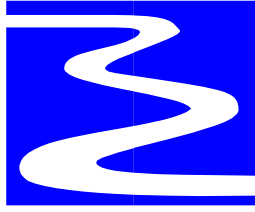




May 19, 2009
1:30 p.m.



www.hillsboroughriver.org



Tampa Union Station, 2nd Floor
601 N. Nebraska Avenue
Tampa, FL 33602
272-5940

Hillsborough River Technical Advisory Council
AGENDA

- I. Call To Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Moment of Contemplation
- ★ V. Approval of Previous Meeting Minutes – 4/21/09*
- VI. Residential Fertilizer Application* (p. 5)
- ★ VII. Consistency Determination: Tampa Port Authority Permit 09-049, Rosa Riverfront, LLC* (p. 17)
- VIII. Status of Hillsborough River Flows and Levels* (p. 30)
- IX. Agency Status Reports
- X. Jurisdictional Status Reports
- XI. Other Business

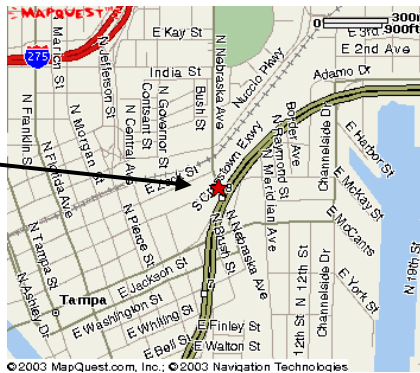
★ Indicates Action Required

* Indicates backup material provided

Presentations limited to 10 minutes. Public comment limited to three minutes please.

**General Location Map to
TAC Meeting**

**Tampa Union Station
601 N. Nebraska Ave.
2nd Floor Conference Room
Elevator Access Available**



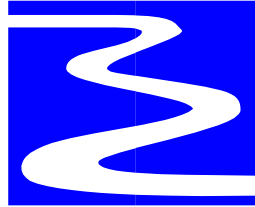
Parking

All meeting participants are requested to park in the south parking lots designated with the signs AMTRAK Passengers only. AMTRAK passengers are to be afforded the courtesy of parking in the front of or immediately adjacent to the building. Parking in spaces not marked as AMTRAK Passengers only are reserved for those who pay for monthly parking, **and may result in your vehicle being ticketed.**

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April 21, 2009
1:30 a.m.



www.hillsboroughriver.org



Tampa Union Station, 2nd Floor
601 N. Nebraska Avenue
Tampa, FL 33602
272-5940

Hillsborough River Technical Advisory Council
Meeting Summary

Present

Robert Carnahan*	Christina Bryant**
Sylvia Espinola*	Suzanne Cooper*
Thalia Potter*	Joe Gross•
Frank Chillura**	Tom Willett
Darlene Dannels**	Ben Koplín•
Shawn College	Kathleen Venzon
Nicole Thomas	

Absent

Cori Cuttler*
Renee Benton*
Charles Kovach*
Richard Booth*
Mario Cabana•

* Denotes TAC Members	** Denotes Alternates
• Denotes Staff Ex Officio Members	

I. Call To Order

TAC chair Robert Carnahan called the meeting to order at 1:33.

II. Roll Call

Members were sufficient to establish a quorum.

III. Pledge of Allegiance

Chair Carnahan led the Council in the Pledge of Allegiance

IV. Moment of Contemplation

Chair Carnahan led the Council in observing a moment of silent contemplation

V. Approval of Previous Meeting Minutes

Minutes from 3/27/09 and 3/30/09 were approved without modification.

VI. Tampa Bay Water's System Engineering

Mrs. Thomas of Tampa Bay Water explained their Enhanced Surface Water System. Mrs. Potter asked if the Morris Bridge Sink is connected to same ground and surface water hydrologic system that is already used as a source of water. Mrs. Thomas replied that she is not a hydrologist, but thought it was likely. Mr. Koplín asked if the water from Morris Bridge Sink is going just to Tampa. Mrs. Thomas replied that it allows more water to be pumped into the Tampa Reservoir and therefore is generally going to Tampa and that Tampa Bay Water gives priority to Tampa in this water source.

VII. May 18, 2009 HRIPB Agenda

Mrs. Potter and Mrs. Espinola asked that the dock rule comparison be on the agenda of the River Board. Mrs. Espinola asked that the progress of the Tampa Water Front Lot Regulations be put on the agenda. Mr. College agreed. Mrs. Cooper asked that the dock rule comparison table be expanded to identify the rule. Mrs. Dannels said that the Army Corp. has rules for docks below Columbus Avenue. Mr. College said he would revise the dock rule comparison and add the Army Corp. information. Mrs. Dannels said the Corp. may not always be aware of dock construction that is under their jurisdiction. The TAC directed staff to send a letter to the port inquiring as to whether applicable port permits are being forwarded to the Army corp. of Engineers.

VIII. Status of the Hillsborough River Flows and Levels

It was noted that water levels in the river continue to be extremely low.

IX. Agency Status Reports

Mrs. Cooper said a proposal to due downstream augmentation of the river with reclaimed water would be discussed at the Agency on Bay Management's May 14th meeting.

X. Jurisdictional Status Reports

Mr. Gross said the Temple Terrace Riverwatch Task Force would be hiring a hydrologist to peer review the SWFWMD's Middle River Study. Mr. Gross said there would be a stakeholders meeting on a potential residential fertilizer ordinance on Thursday. Mr. Gross informed the group that the City of St. Petersburg had adopted an ordinance restricting the sale and application of residential fertilizers. Mr. Gross said the River Roundtable would be hosting a State of the River Event on Friday afternoon.

XI. Other Business

Addendum: The group recommended the River Board find Tampa Port Authority Permit No. 09-028 consistent with the Hillsborough River Master Plan.

Mr. Chillura suggested the area needed a stronger standard for managing our water resources. Mr. Chillura suggested proposed plan amendments better incorporate consideration of our stressed water resources. Mr. Chillura suggested more pressure could be placed on the SWFWMD to better manage our water resources.

Meeting was adjourned.

AGENDA ITEM VI.

Residential Fertilizer application



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204 to, a prohibition on irrigation and time-of-day watering
205 requirements and water shortage or emergency orders issued
206 pursuant to s. 373.246(2) and (7), remain applicable to the soil
207 moisture sensor control system users within a monitoring
208 entity's jurisdiction.

209 (g) This subsection does not require a property owner to
210 install a soil moisture sensor control system. This subsection
211 also does not prohibit a property owner from installing soil
212 moisture sensors and seeking an individual variance from the
213 applicable water management district even if such property is
214 located within the jurisdiction of a monitoring entity that has
215 been granted a variance pursuant to paragraph (c).

216 Section 2. Section 403.9335, Florida Statutes, is created
217 to read:

218 403.9335 Short title.—Sections 403.9335-403.9338 may be
219 cited as the "Protection of Urban and Residential Environments
220 and Water Act."

221 Section 3. Section 403.9336, Florida Statutes, is created
222 to read:

223 403.9336 Legislative findings.—The Legislature finds that
224 the implementation of the Model Ordinance for Florida-Friendly
225 Fertilizer Use on Urban Landscapes (2008), which was developed
226 by the department in conjunction with the Florida Consumer
227 Fertilizer Task Force, the Department of Agriculture and
228 Consumer Services, and the University of Florida Institute of
229 Food and Agricultural Sciences, will assist in protecting the
230 quality of Florida's surface water and groundwater resources.
231 The Legislature further finds that local conditions, including
232 variations in the types and quality of water bodies, site-

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233 specific soils and geology, and urban or rural densities and
234 characteristics, may necessitate the implementation of
235 additional or more stringent fertilizer-management practices at
236 the local government level.

237 Section 4. Section 403.9337, Florida Statutes, is created
238 to read:

239 403.9337 Model Ordinance for Florida-Friendly Fertilizer
240 Use on Urban Landscapes.—

241 (1) All county and municipal governments are encouraged to
242 adopt and enforce the Model Ordinance for Florida-Friendly
243 Fertilizer Use on Urban Landscapes or an equivalent requirement
244 as a mechanism for protecting local surface and groundwater
245 quality.

