people who caused this and will pay for this will profit from this also. I know they are trying to clean it up but it seems to me like there are a lot of “ifs.” When they had the problem in Prince William Sound and the Exxon Valdez, isn’t there oil still washing on shore?

Ms. Cooper: No, it’s not still washing up. That was a tanker spill and I don’t know if that was refined oil or raw/crude oil. They are still seeing evidence from the spill but it’s not washing up on shore. That is a northern system as opposed to a tropical system and we have different critters in the water that bio degrade oil and things are different from that spill.

Council Member Newton: The box they built froze up so they can't pump through it so now they are going to plan B, whatever that is. In the meanwhile the spill is still leaking. I have people in Pensacola who I've spoken with and they said it's bad and the oil isn't there yet. It's already affecting their economy with cancellations at hotels.

Ms. Cooper: It's not that we are sitting on our hands or the Coast Guard is sitting on their hands, they are doing a pre-damage assessment which is important for recovery and payment of lost resources. They are also updating maps of sensitive areas and what the most sensitive resources are so they can be protected first.

Mayor Peters: Pam Dubov, Pinellas County Property Appraiser, is reporting to the county administrators that she is using money in her budget to take aerial photography of the entire county. Any city that is looking to do photography of the before pictures should contact her office so you aren't duplicating efforts and spending money you may not have to spend. Her photographs are from the water onto the shore which will give you better views of where the lines will be. I know a lot of beach communities will be looking to do aeriels, but if the property appraiser is already doing this there isn't any reason to duplicate.

Ms. Todd: The University of Florida has some very sophisticated LIDAR equipment where they can do some specific photography and you might want to explore that through our regional network to see what can be done to enhance that initiative so you can get something that is truly comprehensive on the regional basis. Secondly, there is a program that's called The Gulf of Mexico Program and it's comprised of state and public/private interests in all of the Gulf states as well as the Gulf states of Mexico. The director is in Stennis, Mississippi. I want to suggest that we contact that program and invite the director to our next board meeting to let us know in a more comprehensive perspective from all the environmental governmental and private agencies what their perspective is and potentially give us suggestions as a regional entity on what we can do in a coordinated manner.

Chair Mariano: I agree with that.

Ms. Todd: I will provide you that contact information.

Commissioner Dodson: Ms. Cooper, the loop currents that we heard about a few months ago, will they be significant in this instance? Does that not act to protect the west coastline of Florida?

Ms. Cooper: It will. Right now the spill is north. It is unknown if and when the loop current will be in play. The winds also play a part in this. If the oil gets into the loop current it will go down and around Florida and up the east coast. It will not totally protect us because there is still oil on the surface waters and those are affected by winds.

Councilwoman Mulhern: Councilor Matthews is right, there is no joy in saying I told you so, but I feel like as a board this Council - I'm not sure what we did. The fact that we didn't pass a resolution against drilling...

Ms. Todd: We felt we would be in a stronger position if we also put the issues on the table.

Councilwoman Mulhern: The letter with the ten questions was in addition to passing a resolution?

Chair Mariano: We did not pass a resolution. We approved the letter. In fact, my

commission adopted the same letter. Part of it was because there were so many questions to be asked because of the spill in Australia that concerned me with the technology. I felt the letter put us in a position of strength and at least we asked the questions. What has really come out as far as the “I told you so” is that I was under the assumption that we had the safest safeguards in place. We didn’t have the safest safeguards that are available and that disturbs me. That’s something that we would want to incorporate.

Councilwoman Mulhern: I’m getting questions personally of whether I voted in favor of allowing drilling in the Gulf. I think those questions are partly coming up because in Bay Soundings, which we contribute to, there was a comment from a state representative that was in favor of more drilling and then the next month there was an opinion piece which was basically a “White Paper” for the petroleum industry. I think the least that we need to do is in our next publication present the other side and Representative Kriseman would be happy to contribute his feelings, and someone from the Sierra Club or a citizen who has been opposed to this in the first place. I would like to see that happen. I know it’s a board we cannot direct. I think we need to pass a stronger resolution.

Mr. Pumariega: The Council initiated the Bay Soundings journal, however, we set it up in such a way that we have an editorial advisory board. We did have an article pointing out the twelve concerns the Council has. In that letter we pointed out our policy in the Strategic Regional Policy Plan (SRPP) which is a 100-mile buffer. Short of being a resolution, it was the consensus of the Council and the Chair that we would get more out of a letter explaining our concerns. Doing a resolution is more narrow and just saying no.

Councilwoman Mulhern: But I think that we still need to do a resolution.

