



**South Florida Water Management District**  
**MINUTES**  
**GOVERNING BOARD WORKSHOP**

*This meeting is open to the public*

December 13, 2006

1:00 PM

District Headquarters – B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

*The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of presiding officer. Governing Board action may be taken at either the Workshop or Regular Governing Board meeting. Public comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.*

*All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.*

**Present:**

**Miya Burt-Stewart**

**Bubba Wade**

**Len Lindahl**

**Michael Collins**

**Kevin McCarty, Chair**

**Irela Bagúe, Vice-Chair**

**Alice Carlson**

**Nicolas Gutiérrez**

**Not Present:**

**Harkley Thornton**

- 1. Call to Order – Kevin McCarty, Chairman**

Chair McCarty called the meeting to order at 1:05 pm.

**2. Approval of Minutes from the last month's Governing Board Meeting**

Agenda Minutes

Workshop Minutes

- Motion made by Michael Collins and seconded by Lennart Lindahl to approve the Minutes. Vote called. Voting Yes: Bagúe, Burt-Stewart, Wade, Lindahl, Collins, McCarty, Gutiérrez, and Carlson. Not present: Harkley Thornton. Motion passed.

**3. Water Resources Advisory Commission (WRAC) Update – Mike**

Collins, Chair

Mike Collins provided an update on the Water Resources Advisory Commission (WRAC). Mr. Collins reported on the WRAC/South Florida Ecosystem Restoration Task Force (Task Force) meeting which was held at the Casa Marina Hotel, Key West, FL.

Mr. Collins reported on the Lake Okeechobee Committee meeting which made a recommendation that the Kissimmee Basin Regional Water Supply Plan be presented to the SFWMD Governing Board in December 2006 for approval. Mr. Collins provided information on the Lower East Coast Water Supply Plan.

**4. Pull Items for Discussion from Governing Board Meeting Agenda**

No items were pulled for discussion from the agenda.

**Executive Office**

**5. Operational Improvements Plan and Progress - Tom Olliff, Assistant**

Executive Director

Tom Olliff, Assistant Executive Director, provided information on the operational improvement plan and progress. Mr. Olliff reported on the District's accomplishments. Mr. Olliff reported on the District Performance Management (DPM) system.

Mr. Olliff provided information on what the District plans to implement in FY07. These projects include: a customer complaint tracking system, a standardized "post mortem" process, a knowledge transfer process for retirees, succession planning pilots, quarterly reviews of the annual work plan (change focus from burn rate to performance plan deliver), initiate a

continuous improvement process (FAST), incorporate the idea of “decision packages” in budget development, develop a formalized annual work plan “change control process”, and to develop a continuing education program for project managers.

Ms. Bagúe provided comment on the P3E program.

Mr. Lindahl requested the training program for engineers through the State be implemented and said there is a mandatory requirement and the training should be done in-house. Sandra Turnquest, Deputy Executive Director, Corporate Resources, said there is in-house training for continuing education credits for engineers.

Mr. Olliff provided information on the comprehensive career path program.

Ms. Bagúe requested this be brought to the Human Resource and Outreach Committee.

Mr. Olliff reported on the FY08 implementation which consisted of:

- Begin process efficiency measures into the Annual Work plan and Program Manager Performance Plans
- Finalize SAP
- Incorporate a staffing to priority analysis as part of DPM,
- Establish annual work plan delivery teams
- Begin to incorporate process efficiency measures into the annual work plan and program managers performance plans
- Begin a focused employee survey program
- Develop facility management “standards” as an internal procedure

Chair McCarty commended Mr. Olliff for making teamwork his highest priority. Ms. Wehle said Mr. Olliff has a passion for the day-to-day operations of the District.

**6. Investment Portfolio Year-end Update and Review of COPS Investments** – Paul Dumars, Chief Financial Officer, and Steve Freilich, Treasurer

Paul Dumars, Chief Financial Officer, provided introductory information on the year-end update and review of COPS.