246 (2) Each county and municipal government located within the
247 watershed of a water body or water segment that is listed as
248 impaired by nutrients pursuant to s. 403.067, shall, at a
249 minimum, adopt the department's Model Ordinance for Florida-
250 Friendly Fertilizer Use on Urban Landscapes. A local government
251 may adopt additional or more stringent standards than the model
252 ordinance if the following criteria are met:

253 (a) The local government has demonstrated, as part of a
254 comprehensive program to address nonpoint sources of nutrient
255 pollution which is science-based, and economically and
256 technically feasible, that additional or more stringent
257 standards than the model ordinance are necessary in order to
258 adequately address urban fertilizer contributions to nonpoint
259 source nutrient loading to a water body.

260 (b) The local government documents that it has considered
261 all relevant scientific information, including input from the

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262 department, the institute, the Department of Agriculture and
263 Consumer Services, and the University of Florida Institute of
264 Food and Agricultural Sciences, if provided, on the need for
265 additional or more stringent provisions to address fertilizer
266 use as a contributor to water quality degradation. All
267 documentation must become part of the public record before
268 adoption of the additional or more stringent criteria.

269 (3) Any county or municipal government that adopted its own
270 fertilizer-use ordinance before January 1, 2009, is exempt from
271 this section. Ordinances adopted or amended on or after January
272 1, 2009, must substantively conform to the most recent version
273 of the model fertilizer ordinance and are subject to subsections
274 (1) and (2), as applicable.

275 (4) This section does not apply to the use of fertilizer on
276 farm operations as defined in s. 823.14 or on lands classified
277 as agricultural lands pursuant to s. 193.461.

278 Section 5. Section 403.9338, Florida Statutes, is created
279 to read:

280 403.9338 Training.—

281 (1) The department, in cooperation with the Institute of
282 Food and Agricultural Sciences, shall:

283 (a) Provide training and testing programs in urban
284 landscape best-management practices and may issue certificates
285 demonstrating satisfactory completion of the training.

286 (b) Approve training and testing programs that are
287 equivalent to or more comprehensive than the training provided
288 by the department under paragraph (a). Such programs must be
289 reviewed and reapproved by the department if significant changes
290 are made. Currently approved programs must be reapproved by July

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291 1, 2010.

292 (2) After receiving a certificate demonstrating successful
293 completion of a department or department-approved training
294 program under this section, a person may apply to the Department
295 of Agriculture and Consumer Services to receive a limited
296 certification for urban landscape commercial fertilizer
297 application under s. 482.1562. A person possessing such
298 certification is not subject to additional local testing.

299 Section 6. Present subsections (6) through (27) of section
300 482.021, Florida Statutes, are renumbered as subsections (7)
301 through (28), respectively, present subsection (28) is
302 renumbered as subsection (30), and new subsections (6) and (29)
303 are added to that section, to read:

304 482.021 Definitions.—For the purposes of this chapter, and
305 unless otherwise required by the context, the term:

306 (6) "Commercial fertilizer application" means the
307 application of fertilizer for payment or other consideration to
308 property not owned by the person or firm applying the fertilizer
309 or the employer of the applicator.

310 (29) "Urban landscape" means pervious areas on residential,
311 commercial, industrial, institutional, highway rights-of-way, or
312 other nonagricultural lands that are planted with turf or
313 horticultural plants. For the purposes of this section
314 agriculture has the same meaning as in s. 570.02.

315 Section 7. Section 482.1562, Florida Statutes, is created
316 to read:

317 482.1562 Limited certification for urban landscape
318 commercial fertilizer application.—

319 (1) To provide a means of documenting and ensuring

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320 compliance with best-management practices for commercial
321 fertilizer application to urban landscapes, the department shall
322 establish a limited certification for urban landscape commercial
323 fertilizer application.

324 (2) Beginning January 1, 2014, any person applying
325 commercial fertilizer to an urban landscape must be certified
326 under this section.

327 (3) To obtain a limited certification for urban landscape
328 commercial fertilizer application, an applicant must submit to
329 the department:

330 (a) A copy of the training certificate issued pursuant to
331 s. 403.9338.

332 (b) A certification fee set by the department in an amount
333 of at least \$25 but not more than \$75. Until the fee is set by
334 rule, the fee for certification is \$25.

335 (4) A limited certification for urban landscape commercial
336 fertilizer application issued under this section expires 4 years
337 after the date of issuance. Before applying for recertification
338 under subsection (5), the applicant must complete 4 classroom
339 hours of acceptable continuing education, of which at least 2
340 hours address fertilizer best-management practices.

341 (5) An application for recertification must be made at
342 least 90 days before the expiration of the current certificate
343 and be accompanied by:

344 (a) Proof of having completed the 4 classroom hours of
345 acceptable continuing education required under subsection (4).

346 (b) A recertification fee set by the department in an
347 amount of at least \$25 but not more than \$75. Until the fee is
348 set by rule, the fee for certification is \$25.

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349 (6) A late renewal charge of \$50 per month shall be
350 assessed 30 days after the date the application for
351 recertification is due and must be paid in addition to the
352 renewal fee. Unless timely recertified, a certificate
353 automatically expires 90 days after the recertification date.
354 Upon expiration, a certificate may be issued only upon
355 reapplying in accordance with section (3).

356 (7) Certification under this section does not authorize:

357 (a) The application of pesticides to turf or ornamentals,
358 including pesticide fertilizer mixtures;

359 (b) The operation of a pest control business; or

360 (c) The application of pesticides or fertilizers by
361 unlicensed or uncertified personnel under the supervision of the
362 certified person.

363 (8) The department may provide information concerning the
364 certification status of persons certified under this section to
365 other local and state governmental agencies. The department is
366 encouraged to create an online data base that lists all persons
367 certified under this section.

368 (9) Yard workers who apply fertilizer only to individual
369 residential properties using fertilizer and equipment provided
370 by the residential property owner or resident are exempt from
371 the requirements of this section.

372 (10) The department may adopt rules to administer this
373 section.

374 Section 8. This act shall take effect July 1, 2009.

Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes

JANUARY 2009

INTRODUCTION

This attached Model Fertilizer Use Ordinance is another tool to reduce sources of nutrients coming from urban landscapes to reduce the impact of nutrients on Florida's surface and ground waters. However, restricting fertilizer use by itself will not eliminate the impacts of nutrients from urban landscapes. Rather, a comprehensive approach is needed that includes site plan design, landscape design, irrigation system design, and fertilizer application. To assist local governments in improving their existing land development regulations, several "model" ordinances have been developed. These include:

- "Low Impact Design" ordinances which seek to reduce the impact of urbanization on our natural resources by stressing "source controls" that either minimize the generation of stormwater or minimize the pollutants that can get into stormwater. For example, promoting development designs that minimize clearing of natural vegetation and the compaction of urban soils. A Model Springs Protection Code is being developed by DCA, DEP, and other stakeholders that will include specific Land Development Regulation recommendations that promote Low Impact Design. This Model Code will be available in 2009.
- "Landscape Design Ordinances" since this is a major determinant in the amount of fertilizer and irrigation that is needed to maintain healthy urban landscapes and minimize adverse impacts on water resources. A model Landscape Ordinance entitled "Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida-friendly Lawns and Landscapes" was developed by a group of agencies, industries, and interest groups over a two year period and published in 2003. It was fundamentally an adaptation of earlier water conservation ordinances revised to include water quality protections for compliance with Total Maximum Daily Load (TMDL) or stormwater NPDES permit requirements. The language focuses on continuing education of lawn care and landscape professionals, proper planning and supervision during development and construction, and the use of best management practices, including the Florida-Friendly Landscape Program. This model ordinance has been renamed "Florida-Friendly Landscapes Model Guidelines for Ordinance Language for Protection of Water Quality and Quantity" updated for 2008 and may be downloaded from: <http://www.dep.state.fl.us/water/nonpoint/pubs.htm>.
- Finally, the 2004 Florida Legislature directed Florida's water management districts to work with interested parties to develop landscape irrigation and Florida-Friendly design standards for new construction (section 373.228, F.S.). Local governments are to use the standards and guidelines when developing landscape irrigation and Florida-Friendly ordinances. The Committee on Landscape Irrigation and Florida-Friendly Design Standards convened and developed the standards. They are published in a booklet called *Landscape Irrigation and Florida-Friendly Design Standards* (December 2006). This document can be downloaded from: http://www.dep.state.fl.us/water/waterpolicy/land_irr.htm.

