



South Florida Water Management District

Governing Board Projects & Lands Committee AGENDA

This meeting is open to the public

August 13, 2008

8:30 AM

District Headquarters - Storch Room
3301 Gun Club Road
West Palm Beach, FL 33406

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer. Public Comment will be taken at the end of the meeting.

1. **Call Meeting to Order** - Pat Rooney, Chair

2. **Approval of Minutes**

Approval of minutes for the January 31, 2008, meeting held in West Palm Beach and for the April 8, 2008, meeting held in Okeechobee, Florida
See supporting document: [MIN_PL_013108.pdf](#)
See supporting document: [MIN_PL_040808.pdf](#)

3. **Changes to Agenda** - Annette Carter, Director, Office of Governing Board & Executive Services

4. **Project & Lands Committee Charter** - Ken Ammon, Deputy Executive Director, Everglades Restoration (ext. 4220)
See supporting document: [Project and lands committee charter resolution.pdf](#)

5. **C-111 Spreader Canal Update** - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration Resource Area/Dewey Worth, Division Director, Southern Everglades Restoration (ext. 4210/3715)

6. **SAP Project System (PS) Implementation Plan** - Rich Sands, Project Manager Principal (ext. 2902)

7. **Lake Point Update** - Ruth Clements, Director, Land Acquisition and Land Management Department (ext. 6271)
8. **Clarification of Beneficial Interest Affidavit** - Ruth Clements, Director, Land Acquisition and Land Management Department (ext. 6271)
9. **Review of pending Environmental Resource Permits and Water Use Permits** - Chip Merriam, Deputy Executive Director, Water Resources (ext. 6597)
10. **Lake Okeechobee Emergency Project, S65E Weir** - Cled Weldon, Director, Engineering Department, Operations and Maintenance Resource Area (ext. 6282)
11. **Public Comment**

1. **Call Meeting to Order - Pat Rooney, Chair**

2. Approval of Minutes

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See supporting document: [MIN_PL_013108.pdf](#)

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South Florida Water Management District Governing Board Project and Lands Committee Minutes

This meeting is open to the public
Thursday, January 31, 2008
Immediately following the Audit and Finance Committee Meeting
B-1 Headquarters - Storch Room
3301 Gun Club Road
West Palm Beach FL 33406

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of presiding officer. Public comment will be taken after each presentation and before Governing Board action. Public comment will also be taken at the end of the meeting.

Attendees:

Shannon Estenoz, Vice Chair
Nicolas Gutierrez
Malcolm Wade
Melissa Meeker

Not Present:

Harkley Thornton, Chairman

1. Call to Order

Vice-Chair Estenoz called the meeting to order at 1:03 pm.

2. Agenda Changes/Additions/Deletions

Vice-Chair requested Item 7 be presented and discussed before Item 4.

3. Approval of minutes for October 10, 2007 Project and Lands Committee meeting

- **Motion made by Nicolas Gutierrez, seconded by Melissa Meeker, to approve the minutes. Vote called. Voting yes: Shannon Estenoz, Nicolas Gutierrez, Melissa Meeker, and Malcolm Wade. Motion passed.**

4. Amendment to Barnard Parsons Joint Venture Agreement for construction of Everglades Agriculture Area Reservoir – John Dunnuck, Program Implementation Manager

John Dunnuck, Program Implementation Manager, presented information on the amendment to the Barnard Parsons Joint Venture Agreement for the construction of the Everglades Agriculture Area (EAA) Reservoir at the Audit & Finance Committee meeting held on 1/31 at 9:00 am. No presentation was provided at the Project and Lands Committee meeting.

- **Motion made by Nicolas Gutierrez, seconded by Malcolm Wade, to approve the Audit & Finance Committee’s recommendation:**
 - **Authorize an amendment for construction of the EAA Reservoir from a not to-exceed amount of \$400 million to \$600 million. 2**
 - **Authorize \$5.5 million for continuation of the OCIP program.**
 - **Authorize the District to purchase builder’s risk insurance at a cost of \$8 million project.**
- Vote called. Voting yes: Shannon Estenoz, Nicolas Gutierrez, Melissa Meeker, and Malcolm Wade. Motion passed.**

5. Surplus Lands - Ruth P. Clements, Director, Land Acquisition and Land Management Department

Ruth Clements, Director, Land Acquisition and Land Management Department, provided information on potential surplus properties. Ms. Clements reported there are ten properties available for immediate surplus valuing approximately \$47 million.