Steve Freilich, Treasurer, reported on the highlights of the FY06 investment portfolio, contract related quarterly expenditures from FY01 – FY06, three-year investment portfolio balance, the portfolio sector allocation, and the FY06 investment income, and the portfolio benchmarks. Mr. Freilich reported on the strategy for FY07.

Mr. Dumars provided information on how the project funds are invested. Mr. Dumars reported on the managed funds process and the flex repurchase (Repo) agreement approach.

Mr. Dumars reported on the arbitrage yield being 4.35%.

Mr. Lindahl asked questions on the proper underwriting criteria.

Mr. Dumars said he would provide information on the bids and the underwriting criteria.

## **Water Resources**

### **7. Interim Action Plan on Sulfur in South Florida - Linda Lindstrom, Director, Environmental Resource Assessment Department**

Linda Lindstrom, Director, Environmental Resource Assessment Department provided information on the interim action plan on sulfur in South Florida. Ms. Lindstrom reported sulfur is a widespread environmental concern in the Everglades. Ms. Lindstrom reported background information on sulfur and the indirect impacts of elevated sulfur. Ms. Lindstrom said the District should be providing objective guidance. Ms. Lindstrom provided a summary on the interim action plan on sulfur:

- Work with FDEP at the policy level
- Organize interagency sulfur advisory team
- Complete District contract with Smithsonian
- Complete publications on sulfur in wetlands
- Prepare white paper on South Florida sulfur issues

Mr. Collins reported on the Peer Review process. Mr. Collins suggested getting outside scientific consultants to work on this issue.

Mr. Wade commended Ms. Lindstrom and staff on their work pertaining to this action plan. Mr. Wade said this plan should be supported by the Board.

Mr. Lindahl said the objective guidance and direction is a good function. He provided comment on the expenditure of this and said FDEP needs to stay involved.

### **8. Lake Okeechobee Protection Plan Update Status - Susan Gray, Deputy Director, Watershed Management Department**

Susan Gray, Deputy Director, Watershed Management Department provided information on the Lake Okeechobee Protection Plan Update Status. Dr. Gray reported on the progress to date of the protection plan, the plan characteristics, the-year base case to meet the load reduction, and the 2007 evaluation report and the strategies of load reduction. She reported on the implementation schedule.

Mr. Lindahl provided comment on the different plans for Lake Okeechobee pertaining to storage projects and water quality projects. Mr. Lindahl requested a consolidation of all these projects and programs.

Ms. Wehle said she will bring back to the Board in January what the real program is, workshop it in January, and get feedback from the Board. Ms. Wehle said they can then have a communication tool for the Legislature as well as for the public.

Ms. Bagúe also requested a simplified project list.

**9. Status Report on the Update to the Lower East Coast Regional Water Supply Plan - John Mulliken, Director, Water Supply Planning Division**

This item was postponed until the December Governing Board.

**10. Environmental Monitoring Obligations - Looking Ahead - Linda Lindstrom, Director, Environmental Resource Assessment Department**

Linda Lindstrom, Director, Environmental Resource Assessment Department, provided information on the future environmental monitoring obligations. She reported on the concerns and the funding of monitoring for the next ten years.

Chair McCarty had questions about the funding for monitoring.

Chip Merriam, Deputy Executive Director, provided additional information on this issue. He reported on NPDES permits.

Ms. Wehle said, in time, the annual debt service for the construction of projects equals the ad valorem payment for monitoring.

Mr. Collins provided comment on funding for science, monitoring and projects. Mr. Collins stated that there needs to be standards and a review process for monitoring projects.

Mr. Wade provided comment on the presentation and the Lake Okeechobee Protection Plan.