1. FINDINGS

As a result of impairment to (MUNICIPALITY / COUNTY)'S surface waters caused by excessive nutrients, or, as a result of increasing levels of nitrogen in the surface and/or ground water within the aquifers or springs within the boundaries of (municipality/county), the governing body of (municipality / county) has determined that the use of fertilizers on lands within (municipality / county) creates a risk to contributing to adverse effects on surface and/or ground water. Accordingly, the governing board of (municipality/county) finds that management measures [*Guidance: Optional "additional management measures than are otherwise"*] contained in the most recent edition of the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008," may be required by this ordinance.

2. PURPOSE AND INTENT

This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of Commercial and Institutional Fertilizer Applicators; establishes training and licensing requirements; establishes a Prohibited Application Period; specifies allowable fertilizer application rates and methods, fertilizer-free zones, low maintenance zones, and exemptions. The Ordinance requires the use of Best Management Practices which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers. These secondary and cumulative effects have been observed in and on

(MUNICIPALITY / COUNTY)'s natural and constructed stormwater conveyances, rivers, creeks, canals, springs, lakes, estuaries and other water bodies. *[Guidance: as appropriate]* Collectively, these water bodies are an asset critical to the environmental, recreational, cultural and economic well-being of (MUNICIPALITY / COUNTY) residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, will help improve and maintain water and habitat quality.

3. DEFINITIONS

For this Article, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise.

1. “**Administrator**” means the (MUNICIPALITY / COUNTY) Administrator, or an administrative official of (MUNICIPALITY / COUNTY) government designated by the City/County Administrator to administer and enforce the provisions of this Article.
2. “**Application**” or “**Apply**” means the actual physical deposit of fertilizer to turf or landscape plants.
3. “**Applicator**” means any Person who applies fertilizer on turf and/or landscape plants in (MUNICIPALITY / COUNTY).
4. “**Board or Governing Board**” means the Board of City/County Commissioners of (MUNICIPALITY / COUNTY), Florida.
5. “**Best Management Practices**” means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.
6. “**Code Enforcement Officer, Official, or Inspector**” means any designated employee or agent of (MUNICIPALITY / COUNTY) whose duty it is to enforce codes and ordinances enacted by (MUNICIPALITY / COUNTY).
7. “**Commercial Fertilizer Applicator**” means any Person who applies fertilizer on turf and/or landscape plants in (MUNICIPALITY / COUNTY) in

exchange for money, goods, services or other valuable consideration.

8. “**Fertilize**,” “**Fertilizing**,” or “**Fertilization**” means the act of applying fertilizer to turf, specialized turf, or landscape plants.
9. “**Fertilizer**” means any substance or mixture of substances, except pesticide/fertilizer mixtures such as “weed and feed” products, that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil. *[Guidance: Regulation of pest control businesses and applicators, and of pesticide use, is preempted to the Florida Department of Agriculture and Consumer Services (FDACS) by Chapters 482.242, and 487.051 (2), F.S. and suspected pesticide misuse should be reported to FDACS. Weed and feed products are registered pesticides. The Limited Commercial Landscape Maintenance Certification Program does not allow landscape maintenance workers to make any kind of pesticide applications (including weed control and/or weed and feed products) to any turf areas. Per 482.165(3) F.S., a civil penalty for unlicensed application of pesticides, including weed and feed products, may not be less than \$500 or more than \$5,000 for each offense.]*
10. “**Guaranteed Analysis**” means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.
11. “**Institutional Applicator**” means any Person, other than a non-commercial or commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners and managers of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.
12. “**Landscape Plant**” means any native or exotic tree, shrub, or groundcover (excluding turf).
13. “**Low Maintenance Zone**” means an area a minimum of six (6) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.
14. “**Pasture**” means land used for livestock grazing that is managed to provide feed value.

15. “Person” means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.
16. “Prohibited Application Period” means the time period during which a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of (CITY/COUNTY), issued by the National Weather Service, or if heavy rain² is likely.
17. “(MUNICIPALITY /COUNTY) Approved Best Management Practices Training Program” means a training program approved by the (MUNICIPALITY /COUNTY) Administrator that includes at a minimum, the most current version of the Florida Department of Environmental Protection’s “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008,” as revised and any more stringent requirements set forth in this Article.
18. “Slow Release,” “Controlled Release,” “Timed Release,” “Slowly Available,” or “Water Insoluble Nitrogen” means nitrogen in a form which delays its availability for plant uptake and use after application, or which extends its availability to the plant longer than a reference rapid or quick release product.
19. “Turf,” “Sod,” or “Lawn” means a piece of grass-covered soil held together by the roots of the grass.

4. APPLICABILITY

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer within the area of (MUNICIPALITY/COUNTY), unless such applicator is specifically exempted by the terms of this Ordinance from the regulatory provisions of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

[Guidance: Local government may adopt additional or more stringent provisions to the model ordinance. However, the local government should consider the disadvantages of confusing jurisdictional differences and should clearly demonstrate they meet at least one of the following criteria:

- They have verified impaired waters and are facing existing or possible TMDL requirements (under state and federal laws); or
- They have verified harm to human health or harm to the environment that warrants additional fertilizer requirements; or
- That they will improve water quality or prevent future impacts of fertilizers on the environment; and that the additional regulation is the most reasonable and cost-effective method of attaining these goals.]

[Guidance: Florida Statutes 125.568(3), 166.048(3), and 373.185(3) provided that a deed restriction or covenant entered after October 1, 2001, or local government ordinance, may not prohibit any property owner from implementing Xeriscape or Florida-Friendly Landscape practices on his or her land. Any restrictions created after this date are void.]

5. TIMING OF FERTILIZER APPLICATION

No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period.

[Guidance: One of the most controversial issues associated with recent fertilizer ordinances enacted by local governments is the Prohibited Application Period. Some ordinances have prohibited the application of fertilizer, even slow release formulations, during the summer rainy season, typically June 1 to September 30. The reasoning is that rain occurs frequently, saturating the soil, leading to more runoff. Fertilizer management is largely about keeping the nitrogen and/or phosphorus in the root zone where it can be used by the turf. While periods of heavy rainfall contribute to washing fertilizer out of the root zone, the health of the turf grass is an equally important factor. Healthy turf grass with healthy roots and leaves is important to minimizing fertilizer movement. Because turf grass requires nitrogen throughout its growing period, its health can be negatively affected if nitrogen is deficient. Care should be taken with regards to the Prohibited Application Period until the science is better defined. Accordingly, sound science, common sense, and carefully reasoned judgment are recommended in determining how to define the Prohibited Application Period.]

6. FERTILIZER FREE ZONES

Fertilizer shall not be applied within ten (10) feet, or three (3) feet if a deflector shield or drop

² World Meteorological Organization definition of heavy rain: Rainfall greater than or equal to 50 mm (2 inches) in a 24 hour period. <http://severe.worldweather.org/rain/>, http://www.wrh.noaa.gov/sew/MediaGuide/TermsOutlooks_Watches_Warnings.pdf.

spreader is used, of any pond, stream, watercourse, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, Florida Administrative Code) or from the top of a seawall. If more stringent (MUNICIPALITY / COUNTY) Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. Newly planted turf and/or landscape plants may be fertilized in this Zone only for the first sixty (60) day establishment period, but caution shall be used to prevent direct deposition of nutrients into the water.

7. LOW MAINTENANCE ZONES

A voluntary six (6) foot low maintenance zone is strongly recommended, but not mandated, from any pond, stream, water course, lake, wetland or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. If more stringent (MUNICIPALITY / COUNTY) Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. No mowed or cut vegetative material should be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone. *[Guidance: Care must be taken to ensure erosion of the surface soil does not occur. Excessive erosion may be a greater pollution hazard than occasional proper applications of fertilizer.]*

8. FERTILIZER CONTENT AND APPLICATION RATES

[Guidance: RULE 5E-1.003(2)(d), F.A.C. contains the following provisions for golf courses, parks and athletic fields. As such, no additional specific requirements are included for these types of urban turf. The appropriate Best Management Practices listed below must be followed on such sites for nutrient management activities:

(d) Fertilizers labeled for sports turf at golf courses, parks and athletic fields shall:

1. *Have directions for use not to exceed rates recommended in the document titled SL191 “Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant”, dated March 2007, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Soil and Water Science Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611 or the following website: <http://edis.ifas.ufl.edu/SS404>.*

2. *Have directions for use in accordance with the recommendations in “BMP’s for the Enhancement of Environmental Quality on Florida Golf Courses”, published by the Florida Department of Environmental Protection, dated January 2007. Copies may be downloaded from <http://www.dep.state.fl.us/water/nonpoint/pubs.htm>.*

Note that this does not exempt applicators at these sites from the required basic Green Industry BMP training. If other provisions of the ordinance are not appropriate for these sites, such exceptions should be noted.]