- **Motion made by Malcolm Wade, seconded by Nicolas Gutierrez, for staff’s recommendation to 1) market the ten properties for surpluses or exchanges and 2) to send out a Request for Proposal from developers for building the St. Lucie/Martin Service Center on the Stuart tract (SR76). Vote called. Voting yes: Shannon Estenoz, Nicolas Gutierrez, Melissa Meeker, and Malcolm Wade. Motion passed.**

6. Palm Beach County Solid Waste Authority – Ruth P. Clements, Director, Land Acquisition and Land Management Department

Ruth Clements, Director, Land Acquisition and Land Management, requested Committee approval to provide data to Palm Beach County for surplus land (Woerner parcel) available that may meet their needs.

Ms. Meeker asked about the proximity of other District’s projects located south of the land.

Ms. Clements provided additional information pertaining to the projects south of this land.

Ms. Meeker requested FDEP also evaluate state-owned land in the area to see if any could be available for this use.

- **Motion made by Nicolas Gutierrez, seconded by Melissa Meeker to present data of surplus property to Palm Beach County Solid Waste Authority. Vote called. Voting yes: Shannon Estenoz, Nicolas Gutierrez, Melissa Meeker. Abstained: Malcolm Wade. Motion passed.**

7. Crooks Ranch (Hendry County) Consent Agreement Extension Request – Keith R. Smith, Deputy Department Director, Water Supply

Keith Smith, Deputy Department Director, Water Supply Department presented background information on the Crooks Ranch Consent Agreement.

The property owner is requesting the consent agreement be extended for three years.

- **Motion made by Malcolm Wade, seconded by Nicolas Gutierrez, to extend the Crooks Ranch (Hendry County) consent agreement for three years. Vote called. Voting yes: Harkley Thornton, Shannon Estenoz, Nicolas Gutierrez, Melissa Meeker, and Malcolm Wade. Motion passed.**

8. Public Comment

There was no public comment.

Adjourn

Vice Chair Estenoz adjourned the meeting at 1:30 pm.

Shannon Estenoz
Vice Chairman
Projects and Lands Committee

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD

**South Florida Water Management District
Governing Board, Project and Lands Committee
Agenda**

April 8, 2008 – 9:00 a.m.

**Okeechobee Service Center - 205 North Parrot Ave., S-201
Okeechobee, FL 34972**

Meeting Minutes

Attendance:

Governing Board Members:

Shannon Estenoz, Chair
Mike Collins
Charles Dauray
Melissa Meeker
Patrick Rooney
Malcolm S. "Bubba" Wade, Jr.

South Florida Water Management District Staff:

Susan Gray, Dep. Dir. Watershed Mgt. Dept.
Terrie Bates, Asst. Dep. Exec. Dir., Water Resources
Chip Merriam, Dep. Exec. Dir., Water Resources
Tommy Strowd, Asst. Dep. Exec. Dir., Everglades Restoration
Dave Unsell, Dir., Lake Okeechobee Div.,
Paul McCormack, Ch. Env. Scientist, Lake Okeechobee Division
Gary Ritter, Interim Dir., Okeechobee Service Center
Rick Smith, WRAC Facilitator, SFWMD

Others Present:

Paul Gray, PhD., Audubon of Florida
Jackie Weisenblum, Audubon of Florida
Chuck Collins, Southeastern Regional Director, Florida Fish and Wildlife Conservation
Commission (FWCC)
Don Fox, FWCC

Ms. Estenoz called the meeting to order at 10:00 a.m. There were no changes to the published agenda.

Ms. Estenoz said the schedule for the day would include an inspection of projects and lands regarding Lake Okeechobee Restoration, a 20 minute briefing from staff, a swamp buggy tour of Lake Okeechobee northwest marshes and a planned return to the Okeechobee Service Center at 1:30 or 2:00 p.m.

Susan Gray, Ph.D., Director, Watershed Management Department, said that the District has worked on lake restoration projects in close partnership with the FWCC and Glades County. The goal is to see the return of Submerged Aquatic Vegetation. Some areas of the most important nearshore areas are doing well, some are not. Restoration area behind King's Bar is very important. Today, the inspection will visit some of the scraped down areas and areas where the FWCC is the lead agency.

Mr. Collins: We do not appear to be able to get to the restoration levels staff has been working toward. Where are we in funding and completing these projects?

Don Fox, FWCC: Worm Cove is an area where FWCC has accepted bids and the contractor is now mobilizing. Another project has had bid accepted. Basically, partners are continuing work on these projects.

Mr. Dauray: What water levels are out there now? Don Fox: don't know yet for today. It fluctuates according to the rainfall and winds. The area we'll visit is very important for fish and wildlife production.

Susan Gray: A contract with Glades County is on the Governing Board agenda this month; and, SFWMD is moving forward with pilot disking project where we will experiment with disking to turn under and sequester the sediment in the dried down areas of the marsh.

