



MEETING SUMMARY/MONTHLY REPORT
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
WATER RESOURCES ADVISORY COMMISSION

THURSDAY, JUNE 04, 2009, 09:00 AM
Long Key Nature Center at Vista View Park
3501 SW 130 Avenue
Davie, FL 33330 (954)327-8797

MEETING SUMMARY

Members and Alternates Present:

Jeff An	D. Albrey Arrington
Irela Bague	Douglas Bournique
Al Calloway	Walter Carson
Duke Clem	Shannon Estenoz
Beverly Grady	James Harvey
Patrick Hayes	James Humble
Kristin Jacobs	George Jones
Susan Kaynor	William "Chad" Kennedy
Joan Lawrence	David Lithgow
Barbara Miedema	Thomas Miller
James Murley	Mark Perry
Pete Quasius	Jim Reynolds
Sally Robinson	Ray Scott
Raymond Smith	Todd Swingle
Mike Tamaro	Jacqueline Weisblum
Douglas Yoder	

A Digital Video Disk (DVD) of this meeting is at <http://my.sfwmd.gov/wrac> video archives.

AGENDA:

1. Welcome/Introductions
2. Member Issues
3. Old Business
4. Legislative Session 2009 – Wrap Up
5. New Business
6. Broward County Update (SFWMD Broward County Service Center)
7. Broward County Regional Water Initiatives
8. SFWMD Strategic Plan Update

9. Working Lunch
10. River of Grass Phase I Project Planning Process

Item 1: Welcome and Introductions: Shannon Estenoz, Chair:

Introduced: Councilman Freddie Fisikelli, Town of Southwest Ranches; Mayor Judy Paul, Town of Davie; Vice-Mayor Steve Breitreuz, Town of Southwest Ranches; Susan Kaynor, Alternate for Kimberly Taplin, U.S. Army Corps of Engineers (USACE); and Commissioner Keith London, City of Hallandale Beach.

Item 2: Member Issues:

- Need update on dredging the Lake Okeechobee rim canal.
- Environmental Justice and Conservation Conference will be held June 20 at the Ft. Lauderdale Library Auditorium at 10:00 a.m. Staff will e-mail an invitation.
- Caloosahatchee River – the upper river has recovered. Pulse releases helped submerged aquatic vegetation survive from dry season to wet season for the first time in more than a decade.
- Need to complete L8 Reservoir pump so Loxahatchee River system gets water it needs to meet the Minimum Flows and Levels (MFLs).
- Technical Document Review – St. Lucie Estuary Water Reservation two day meeting was scheduled for the same time as the River of Grass Issues Workshop in Clewiston (June 2). SFWMD needs to avoid doing that. Need to resolve problems in the C-23, 24 and 25 Basins as first step in improving the St. Lucie Estuary.
- Need report on Bond Validation.
- Fiscal Year 2010 President’s Budget includes \$350 million to the U.S. Army Corps of Engineers (USACE) for South Florida projects. \$130 million of that is for repairs to the Herbert Hoover Dike.
- Secretary of the Interior Salazar and Assistant Secretary Tom Strickland had an excellent tour of the Everglades last week. As part of a new initiative on “Treasured Landscapes”, will ensure ecosystem restoration issues and funding needs are placed high on the national agenda. Chair: Encouraged by early signals of support for resolving issues such as land crediting.
- Florida Department of Agriculture and Consumer Services (FDACS), Florida Department of Environmental Protection (FDEP) and SFWMD staff toured Florida Ranchlands Environmental Services Program (FRESP) projects. All were encouraged by early monitoring data. Need FRESP update for WRAC. Chair: Need to ensure FDACS can provide its share (\$300,000) of the commitment of \$600,000. SFWMD will provide \$300,000.
- FDACS is tracking proposal by The Nature Conservancy for the Wetlands Reserve Enhancement Program funding authorized by the new federal Farm Bill. Farmers and ranchers are encouraged by changes in the program regarding grazing.
- Broward County Commissioner Kristin Jacobs welcomed everyone to Long Key Nature Center/Vista View Park, which was acquired with funding from Broward’s 2000 bond referendum.