- (a) Fertilizers applied to turf and/or landscape plants within (MUNICIPALITY / COUNTY) shall be formulated and applied in accordance with requirements and directions provided by Rule 5E-1.003(2), Florida Administrative Code, *Labeling Requirements For Urban Turf Fertilizers*.
- (b) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in (a) above unless a soil or tissue deficiency has been verified by an approved test. *[Guidance: Soil and tissue tests for phosphorus are normally done by UF/IFAS or another accredited laboratory. FDEP has sponsored research (ca. 2007-2008) to compare several retail home test kits to IFAS extension lab results for a wide variety of Florida soils. This may allow more convenient testing by homeowners, although enforcement may be more difficult without written test results.]*

9. APPLICATION PRACTICES

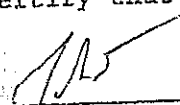
- a. Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands.
- b. Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces.
- c. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.
- d. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.
- e. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

REVISED

14. AUTHORIZATIONS

- a. I authorize the agent listed in Item 3 to negotiate modifications or revisions, when necessary, and accept or assent to any stipulations on my behalf.
- b. I understand I may have to provide any additional information/ data that may be necessary to provide reasonable assurance of evidence to show that the proposed project will comply with applicable water quality standards or other environmental standards both before construction and after the project is completed.
- c. In addition, I agree to provide entry to the project site for inspectors with property identification or documents as required by law from the environmental agencies for the purpose of making preliminary analyses of the site. Further, I agree to provide entry to the project site for such inspectors to monitor permitted work, if a permit is granted.
- d. Further, I hereby acknowledge the obligation and responsibility for obtaining all of the local, state and federal permits before commencement of any activity.

I CERTIFY that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activity.



Signature of Applicant

09/08/09

Date

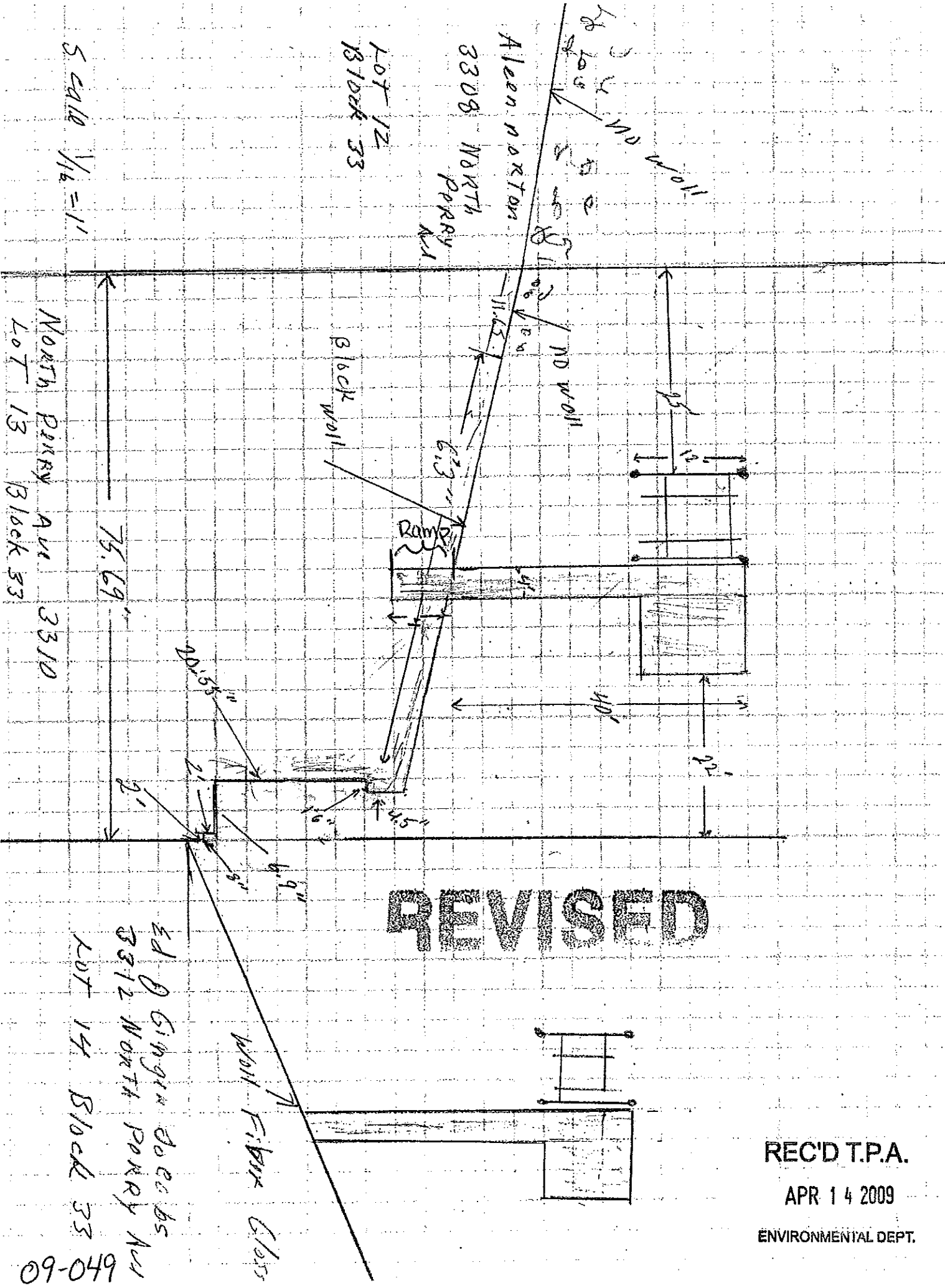
NOTE: THIS APPLICATION MUST BE SIGNED by the person who desires to undertake the proposed activity or by an authorized agent. If an agent is applying on behalf of the applicant, attach proof of authorization for the agent to sign and bind the applicant.

REC'D T.P.A.

APR 14 2009

ENVIRONMENTAL DEPT.