Commissioner Beckner: I think one of the most disturbing things that I found after all this occurred a few weeks ago is that we still have people in Washington DC, including our President, and we still have state legislators who are continuing to explore the idea of off shore drilling that goes beyond the GOMESA Act of 2006 (The Gulf of Mexico Energy Security Act) which was a bipartisan agreement that kept off shore drilling 235 miles off our coast. That was reached in a bipartisan consensus. That’s why last week I worked with the Sierra Club to come up with a comprehensive resolution that I introduced to the Hillsborough County Commission and passed unanimously last week that would oppose off shore oil drilling that goes further than the GOMESA Act which supports the current legislation that is currently in place. It’s my belief and my opinion that we need to come together as a region and voice our opposition. That’s what my board members also recommended. We need a much larger vote to fight the political and self interest sharks that continue to threaten our economy, and our environment in our region. If this accident happened, and some state legislators are still suggesting drilling 3-10 miles out in state waters. Can you just imagine the devastation that would be brought to this region economically and environmentally if that accident happened 3-10 miles off of our coastal waters? To think that people are still making that consideration after this is absolutely appalling to me. I think

again that we need to come together as a region to voice our opposition. It will have a much more, farther reaching devastating affect, not just to our coastal counties that this will impact but this will devastate our region. I agree with Councilwoman Mulhern that we need to take a position as a regional planning council to make our voice known.

The Hillsborough County Commission's resolution was distributed. I am offering this for your consideration to be adopted or amended as the Council sees fit. We can have further discussion about this today or we can direct staff to come back at our next board meeting. I would be more than happy to also bring in some more comprehensive discussion if this board feels that its necessary. At our Commission meeting I brought in a resource economist from the University of South Florida who spoke on this at length. They talked about energy dependence as well. Some people are under the impression that by drilling more oil that we create more independence from foreign oil. This is a demand driven problem, not a supply driven problem. Drilling more oil doesn't necessarily put more supply in the U.S., it puts more oil in the open markets. The only people that 100% profit from this are the people with oil interests. You can debate and argue that point but from an economic standpoint and from that perspective the only way that we are going to reach independence of foreign oil is to decrease the demand.

I offer this for your consideration at the pleasure of the Council. We can have discussion on this now or at least I think we can direct staff to take this, use it as a shell, and bring back a resolution at our next board meeting.

Mayor Minning:

We do have a Goal and Policy in the SRPP, Item 4.6.10 which states: *Prohibit offshore oil or gas leasing or exploration within a 100-mile buffer along the Gulf coast of Florida.* This Council has in fact taken a position. The Barrier Island Government Council (The Big C), all eleven communities, have adopted resolutions opposing off-shore oil. This falls into The Agency on Bay Management's purview and I would suggest that the resolution go through that agency. I think it would be worthwhile for the Agency to look at the resolution and see if it needs to be strengthened and bring it back as a resolution to the board at the next meeting.

Commissioner Beckner:

Motion to direct staff to collect resolutions from other communities, use the Hillsborough County Resolution, and come back to the Council at the June meeting to have a discussion about adopting a formal resolution. I think it's also important what we did as a Commission - we not only passed a resolution, we sent a copy of the resolution as well as a letter to the President, and to all of the Florida state and Federal delegations. They need to know our position. If they want to continue to toy around with this idea of continuing to expand off shore oil drilling I think they need to receive formal communication and let them know where we stand. The more letters and the more resolutions they get, hopefully it will strengthen our voice as a region and perhaps provide them with

second thoughts before making further attempts to expand drilling. (Seconded by Kersteen).

Ms. Todd: I think we are all in agreement that something needs to be done. My comments earlier were referencing the fact that we have a policy in existence. Our concern and our Chair's concern previously was that when these legislators take these discussions in mind that they show that we thought things through very carefully. I think bringing this director from the Gulf of Mexico program at the same time will also strengthen our position. When we talk with the legislature or any other governmental entity we want to appear to be speaking from a position of understanding, strength, being forward thinking rather than just reacting. Personally I compliment you and Hillsborough County for doing what you did.

Commissioner Beckner: I think prior to this happening people were making bets that we would not, as a county, pass such a resolution. Despite the circumstances of what has happened I think we can all see the impact that it would have on our region. Even though we are not a direct coastal community, our sister Pinellas and all the surrounding counties we would feel the economic environmental impact from this. That is why we passed this resolution, because we feel like we needed to add our voice of support because this will be a much farther reaching impact, statewide.

Councilwoman Mulhern: I want to thank you for pointing out that we do have that policy. The only thing I noticed was the 100 miles so when we go back to look at that maybe that should be changed. The Tampa City Council passed a resolution quite a while ago.

Council Member Miller: The Suncoast League of Cities passed a resolution last fall.

Council Member Newton: No matter what they get from the Gulf, it will go to the open market and it will not benefit our region. My question is, this publication (Bay Soundings) that is put out, is there any hold harmless clauses for the members of this body?

Ms. Cooper: It is not the opinion of this body.