- Need better stormwater management to prevent flooding. Need to revise the stormwater management rules, especially on the Lower East Coast.
- Need to look at new and redevelopment provisions of the Statewide Stormwater Rule, and balance stormwater reuse provisions with water reservations and consumptive use permit requirements.
- Appreciate SFWMD support to reestablish the historic connection of SFWMD northern Upper East Coast to St. Johns River Water Management District.
- Urge the USACE to obtain funding for repairs for Ten Mile Creek Reservoir. USACE is requiring water levels in the reservoir to be kept at 4' below surface elevation.
- Ten Mile Creek reservoir repairs need to remain a high priority.
- SFWMD Executive Director: SFWMD has entered an agreement with the USACE on a plan to assure the reservoir dike is safe and will fix the problem. First the cap on value of the project must be raised. SFWMD will assist in that effort. There is support at USACE Headquarters for the project and raising the value in the authorizing legislation. SFWMD will help fund an engineering study of the dike. Expect the funding issue to be resolved very soon.
- SFWMD Asst. Exec. Director: Encouraged to see USACE agree to repair, operate and maintain the reservoir.
- Need update on Biscayne Bay Coastal Wetlands CERP project.

Item 4: 2009 Legislative Session Wrap-up - Ernie Barnett, SFWMD:

Mr. Barnett summarized legislation and appropriations issues that passed and legislation that did not pass.

Discussion:

- SFWMD Exec. Director: Re: SB 2080: SFWMD Governing Board and other Water Management Districts will ensure ample public participation opportunities in permit decision making. SFWMD putting together a plan to do that and will present to WRAC next month.
- Permits proposed for denial would still go to the Governing Board.
- New provisions for "Payments In Lieu of Taxes" ensure rural counties with low populations will be compensated for land taken off local tax rolls. This is important for ongoing conservation and restoration programs.
- There were no appropriations this year for Alternative Water Supply projects.
- Ad valorem revenue estimates from County Tax Assessors? SFWMD has received preliminary estimates. Expect to have certified estimates by July.
- Irrigation efficiency: Annual inspection of efficient irrigation technologies required to be done by licensed engineer.

Item 5: New Business:

- Need WRAC issues workshops on "Adaptive Protocols" for water management in the Lake Okeechobee Service Area. Should address recommendations for improving the Lake Okeechobee Regulation Schedule.
- Chair: Will set up series of WRAC Issues Workshops.

- SFWMD Exec. Director: Will do, but need to look at issue holistically and look into possibility of using local basin releases as alternative sources. Need to look at system, not just the lake.

Item 6: Broward County Update (SFWMD Broward Service Center) – Bert Waters, SFWMD:

Discussion:

- Need presentation on status of S9 basin issues.
- Chair: Awaiting resolution of land crediting issues. Broward C-9/C-11 CERP project most impacted by this problem – in the \$100s/millions.
- Last year, Broward County urged separation of those projects from the land crediting issue so projects could move forward.
- SFWMD: Meeting in Washington, June 9 between U.S. Office of Management and Budget and USACE should resolve the issue.
- FDEP: Kudos to Broward County for establishing the Water Task Force. Palm Beach County now establishing similar group.
- Chair: Grew out of joint meeting of SFWMD Governing Board and elected officials from 27 of Broward’s 31 municipalities. Broward Water Academy (12 week boot camp conducted by SFWMD Broward Service Center) is increasing awareness of water issues among elected officials.
- Broward County Commissioner Jacobs: Have had 9-10 meetings of Task Force to date. Group is ready to begin making recommendations.

Item 7: Broward County Regional Water Initiatives – Jennifer Jurado, Ph.D., Broward County Environmental Protection and Growth Management Dept.:

Discussion:

- Amount of reclaimed water to be handled by infiltration basins?
- Ocean Outfall Legislation: Need to reuse water going to tide for most beneficial uses.
- Does Broward County support 2 day/week irrigation rule?
- Broward County Commission supports but is waiting on SFWMD rule. If it is not forthcoming, Broward needs to move because of saltwater intrusion, sluggish drainage system, etc.
- Use of cisterns? Broward Water Task Force visited Living Office Building in Delray Beach. Very impressive. Most commissioners support. Need to review local codes, etc.
- Agree with use of cisterns. Need to reduce irrigation needs (Florida Friendly Landscape ordinance), stormwater reuse, more water storage, etc.
- City of North Miami Beach has 30 cistern tanks permitted. Invited WRAC to visit.
- Chair: Broward has many separate utilities, Miami-Dade has four. This complicates the process.