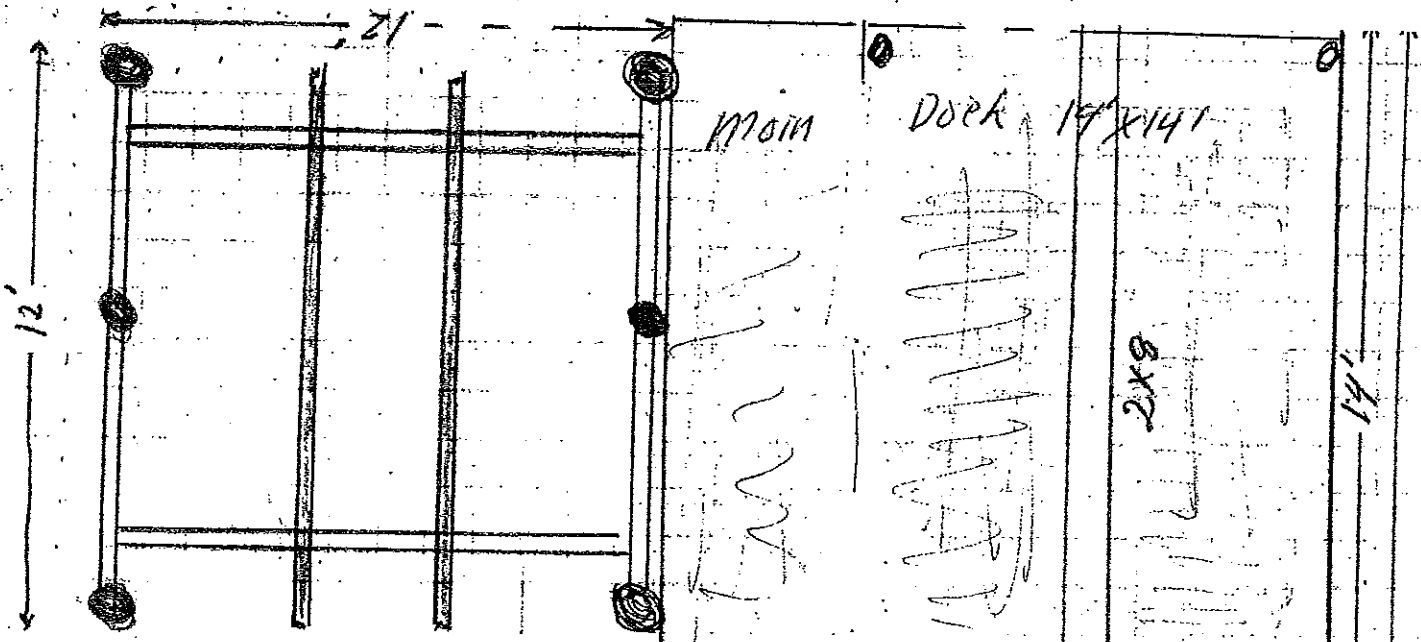
09-049



REVISED

REC'D T.P.A.
APR 14 2009
ENVIRONMENTAL DEPT.

09-049



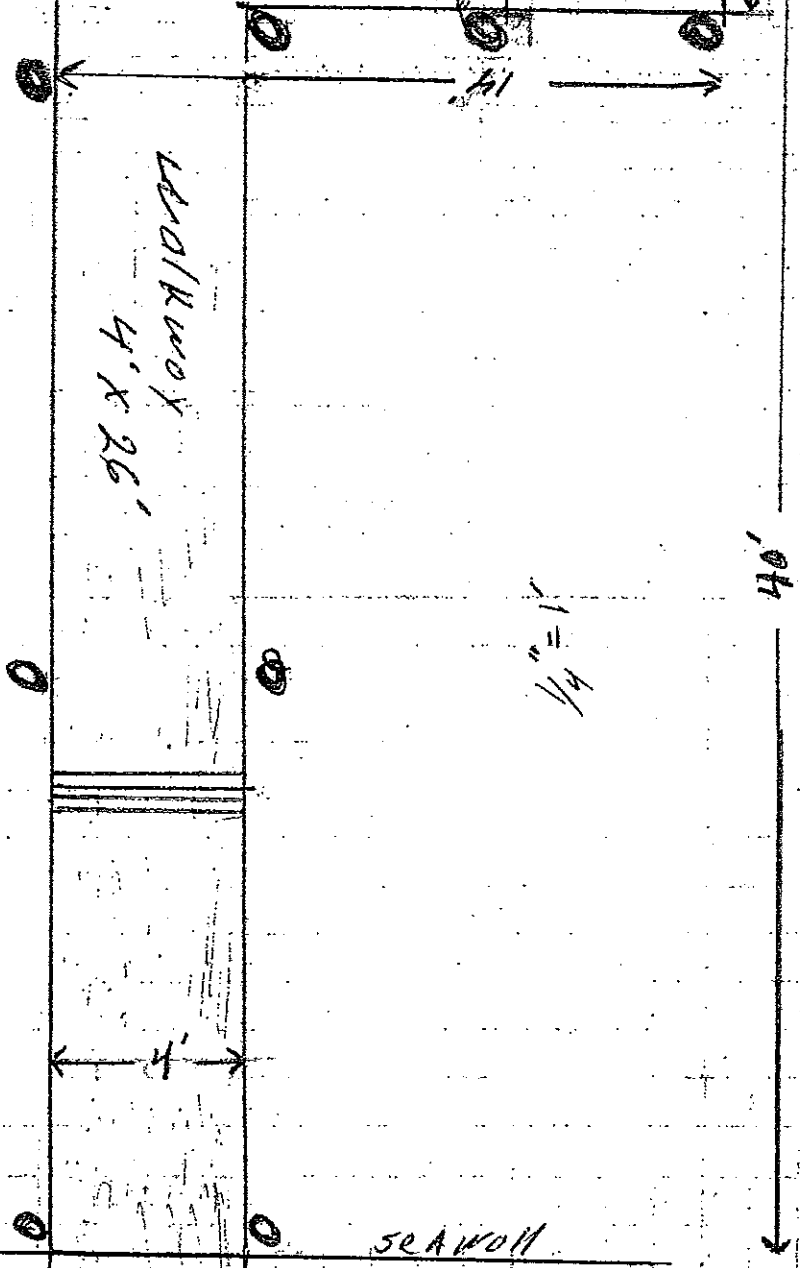
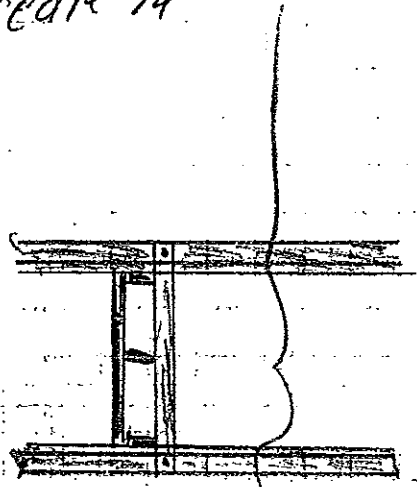
BOAT LIFT
NO ROOF

REC'D T.P.A.

MAR 19 2009

ENVIRONMENTAL DEPT.

Plan View
Scale $\frac{1}{4}'' = 1'$



09.049

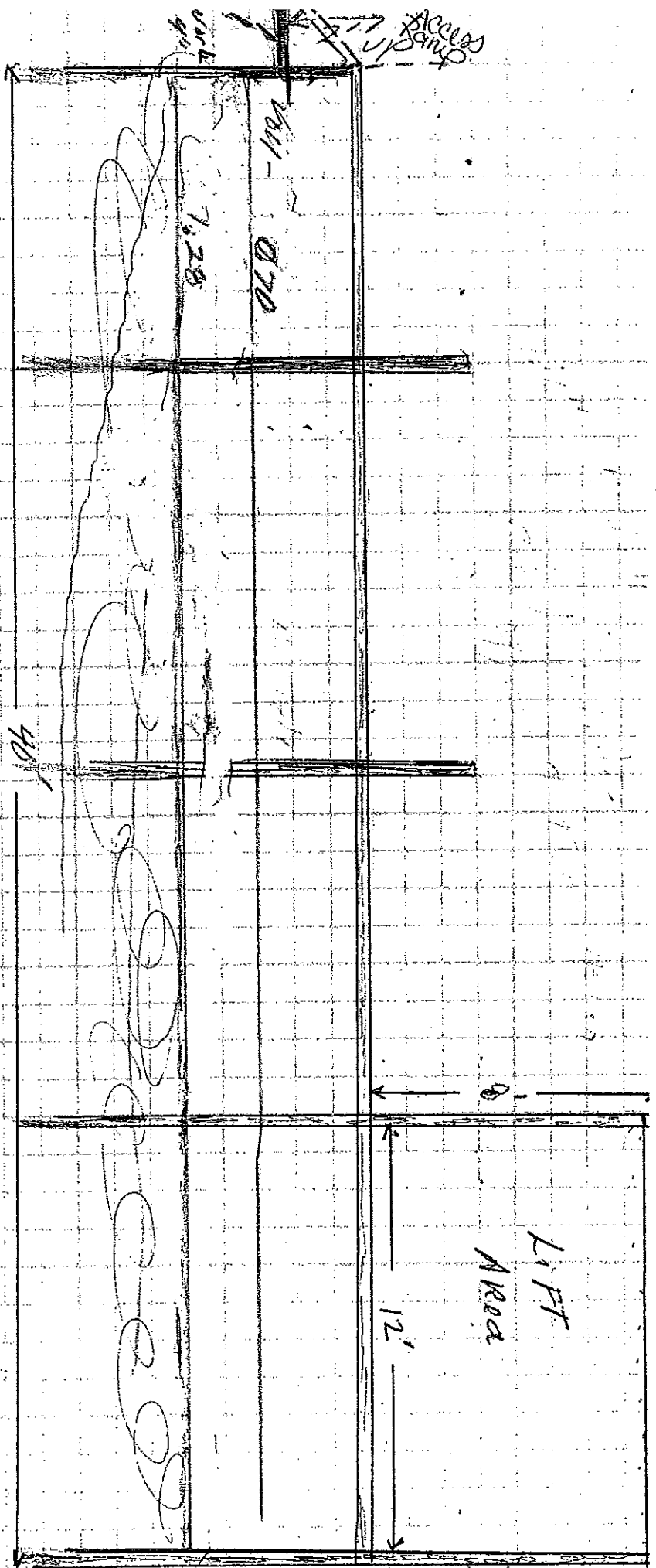
REVISED

Scale 1/4" = 1'