Mr. Dauray: Is the goal of getting 5 million cubic yards of scraped down material removed still viable? Susan Gray: Yes for "dry work". We will also continue work on Eagle Bay and Government Cut, and area of 1,483 acres with a natural sump for collection of the sediment.

Paul Gray passed around a sample of mud from Government Cut. Work is needed to determine if this muck is covering seeds and preventing germination of beneficial SAV.

Some of the areas being worked on by the FWCC have less muck and more decaying plant detritus. It is easier to deal with and dispose of.

Don Fox, FWCC – mentioned picture on wall of the Okeechobee Service Center showing Eagle Bay topped out with SAV.

Discussed contents of muck – David Unsell/Paul Gray: includes less than 50% organics. It will be very difficult to achieve the Total Maximum Daily Load for Phosphorous if this material cannot be removed from the lake.

Don Fox: Hurricanes transported some of this into the northwest portion of lake.

Mr. Dauray: How many acres or cubic yards of material are out there? Half of the open water area of the Lake – about 300 square miles is covered with it.

Chip Merriam: We hope tilling the surface layers under can successfully sequester the phosphorous. A proposal from "DCI" was for a period of several decades where they would create windrows in shapes like the spokes of wheel and treat those with alum.

Don Fox: you will see a large mound of the material mounded up in the areas we'll visit. In the old days it was not uncommon to see spoil mounded up in lake.

Mr. Dauray: asked whether there is any proof of the success of disking? Chip Merriam: that's why we're doing a pilot demonstration project. We've been using this technique in the Stormwater Treatment Areas to determine any benefits after hurricanes. This will be the largest scale project of this type that's been attempted.

Paul Gray: This mud keeps the lake turbid, but it keeps algae blooms down. So we want to get it down slowly. If we could dredge it all out that would be best.

Shannon: How quickly is it accumulating? Or is it primarily a phosphorous legacy problem? Susan Gray: it's still coming primarily from thhe Kissimme basin. If we can clean up what's coming into the lake, we'll start transporting cleaner sediment.

Mr. Dauray: Discussed concerns about removing arsenic. Dave Unsell: Levels in the lake are at acceptable levels; but when you pull it out and have to dispose it, becomes a problem.

Mr. Wade Background levels of arsenic in the Everglades Agricultural Area were at acceptable levels. Chip Merriam: In the EAA tests have shown the arsenic does not come into solution.

Mr. Wade: This material (the sample of muck) stuff is like what we get from EAA canals. The Institute for Food and Agricultural Sciences at University of Florida (IFAS) was working on methods to harvest SAV from the canals and grind it and put out into the fields rather than spray and let die and decompose in water column. No effective methods have yet been found.

Don Fox: coming out of the drought we expect to have an explosion of water hyacinth. Control using All Terrain Vehicles has proven the best method to get at the millions of seedlings that are just emerging. Need more education of the public about this.

Ms. Estenoz: There being no further questions or comments, the meeting was adjourned to begin the inspection.

Shannon Estenoz
Vice Chairman
Projects and Lands Committee

Recorded By:

Rick Smith

3. Changes to Agenda - Annette Carter, Director, Office of Governing Board & Executive Services

4. **Project & Lands Committee Charter** - Ken Ammon, Deputy Executive Director, Everglades Restoration (ext. 4220)

See supporting document: [Project and lands committee charter resolution.pdf](#)

1 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

2
3 **RESOLUTION NO.**

4
5 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH**
6 **FLORIDA WATER MANAGEMENT DISTRICT REPEALING ARTICLE II**
7 **OF CHAPTER 140 OF THE DISTRICT POLICIES CODE REGARDING**
8 **THE LAND RESOURCES AND CONSTRUCTION COMMITTEE;**
9 **ENACTING A NEW ARTICLE II OF CHAPTER 140 OF THE DISTRICT**
10 **POLICIES CODE TO BE ENTITLED THE PROJECTS AND LANDS**
11 **COMMITTEE; PROVIDING FOR INCLUSION IN THE DISTRICT**
12 **POLICIES CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN**
13 **EFFECTIVE DATE**

14
15 **WHEREAS** the Governing Board has determined that it is necessary, appropriate
16 and in the public interest to repeal the existing charter for the Land Resources and
17 Construction Committee contained in Article II of Chapter 140 of the District Policies Code
18 and replace it with a new charter for the Project and Lands Committee; now therefore

19 **BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA**
20 **WATER MANAGEMENT DISTRICT:**

21 **Section 1.** Existing Article II of Chapter 140, District Policies Code that relates to
22 the Land Resources and Construction Committee is hereby repealed.