Public Comment: Steve Breitkruez, Vice Mayor, Southwest Ranches: Having problems with flooding but the town is implementing BMPs and other water quality improvements for the C-11 canal.

Item 8: SFWMD Strategic Plan Update: Tom Olliff, SFWMD:

Mr. Olliff provided a summary of the draft SFWMD Strategic Plan.

Discussion:

- “North”/“South” Everglades labels: Need to refocus on restoring the South Florida ecosystem. SFWMD: That is why the Governing Board refined the Strategic Plan goal statements.
- Emphasize the natural system, natural water storage and natural filtration to improve water quality.
- Re: FRESP – FDACS will continue to fund its share and provide in-kind services. SFWMD: Budget provides funding for existing project and adds more.
- “Reservation and allocation of water for the natural system”? Not sure there is statutory authority for “allocation of water for the natural system”.
- Idea was to reserve water for the natural system through rule development, then allocate water for reasonable beneficial uses through consumptive use permits.
- Minimum flows and levels (MFLs) for important water bodies in South Florida are not being met (e.g. Caloosahatchee River).
- Does the plan encourage alternative water supply, stormwater reuse, etc? Yes.
- Operation and Maintenance Plan: FEMA inspection of structures and costs to comply? SFWMD: 100% of the costs are on the SFWMD as local sponsor for the Central and Southern Florida (C&SF) project. Don’t have totals yet but have better numbers now than in the past.
- By 2011, it appears from charts we’ll be down 23% in Ad Valorem revenues? SFWMD: Yes. Using “County by County estimates” from Bureau of Economic and Business Research (BEBR), which normally show the worst case. New legislation requires local governments benefiting from growth (and not raising millage rates) to not keep the growth revenue unless advertised as a tax increase, and a super majority of the governing body agrees. SFWMD has used a very conservative approach to develop the budget.
- Concerned that estimates indicate a recovery in 2013 and 2014 but appraised value estimates could continue to be down. Need to do scenario planning. Continuing population decline could make the situation worse.
- SFWMD: Again, we use the worst case estimates to develop the budget. We are showing no increase in revenues from assessed values.
- Concerned about high debt, declining revenues, potential for taxes on agricultural product revenues (Miami-Dade talking about assessing agricultural product revenues vs. agricultural property).
- SFWMD: Most local governments have statutory authority for alternative revenue sources (e.g. Municipal Service Taxing Units or “MSTUs”, franchise fees, etc.). Given requirements of recent tax reform legislation, if SFWMD ad valorem revenues go down \$100 million, we cannot get that

- Meaning of “CERP Ad Valorem Balance”? SFWMD: Comes from CERP match, a small portion of which has been reserved each year so that in lean years we would have funds to complete CERP and related projects. The Governing Board will set priorities for use of those funds.
- SFWMD: Need to handle the Operations and Maintenance (O&M) backlog, so in this austere budget, we’ve allocated 30% more (\$60 mil. /year for 4-5 years) in the O&M capital budget for projects in the rehabilitation plan.
- SFWMD: Two additional top priorities are land management and operating contract costs. This budget keeps Land Management funding whole. Biggest concern is funding for operating contracts. There are greater efficiencies that can be gained. We’re requiring managers to identify those.
- Debt service projection from \$144 million to \$81 million? SFWMD: That shows difference between acquiring all of US Sugar assets and reducing to 73,000 acres. The \$81 million includes debt service for the US Sugar acquisition and other debt service obligations.
- SFWMD: \$332 million is total accumulated cash over the last five years. The Governing Board has set completion of projects as a top strategic priority. The FY 2010 Budget shows the proposed project priorities.
- CERP land citrus tree removal - member recommended cheaper ways to remove the trees. Should be able to do it for one-tenth cost shown.
- C-111 – member comment that should not move forward without acquiring land to be impacted.
- Question about use of “CERP fund”.
- SFWMD: Some projects will be funded with several sources but can’t use the money for non-CERP related projects. We estimated amount of funding from partners for future years (state and federal funds).
- Moving forward with:
 - Picayune Strand
 - Site 1 Impoundment
 - Kissimmee River Restoration (next phase)
 - C-44 Reservoir
 - C-43 Water Quality project
 - Biscayne Bay Coastal Wetlands
 - Uncommitted fund for future restoration projects.
- SFWMD: Budget includes River of Grass debt service amount of \$43-\$46 million/year.
- Showing no merit increases for staff until FY 2011. Don’t want to dip into reserves to balance the budget. Will maintain reserves at current levels to meet emergencies.
- Will offset revenue decreases by reducing contract and operating expenses and historical fund balances.