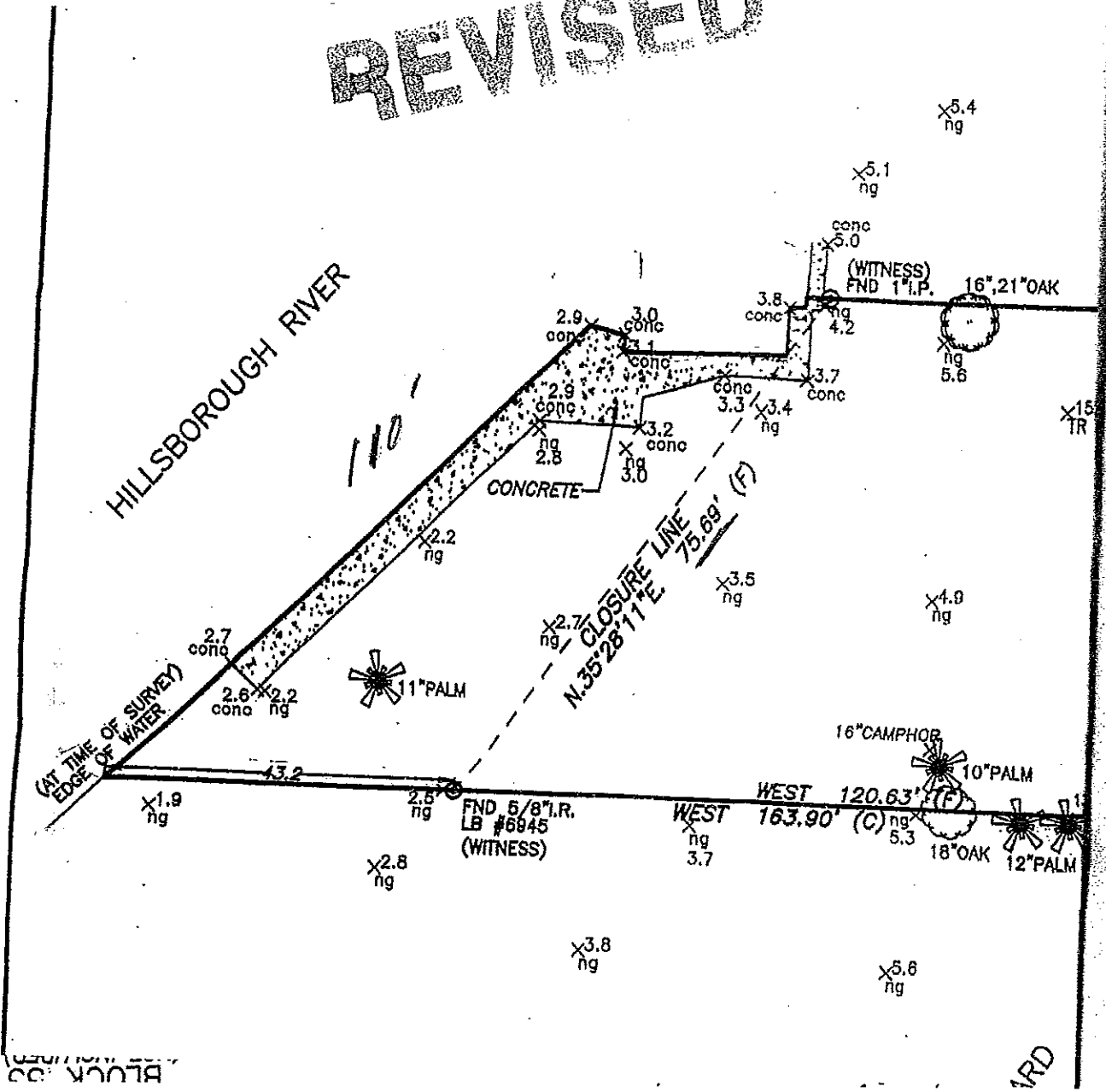
Side View

REC'D T.P.A.
APR 14 2009
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09-049



REVISED



This is the original print size
1" = 20'

REC'D T.P.A.

APR 14 2009

ENVIRONMENTAL DEPT.

09-049

COMMISSION
Kevin Beckner
Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White



Roger P. Stewart Center
3629 Queen Palm Dr. • Tampa, FL 33619
Ph: (813) 627-2600
Fax Numbers (813):
Admin. 627-2620 Waste 627-2640
Legal 627-2602 Wetlands 627-2630
Water 627-2670 ERM 627-2650
Air 627-2660 Lab 272-5157

Executive Director
Richard D. Garrity, Ph.D.

April 28, 2009

Jackie Julien
Tampa Port Authority
1101 Channelside Drive
Tampa, Florida 33602

SUBJECT: TPA PERMIT #09-049 / CONSTRUCTION OF A NEW DOCK AND A NON-COVERED BOATLIFT FOR ROSA RIVERFRONT AKA THOMAS MARTINO AT 3310 NORTH PERRY AVENUE, TAMPA / FOLIO# 167256.0000 / APPLICATION RECEIVED BY TPA ON APRIL 14, 2009 / APPLICATION RECEIVED BY EPC ON APRIL 16, 2009 / STR 11-29S-18E

Dear Mrs. Julien:

An environmental review has been conducted for the above described project by the staff of the Environmental Protection Commission (EPC) of Hillsborough County. Based on this review, the staff of the EPC recommends **approval** of the proposed project subject to the following conditions:

1. All work must be conducted as proposed and in the location indicated by the plans received April 16, 2009 and viewed by EPC staff on the site visit of April 20, 2009. **Any proposed changes or adjustments must be reviewed and authorized by EPC staff.**
2. All demolition and construction related debris must be removed from the wetland area upon completion of construction or daily, as necessary.
3. No dredging, filling, clearing or scouring shall be allowed except for the settings of pilings. If pilings are to be installed by jetting, then the water pump must be shut off when not in use to avoid unnecessary disturbance to the water body.
4. Water depths in boatlifts must have a minimum depth of no less than two (2) feet at mean low water elevations. Deeper depths will be required for larger draft vessels to ensure compliance with Chapters 1-11, Wetlands, and 1-5, Water Quality, Rules of the EPC.
5. All efforts must be undertaken to prevent any erosion or turbid water from being discharged off-site, into the wetlands and/or waters of the County. Turbid discharges that exceed 29 NTU's (Nephelometric Turbidity Units) above background levels are a violation pursuant to Chapter 1-5 Water Quality Rule. EPC approved methods of erosion and/or turbidity control may be required. It is the responsibility of the owner/developer to insure the installation of adequate erosion control barriers prior to the commencement of any site work. These erosion control devices must be maintained in good condition throughout the construction process and until all soils have stabilized. It is strongly recommended that all erosion control devices be regularly inspected during construction and modified if conditions warrant.

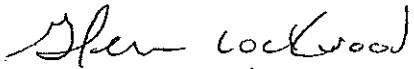
Jackie Julien
April 28, 2009
TPA 09-049
Page 2

INFORMATIONAL COMMENTS:

- Please be advised that this approval applies only to the development proposal as submitted, and in no way does it provide EPC approval to any other aspect of the review process. In addition, this approval does not imply exemption from obtaining all proper permits from other governmental agencies.
- Please note that this letter only represents the recommendations of the EPC to the Tampa Port Authority (TPA), the TPA will issue the actual permit. In the event these conditions are not incorporated in the TPA permit, the proposed activity will require a separate authorization from the Executive Director of the EPC.

If you have any questions or need further assistance please call me at 813-627-2600 ext.1010.