23 **Section 2.** The Governing Board enacts the following new Article II of Chapter 140 of
24 the District Policies Code:

25
26 **CHAPTER 140 – LAND RESOURCES**

27
28 **ARTICLE II – PROJECT AND LANDS COMMITTEE**

29 **Sec. 140-11 Statement of Policy**

30 The Governing Board of the South Florida Water Management District (District) has the
31 responsibility to District residents and taxpayers to thoroughly review operations and
32 maintenance, Comprehensive Everglades Restoration and Northern Everglades Projects,
33 proposed acquisitions of public lands needed to support District environmental restoration
34 initiatives (such as Minimum Flows and Levels) and land management and land
35 stewardship issues. In keeping with the principles of sound public government
36 management, the Governing Board establishes a Project and Lands Committee to assist in
37 its oversight responsibilities.

38

39 **Sec. 140-12 Authority**

40 (1) The Project and Lands Committee shall be a standing committee of the Governing
41 Board. Its principal duties are to ensure that proposed land acquisitions are necessary,
42 economical for the tax paying public and fair to the selling property owner, to review
43 proposed District capital construction and to oversee District land management and land
44 stewardship matters.

45 (2) The Project and Lands Committee appointed by the Governing Board Chairman will
46 be composed of at least three standing Board members with invitation extended to other
47 Board Members who represent geographic areas impacted by proposed acquisitions. The
48 duties and responsibilities of a member of the Project and Lands Committee are in addition
49 to those duties set out for a member of the Governing Board.

50 (3) The Governing Board authorizes the Project and Lands Committee to adopt
51 reasonable rules of procedure to govern the conduct of its business, selection of a presiding
52 officer, the scheduling of meetings, establishment of a quorum and other administrative
53 matters. The Project and Lands Committee shall furnish a copy of any adopted rules to the
54 full Governing Board. The Project and Lands Committee will be given adequate support to
55 discharge its responsibilities.

56 (4) The Project and Lands Committee will meet on an as needed basis at the call of the
57 presiding officer and will report its actions to the Governing Board with such

58 recommendations as the Committee may deem appropriate.

59 **Sec. 140-13 Responsibilities**

60 The responsibility of the Project and Lands Committee in the area of real estate acquisition
61 is to provide assurance to the Governing Board that disclosures, offers and sale
62 agreements made by management and staff reasonably portray the most effective and
63 efficient method to acquire land that enhances restoration, preservation, construction, water
64 supply, or flood control efforts on behalf of the District. In addition, the Project and Lands
65 Committee shall review proposed District capital construction and other capital projects
66 associated with the Comprehensive Everglades Restoration, the Northern Everglades and
67 operations and maintenance Projects. To accomplish this responsibility, the Project and
68 Lands Committee will:

- 69 (1) Provide an open avenue of communications between the Department Director of
70 Land Acquisition and Land Management and the Governing Board.
71 (2) Consult with the Deputy Executive Director of the Everglades Restoration and
72 Operations and Maintenance Resource Areas.

73 **Sec. 140-14 District Governance**

74 The Project and Lands Committee will provide assurance to the Governing Board that
75 District acquisitions and projects are in compliance with pertinent laws and regulations and
76 are operating in accordance with sound business practices.

77 **Sec. 140-15 Delegation of Authority**

78 The Governing Board delegates to the Project and Lands Committee the authority to assist
79 the Governing Board in:

- 80 (1) Fulfilling the District's land acquisition responsibilities
81 (2) The review of Comprehensive Everglades Restoration, Northern Everglades
82 Projects and operations and maintenance Projects
83 (3) The exercise of its authority over land management and land stewardship
84 matters.
85 (4) Performing the District governance activities outlined in this article

86 **Section 3.** Inclusion of Sections 1 and 2 of this resolution in the District Policies

87 Code is authorized and directed.

88 **Section 4.** If any section, subsection, subdivision, paragraph, sentence, clause or
89 phrase of this resolution is for any reason held to be unconstitutional or invalid or ineffective
90 by any court of competent jurisdiction, such decision shall not affect the validity or
91 effectiveness of the remaining portions of this resolution.

92 **Section 5.** This resolution shall take effect immediately on adoption.

93

94 **PASSED** and **ADOPTED** this ____ day of _____, 200__.

95

96 **SOUTH FLORIDA WATER MANAGEMENT**
97 **DISTRICT, BY ITS GOVERNING BOARD**

98

By:

99

Chairman

100

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103 **ATTEST**

104

105

District Clerk

106

Approved as to form:

107

108

BY: _____

109

Office of Counsel

5. **C-111 Spreader Canal Update** - Tommy Stowd, Assistant Deputy Executive Director, Everglades Restoration Resource Area/Dewey Worth, Division Director, Southern Everglades Restoration (ext. 4210/3715)

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11. Public Comment