Ms. Woodard: I just wanted to add that we are talking about things that are happening right off our immediate area. A lot of times it is out of our control and out of our jurisdiction and so perhaps what we should do is also recommend that when its out of our jurisdiction that we feel that all preventive measures should be taken. My understanding is that there were preventive measures that could have been taken but weren't. I feel that in our resolution we should also demand that preventive measures are taken. I'm very upset about this and feel that if its out of our control how can we also put some emphasis on it that the public wants to have those types of measures.

Chair Mariano: I agree 100% and mentioned earlier that those preventive measures be in there as best we can. When we have someone come forward to do a presentation I want to see someone come in with the expertise to say this is what they do in Sweden, this is what we do here, here's what happened in Australia. Some type of expertise because that is the most critical part of what happens in the future. Even include something that if a rig doesn't have that, they need to come up with a plan on when they are going to put it in and what they are going to do to protect us. Before

another well is drilled, I want to see every one that is out there as safe as it can possibly be with the latest technology or cap it off and move on because we don't need another one like this one. If we can get that type of expertise it will put a lot of strength into the resolution. I'm an economist graduate so as far as supply and demand, the most supply out there does affect the price, even though it's only 3% of the market. It's still an important number. We need to focus on the safety.

Councilor Matthews: I believe I'm correct in that Washington DC didn't pass legislation that would have limited and required some regulations. We also need to be talking to our representatives in Washington. They let it go last year or it would have been in place and maybe this would have been diverted. We need to be putting out as much information as we can. It's not going to change until someone either gets voted out of office or you get them to listen to you.

Vice Mayor Halpern: There are thousands of wells out there, more or less. How many of those wells could potentially have the same defective blow off valve?

Commissioner Beckner: Is this something our lobbyist can focus on?

Mr. Pumariega: We can take it to the Florida Regional Councils Association (FRCA), however we already have a regional planning council in North Central Florida that passed a resolution in favor of drilling off the Gulf coast of Florida. As a matter of fact, I have used our letter to educate folks in the east coast relating to the loop current.

Commissioner Beckner: It's just a suggestion that perhaps you could keep it as a part of our packet for lobbying and we can discuss it during our next meeting. The GOMESA Act is bipartisan, does 235 miles that would go well beyond what we are suggesting as a Council so that may be something to consider as far as the adoption of a resolution.

Chair Mariano: Is everyone comfortable with moving it from 100 to 235 miles? After we vote to do the resolution we will bring that point up so we can give the staff direction.

Councilwoman Mulhern: We should have a discussion at our next meeting following the presentation from the expert and after we pass our resolution we should change the miles in our SRPP.

Chair Mariano: We will definitely be changing the SRPP Goals and Policies. We will come back at the next meeting, that's how the motion was made.

Commissioner Beckner: Obviously we can talk about regulations and policies but maybe legal staff can advise us on what direction we can really address in the resolution. We may not have the authority to address those regulations and policies.

Council Member Newton: It should be spelled out about retrofitting the existing rigs in the Gulf. With what is currently going on I don't think that would be a problem. It wouldn't cost that much.

Vice Mayor King: If they are asking for a special session for a referendum on the November ballot to ban drilling in Florida waters, that's 12 miles out. That doesn't address anything outside of Florida waters. That is a federal issue. I think this is a two fold thing. If we wanted to send a letter encouraging a special session to address that referendum I would think that would be appropriate. Also work on a federal area to take care

of what goes on beyond our waters. We certainly don't want drilling within the 12 miles.

Commissioner Beckner: What a lot of people don't understand is that even though we have this federal legislation that talks about federal waters at 3-12 miles the Florida legislature, at its pleasure, can go ahead and decide to drill in. It doesn't matter what's in place at the federal level. I think that if you feel very strongly about opposing and closing that gap in our state waters then we need to encourage that special legislative session and put that on the ballot.

Chair Mariano: There is a motion on the floor to approve staff coming back with a resolution at next month's meeting, staff setting up discussion of different points of view. Motion carried unanimously.

Commissioner Beckner: Should I bring in a presentation? I don't want to have an entire meeting of presentations and things like that.

Chair Mariano: Coordinate with staff on who will be attending.

Mr. Kersteen: Mr. Chair, we will take this up at ABM on Thursday.

**B. Clearinghouse Review Committee (CRC) - No Report**

**C. Local Emergency Planning Committee (LEPC) – No Report**

**D. Emergency Management**

June 1<sup>st</sup> marks the beginning of the 2010 Hurricane Season and the time again to initiate a public awareness campaign to alert the region's citizens to get prepared. Resolution #2010-03 has been prepared declaring the month of June as Hurricane Awareness Month in the Tampa Bay region. We will be distributing Hurricane Guides next month.