Sincerely,



Glenn Lockwood
Environmental Scientist
Wetlands Management Division
Environmental Protection Commission
of Hillsborough County

cc: Rosa Riverfront, LLC by Thomas Martino
Docks & More

gl/cjc/dt

09-049 (pg. 2 of 2)

AGENDA ITEM VIII.

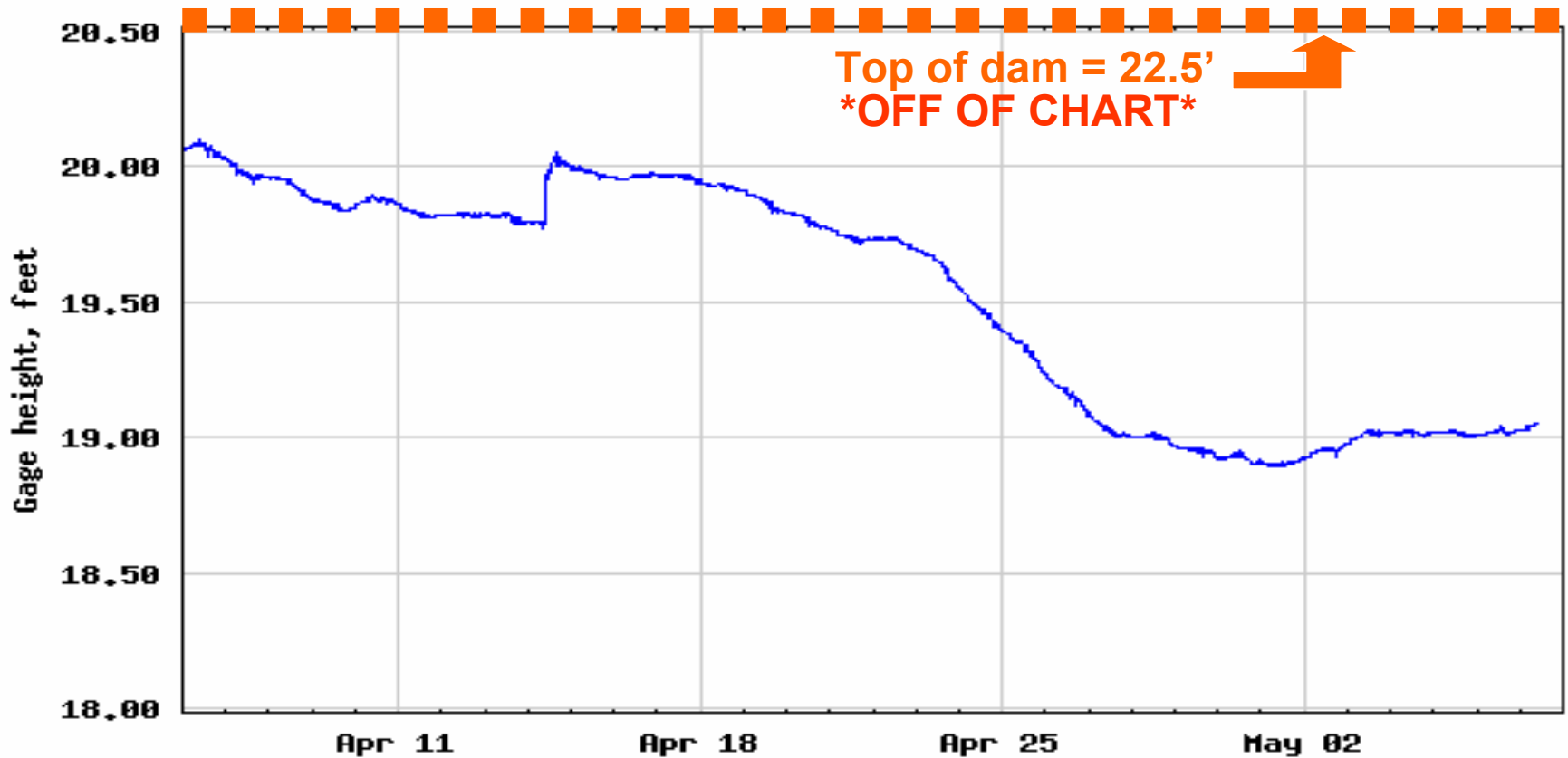
Status of Hillsborough River
Flows and Levels





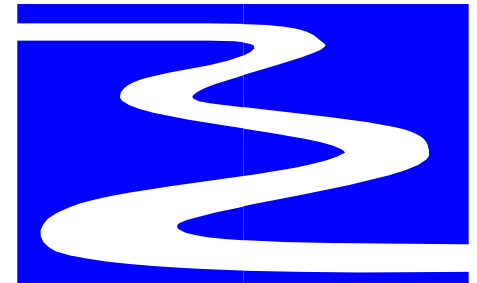
GAGE HEIGHT

USGS 02304500 HILLSBOROUGH RIVER NEAR TAMPA FL

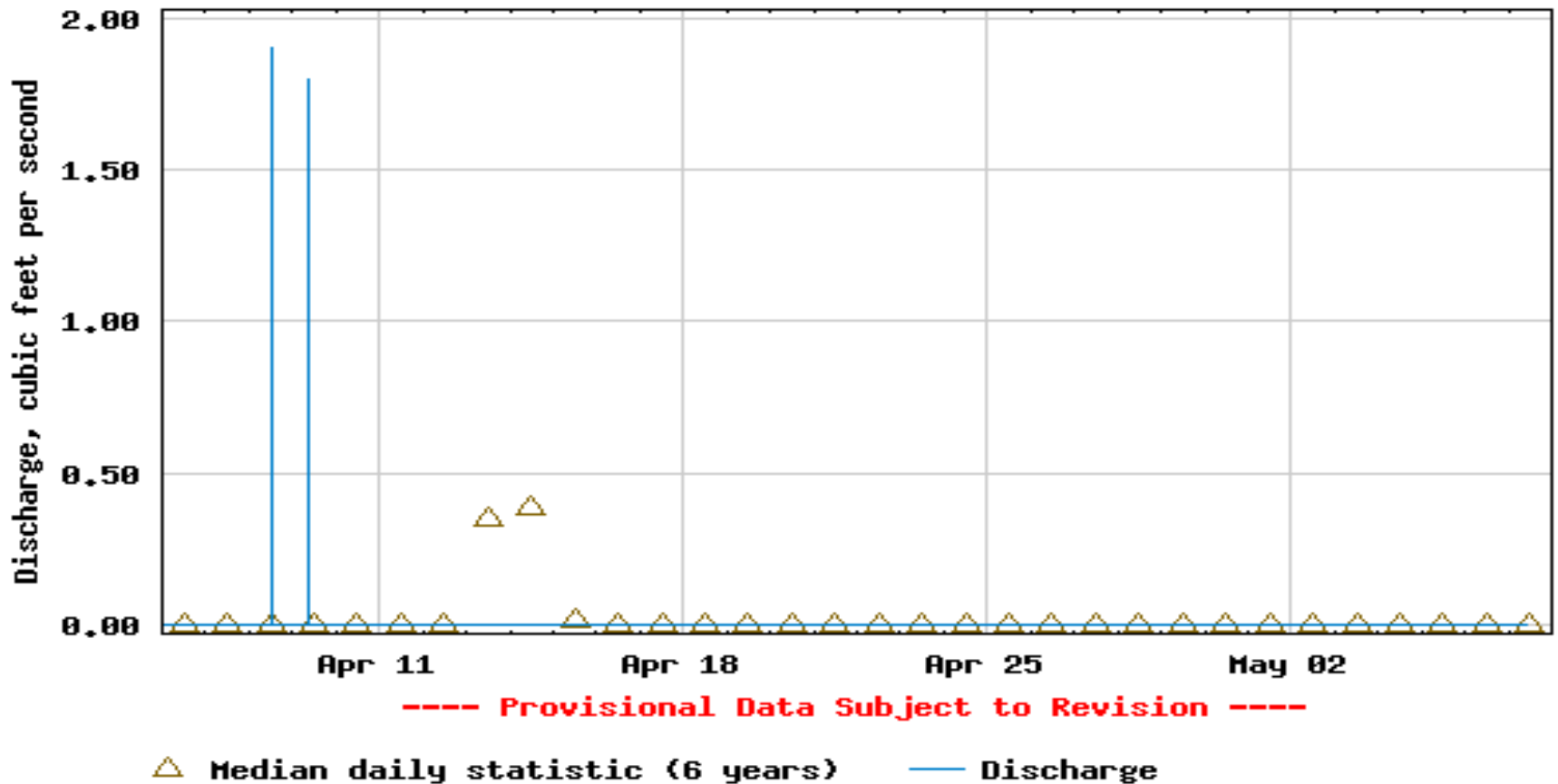


----- Provisional Data Subject to Revision -----

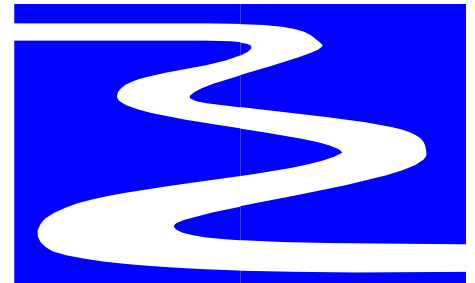
http://waterdata.usgs.gov/fl/nwis/uv/?site_no=02304500&agency_cd=USGS