- Question about reserves – 5 year sources and revenues of \$21.1 million each year. SFWMD: One is a balance sheet reserve, another is not. Assuming we won't spend all funds from one year to next, so provide for carryover of unspent reserve balance as revenue for next year. Economic Stabilization reserve is about 5% of total budget. Two reserve funds equal about 10%.
- Showing no funding for construction projects for U. S. Sugar Corporation (USSC) projects or acquiring additional USSC land?
- SFWMD: Until we complete plan, we won't have too much, but have future restoration reserve for future projects. We'll do work with partners to exercise option. Will continue to work with partners.
- FDEP: Rebuilding water quality lab will save money compared to contracting out. Other cost cutting measures?
- SFWMD: Implemented strict review of vacancies and proposed new contracts, dramatically reduced in and out of state, and conference travel; challenged employees to find creative ways to save money. Reduced overhead of the agency.
- CERP Land Acquisition of \$30 million? SFWMD: Final payment on existing obligations for land in the C-23 and C-24 basins.
- Any estimate of revenue from sale of surplus lands? No projections are included in budget.
- No future CERP land acquisition or is it captured in line 16? SFWMD: much of it is captured in line 16.
- Line 9: No federal Kissimmee River Restoration funding beyond 2009? SFWMD: Could not get specific number but expect it to be funded.
- Item 10: Considering relocating water quality lab to Clewiston.
- Not showing federal revenues for Kissimmee River restoration? Could not count on it. If it is funded as expected, will show those numbers.
- Use of one-time revenues to be a future policy decision or included in this budget? SFWMD: Showed information on slide 24 – Governing Board will make decisions, staff will refine FY 2010 revenue estimates as they change.
- Valuation adjustments at county level may change revenues – significant?
- SFWMD: Right now revenue estimates are from the state. Will have certified numbers from the counties July 1. Governing Board adopts a millage rate, not a budget. We expect the board will adopt a very conservative rate.
- Will SFWMD continue the Alternative Water Supply program given zero funding from the State? SFWMD: May provide limited funding to continue and/or complete projects.
- Chair: Will be updating WRAC Priority Plan as the Governing Board updates the SFWMD Strategic Plan.

Item 10: River of Grass Phase 1 Project Planning Process – Temperince Morgan and Tommy Strowd, SFWMD:

Discussion:

- Meaning of “Operating Uncertainty”? SFWMD: Means that there are many uncertainties about future operations of reservoirs, flow-ways and Stormwater Treatment Areas (STAs), especially relating to water quality treatment. STA-3/4 data (our best operating STA), shows outflow phosphorous concentrations at 13-23 parts per billion (ppb). STA-3/4 takes a limited amount of lake water and more water from the Everglades Agriculture Area (EAA).
- Big frustration in this process has been evaluating the cost of “dispersed storage” north of Lake Okeechobee. Is Aquifer Storage and Recovery (ASR) more cost effective than dispersed storage? Any planned deep storage north of the lake was costed out as deep storage. We need good numbers to gauge the relative cost of flow-ways, reservoirs and STAs – e.g. what is the cost per acre foot of storage and treatment for each of the nine configurations?
- Need to establish the water quality treatment benefits of flow-ways to offset the real estate costs.
- SFWMD: Dispersed Storage north of the Lake was not costed out as a reservoir, but used the best available information at the time. Information varies widely. We don’t have good numbers for dispersed storage but are working on it. Need more time to quantify the costs and benefits of dispersed storage for comparison to larger regional features.
- During this evaluation did you assume a level of treatment for the flow-ways as a benefit? SFWMD: If intended to remain wet during dry season, yes; if not, no.
- Problem with the river of Grass planning is that most of these “configurations” are not within the footprint of the lands to be acquired from the USSC. Price tags – cheapest and least effective is \$5 billion; most expensive, Chain of Lakes at \$26 billion. But it is good to look at these together. Appears to put 500,000 to 1 million acre feet south onto Miccosukee Tribal lands with no thought for flood control or getting the water south of Tamiami Trail. Assumption is that all this land can be taken by eminent domain and no cost estimates are provided. Additional water quality treatment costs are not provided. No consideration for treating the water to 10 ppb. No connection to realism of reaching the stated goals with the acquisition of the 73,000 acres of USSC lands.
- How will recommendations for moving forward be made? Will Governing Board authorize staff to make recommendations for the best hybrid plan that can be done and implemented?
- Chair: The Governing Board is very committed to a public process with stakeholder engagement vs. the CERP planning process that was initiated primarily by agencies. Public very much in favor of an open process but we are rapidly approaching point where staff will be taking the best of the plans and making recommendations.

- SFWMD: At this point, staff is gathering information to evaluate the alternatives - what will work, what won't work as well. We'll bring those ideas forward. Will also run the early staff developed concepts through the evaluation process.
- Chair: A legacy problem of the C&SF Project "Restudy" (precursor to the CERP) was deep skepticism resulting from the process; (e.g. lack of a flow way or too much reliance on ASR). Need to learn from that and produce a better, consensus plan.
- Background on performance measures and assumptions about the existing conditions?
- SFWMD: Performance measures were culled from all the work done through the CERP, Lake Okeechobee Phase II Technical Plan, and Restoration, Coordination and Verification (RECOVER) processes. Staff reviewed all this information and recommended refinements based on evaluation of most recent data.
- Re: How did staff "roll up" into a composite, the several Everglades performance measures in the RESOPS model? SFWMD: Based on review of recent data and time series (41 year period of record) included in the RESOPS model. Can look at the data, verify it across the numbers, results end up in similar places. Answers criticism that we needed to look at time series and include benefit of recent information on performance.
- Need to make sure public is educated to the reality of financing and implementing the plans. Will need to work out trade offs.
- In seven of the nine configurations deep storage north of the lake was included. Assumes Lake Okeechobee Technical Plan would be implemented at between 900,000 to 1.3 million acre feet of water storage.
- SFWMD: These proposals test that component of water storage north of the lake. The Lake Okeechobee Technical Plan has many other water quality and water quantity objectives, in addition to the objective to move water south.
- St. Lucie Estuary – hope to get to more permanent oyster reefs vs. mortality once every six years. Make assumption that Indian River Lagoon, South CERP plan will fix the local basin problems and the River of Grass plan will address the larger regional problems.
- Agree implementing the River of Grass restoration will require addressing the constraints and many other things will have to happen, but the initial acquisition greatly improves the chances of reconnecting the lake to the Everglades.
- When the River of Grass Phase I Project Planning process began, tried to see what level of performance would lead to full restoration of the Caloosahatchee system. Began with 90% and realized that would be a perpetual state of restoration but would not get to full restoration. Cost benefit analysis must evaluate benefits of a restored ecosystem.
- Seems to be a disconnect to the Strategic Plan and Budget just presented – it is a bare bones budget with no connection to the plans presented.

Stakeholders creating plans can lead to adamant investment in their proposals – already seeing this occur.

- Chair: Good point that some interests can become entrenched. But this exercise has reduced entrenchment. This occurs when there is disengagement. When the talent of this agency is brought in, that is when minds open and people become more engaged.