Motion to adopt Resolution #2010-03 declaring the month of June as Hurricane Awareness Month in the Tampa Bay region and forward to the Governor's Office, the Department of Community Affairs and the local governments in the Tampa Bay region. (Jonson/Newton)

**E. Legislative Committee – Secretary/Treasurer Bustle**

This past Thursday we sent the Council Members the Final FRCA Legislative Report, therefore we are providing a brief report this morning.

The house took no action regarding the DCA Sunset Review process. The Senate passed SB 282, re-authorizing DCA, but the House let it die in messages.

The legislature did include \$15 million in the FY 2011 budget for Florida Forever. Additionally, it recreated the Florida Forever Trust Fund and was signed by the Governor on April 15, 2010.

HB 7129 requires local governments to address military base compatibility in its future

land use plan element by June 30, 2012.

HB 1271 allows the Charter County Transportation System surtax provided in section 212.055(1) F.S. to levy a maximum 1 percent sales surtax and must appear on a ballot. The bill facilitates the use of the revenues for the implementation of regional transportation systems. The bill provides the Tampa Hillsborough County Expressway Authority the authority to issue it's own bonds without having to seek the state's review and approval.

SB 1752 is a 162 page bill addressing a wide array of economic development issues. Four main sections of the bill are economic incentives programs, assistance to small business, specific support for Florida's space business industry, assistance for the unemployed, the rural communities and film and entertainment sector. A new requirement, by January 15, 2011 and annually thereafter, cities and counties must report to the Legislative Committee on Intergovernmental Relations on behalf of the Office of Tourism, Trade and Economic Development for economic incentives in excess of \$25,000 given to any business.

Section #46 of this bill provides that a development order issued by a local government, a building permit and any permit issued by DEP and the water management district which has an expiration date from September 2, 2008 through January 1, 2012 is extended and renewed for a period of 2 years after its schedule date of expiration. There is also extensions of previously authorized DRIs and Comp Plan Amendments grand-fathered under SB 360.

SB 550 is a 171 page bill that deals with a wide range of items related to water and environmental protection. Some of the sections of the bill deal with:

- onsite sewage treatment and disposal system
- reuse of reclaimed water
- nutrient water quality standards and US EPA's proposed numeric nutrient criteria
- expedited permitting; comprehensive plan amendments

HB 7103 provides comprehensive revisions to existing law related to agriculture. Some of the components of the bill:

- Prohibits counties from enforcing regulations on land classified as agricultural if the activity is regulated by best management practices or regulations adopted by rules.
- Prohibits counties from imposing an assessment or fee for stormwater management if the operator has a national discretionary elimination system permit, an environmental resource permit, a works-of-the-district permit, or implements best management practices.
- Creates the agricultural land acknowledgment act to ensure that agricultural practices will not be subject to interference by residential use of land contiguous to agricultural land.

As far as the state budget, I'm happy to report that the regional planning councils are funded at \$2.5 million from recurring General Revenue. This matches current year funding.

**F. Regional Planning Advisory Committee (RPAC) – No Report**

**G. Economic Development – No Report**

**H. Regional Domestic Security Task Force (RDSTF) - No Report**

**9. Other Council Reports**

Council Member Jonson stated the Regional Planning Council is the Corridor Management entity for the Courtney Campbell Scenic Highway. Thanks to some really good work by Council staff person, Jessica Lunsford, we have submitted a grant proposal to improve the trail along the Courtney Campbell Highway. The grant was submitted to the state and out of all the submissions, our grant was number 5 and will be going up to the national scenic highway organization for potential funding.

**10. Executive/Budget Committee Report – Chair Mariano**

This morning prior to the Council meeting we held an Executive/Budget Committee meeting to go over the FY 2009/2010 Mid Year Budget Amendment as well as the proposed FY 2010/2011 Initial Budget. The Mid Year Amendment was approved by the Full Council earlier on our agenda today. The proposed FY 2010/2011 Initial Budget will be forwarded to the Full Council for your review and consideration at the June meeting.

**11. Chair's Report**

**12. Executive Director's Report**

Mr. Pumariega requested Council members email their Oil Drilling Resolution to Suzanne Cooper. The resolution will be discussed at the Thursday, May 13<sup>th</sup>, 2010 Agency on Bay Management meeting at 9:00 a.m.

We will send you more information regarding the Project Get Ready kickoff, tentatively scheduled for Tuesday, June 22<sup>nd</sup>, at 10:00 a.m. at Tropicana Field. We would like for everyone to attend.

Chair Mariano stated he would not be able to attend due to a Commission meeting that he can't miss and requested Council members attend.

**Adjournment:** 12:20 p.m.

Next meeting, June 14at 10:00 a.m.

*Jack Mariano*

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Jack Mariano, Chair

*Lori Denman*

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Lori Denman, Recording Secretary