USGS 02304500 HILLSBOROUGH RIVER NEAR TAMPA FL



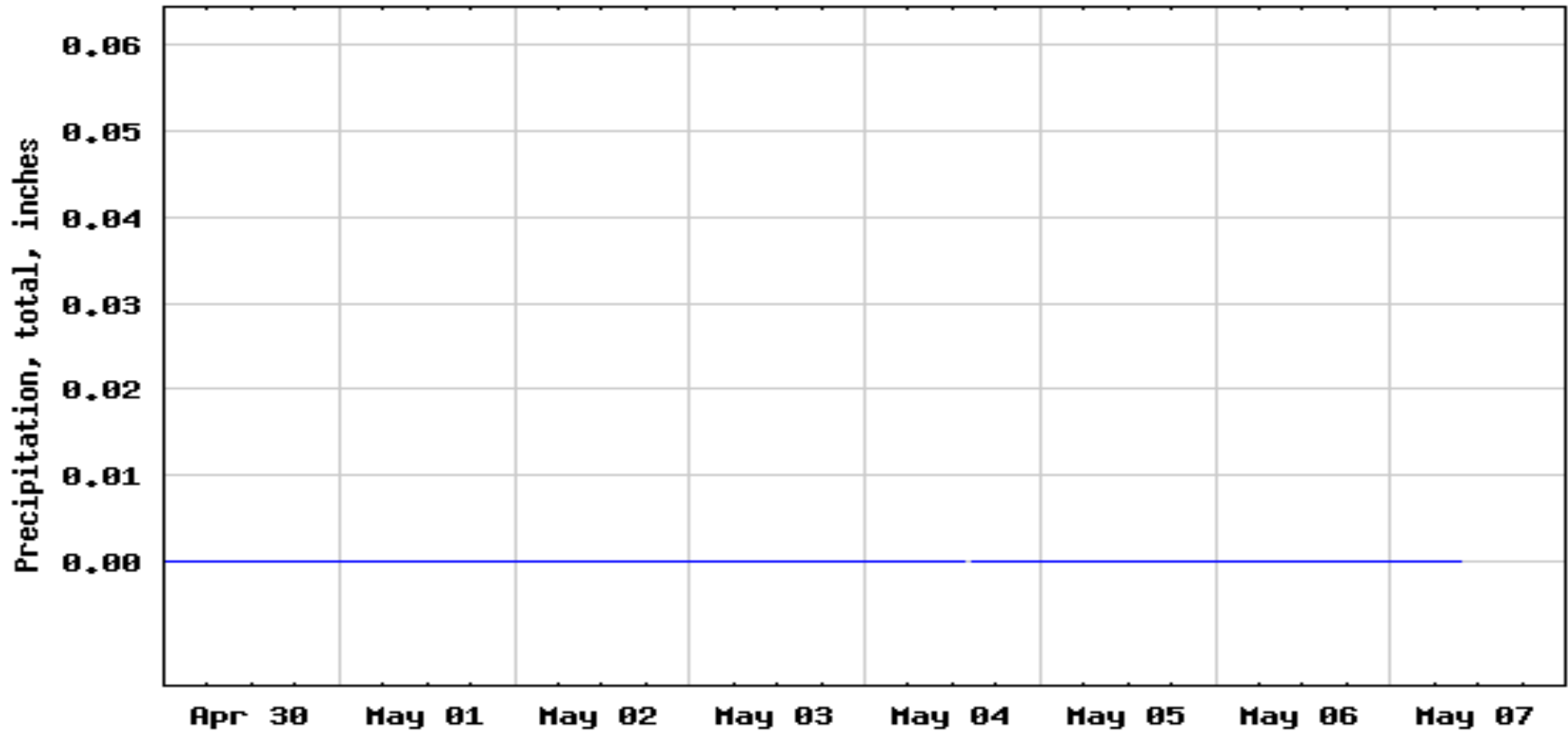
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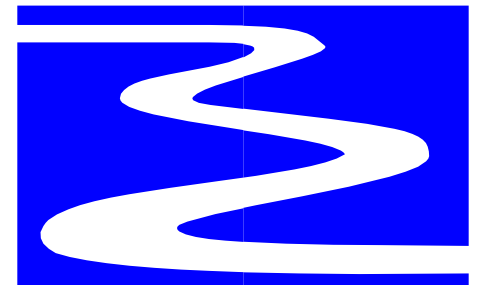
PRECIPITATION

USGS 02304500 HILLSBOROUGH RIVER NEAR TAMPA FL



---- Provisional Data Subject to Revision ----

http://waterdata.usgs.gov/fl/nwis/uv/?site_no=02304500&agency_cd=USGS





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Tampa Water Supply & Demand Status

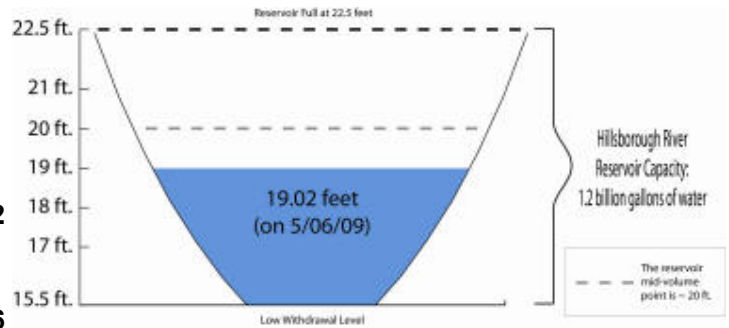
New Water Restrictions, Effective April 3, 2009

Emergency Water Use Restrictions are now in effect. Customers are urged to **conserve water**. Use only minimal amounts of water necessary to sustain existing plant material and check for leaks both inside and outside.

Water Storage:

Reservoir Level (msl ft):

Wednesday 05/06/09 **19.02**
 Wednesday 04/29/09 **18.96**



	7-Day Average (mgd)		
	<u>04/26</u>	<u>04/19</u>	<u>04/12</u>
	to	to	to
	<u>05/02</u>	<u>04/25</u>	<u>04/18</u>
Water Supply:			
River Flow	18.36	19.27	20.94
Reservoir Augmentation			
Sulphur Springs	3.20	3.20	3.20
Tampa Bypass Canal	18.27	15.38	23.09
ASR Wells	7.69	8.04	8.58
Total:	47.52	45.89	55.81
Water Demand:			
Tippin Plant Production	37.89	41.80	39.88
Water Purchases	27.38	19.90	19.85
Total:	65.27	61.70	59.73
Non-Watering Days Average	64.87	61.56	59.68
Watering Days Average	66.26	62.02	60.34
	04/26 to	04/19 to	04/12 to
	05/02	04/25	04/18
Dam Discharge	0.00	0.00	0.00

Quick Links

[Customer Service Center](#)

[Educators](#)

Water Restriction Enforcement:

• Obtaining Water Service Tech Manual	Citations Issued Week of 05/02/09:	56
• Water Supply and Demand Status	Citations Issued Week of 04/25/09:	52
• Water Surcharge	Citations Issued Week of 04/18/09:	42
• Water Use Restrictions	Citations Issued Calendar Year to date:	762

mgd = Million of Gallons per Day

msl = Mean Sea Level

[Definitions of Terms](#)

*Data used to produce this information are provisional and may be subject to change.