New Business – Chair:

1. C-43/Caloosahatchee River Estuary Water Reservation:

- Chair: Received letter from Lee County stating concerns about the water reservation for the Caloosahatchee River estuary. Caught up in the C-43 Reservoir process. Need to bring discussion to Governing Board meeting.
- Menu of reservations, current set of priorities, and most importantly, what are most important priorities for setting the reservations. Commit to bring before the Governing Board.
- SFWMD Executive Director: Will do staff presentation to the Board on reservations: Picayune Strand and Indian River Lagoon water reservations are moving forward. Need to sort through the nuances of doing reservations (existing legal users, etc). Will do an update for the Governing Board. Need to do reservations before CERP projects can be completed. Need to get direction and move forward. Would have to stop Picayune or IRL before we could do the Caloosahatchee reservation. Will discuss when the Caloosahatchee reservation should come up.
- Member: It is important to understand that water for the Caloosahatchee is just as important to the regional economy as is water for the agricultural economy.
- Chair: It's a matter of resources and time, but we are moving along and are near completion of the Picayune Strand reservation.
- SFWMD Executive Director: Need to review constraints re: protecting existing legal users. Need to review differences between MFL and reservations, when you would use a reservation and when not. Federal partners care about the project reservations getting done first (before the bigger ecosystem water reservations).
- There is resistance in the state to water management districts establishing reservations but SFWMD is far ahead on developing reservations. It needs to be done right, with appropriate justification.
- SFWMD Exec. Director: Important to do it right the first time because it could set back the process. Need to understand the order and reasons for doing them. It is because before CERP projects can be constructed, there must be an agreement about water reservations for each project.
- FDACS involved in commenting on the C-43 Reservoir Project Implementation Report (PIR). Understood that water to initially be made available from the project was an amount that would diminish in the future. Some understood when there was a difference in those two numbers, the lesser of the two would be reserved. Understood that when more than one project came online situation became much more complicated. Was this ever resolved generally, or specifically to the C-43?

- SFWMD: Need to come back and discuss further.
- Question was could you build a project that could potentially reduce a reservation that was already made.

Status of Additional Culverts at I-75/Estero:

- Chair: Governing Board getting update on status at June meeting, but is not expected to take any action on this.

Announcement – The next meeting of the South Florida Ecosystem Restoration Task Force will be June 24 in Washington, D.C. Secretary of the Interior Salazar will chair the meeting.

ACTION:

The WRAC agreed to host a series of Issues Workshops regarding adaptive protocols and water supply issues in the Lake Okeechobee Service Area with the objective of striving for consensus recommendations to improve the Lake Okeechobee Regulation Schedule, 2008, and other appropriate recommendations to improve local basins or other key areas of the ecosystem.

FUTURE PRESENTATIONS:

Carried Forward from Previous Meetings:

- Aquifer Storage and Recovery
- Biscayne Bay Coastal Wetlands Project Update
- State Water Quality Standards/Total Maximum Daily Loads (TMDLs)
- Caloosahatchee Basin Issues: Prevention and Recovery Plan, Minimum Flows and Levels, and Water Reservation
- Lake Okeechobee Rim Canal Dredging
- Ten Mile Creek Reservoir Status (St. Lucie County)

Recommended at this Meeting:

- SB 2080 Provisions – Permit Delegation to Executive Directors
- Bond Validation Update
- Florida Ranchlands Environmental Services Program Update
- S9 Basin Update (C-9 and C-11)
- Statewide Stormwater Rule Update

Next Meetings:

- June 10-11, SFWMD Governing Board, Naples (Edison State College). WRAC Report on June 11 – afternoon.
- June 15: WRAC Recreation Issues Workshop, 5-8 p.m., SFWMD, B-1 Auditorium, West Palm Beach.
- June 18: River of Grass Phase I Project Planning Issues Workshop, 10:00 a.m. – 4:00 p.m., SFWMD, B-1 Auditorium, West Palm Beach
- July 1: River of Grass Project Planning Workshop, SFWMD, B-1 Auditorium, 10:00 a.m. – 4:00 p.m.
- July 2: WRAC, SFWMD, B-1 Auditorium, 9:00 a.m.