## CERP

11. **RECOVER Update** - Larry Gerry, Department Director, CERP Planning and John Ogden, Chief Environmental Scientist, RECOVER

Larry Gerry, Department Director, CERP Planning, provided a RECOVER (restoration coordination and verification) update. Mr. Gerry reported on CERP background and how RECOVER evolved from CERP. Mr. Gerry provided information on RECOVER staff and the RECOVER Leadership Group. Mr. Gerry reported on the total expenditures (FY01 – FY05) for the District and the USACE. He provided information on the projected CERP annual biological monitoring.

John Ogden, Chief Environmental Scientist, RECOVER, provided information on the key products in RECOVER, the monitoring and assessment plan in RECOVER from 2001 – 2010. Mr. Ogden reported on the 2006-07 system status report on the monitoring program and performance measure refinement.

Mr. Collins reported on programmatic regulations and long-term monitoring.

Mr. Ogden provided additional information on long-term monitoring.

12. **Acceler8 Update** - Tommy Strowd, Assistant Deputy Executive Director, CERP, Paul E. Dumars, Sr., Chief Financial Officer

This item was postponed until the December Governing Board.

13. **Interim Restoration Goals and Interim Targets for Comprehensive Everglades Restoration Plans** – Paul Warner, Chief Environmental Scientist, CERP

Paul Warner, Chief Environmental Scientist, CERP, provided information on the interim restoration goals and targets for CERP. He reported on the background of the agreement and the revisions based on public and agency comments.

Mr. Collins said the document is where it needs to be and he supports it.

Public Comment: Beth Lewis, representing the USACE, thanked District staff for their work on this document and supports the document.

Public Comment: John Marshall, representing Arthur R. Marshall Foundation provided public comment on this item. He reported on not quantifying interim goals and targets.

## Staff Reports

14. **Water Shortage Update** – Terrie Bates, Assistant Deputy Executive Director, Water Resources

Terrie Bates, Assistant Deputy Executive Director, provided an update on the water shortage. Ms. Bates reported on the water shortage emergencies, EAA operations, the Southern Indian Prairie operations, the environmental water deliveries in the STAs, and the Lake releases into the Caloosahatchee. Ms. Bates provided a summary of the projected lake stage and staff recommended releases.

Mr. Wade said he supports staff recommendations.

Mr. Lindahl said to be cautious about the releases downstream.

15. **Water Conditions Report** – Calvin Neidrauer, Chief Consulting Engineer, Operations and Maintenance

Calvin Neidrauer, Chief Consulting Engineer, provided a water conditions report. Mr. Neidrauer reported on the calendar year 2006 rainfall.

Public Comment: Charles Shinn, representing Florida Farm Bureau, provided public comment on this item. He expressed concern about the water cutbacks. He also provided comment on the releases into Caloosahatchee Estuary.

16. **Lake Okeechobee Conditions Report** – Susan Gray, Deputy Department Director, Watershed Management

This item was postponed until the December Governing Board.

## Closed Door Session

17. Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen against destruction of the Environment, Inc. v. South Florida Water Management District, et al., U.S. District Court for the Southern District of Florida, Case No. 02-80309-CV-ALTONAGA/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management, et al., U.S. District Court for the Southern District of Florida, Miami Division, Case No. 98-6056-CIV-LENARD/KLEIN; and Friends of the Everglades v. South Florida Water

Management District, U. S. District Court For the Southern District of Florida, Miami Division, Case No. 98-6057-CIV-LENARD/KLEIN.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

**Action Items (if any) Stemming from Closed Sessions**

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., U.S. District Court for the Southern District of Florida, Case No. 02-80309-CV-ALTONAGA/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management, et al., U.S. District Court for the Southern District of Florida, Miami Division, Case No. 98-6056-CIV-LENARD/KLEIN; and Friends of the Everglades v. South Florida Water Management District, U.S. District Court For the Southern District of Florida, Miami Division, Case No. 98-6057-CIV-LENARD/KLEIN.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

18. Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

Chair McCarty announced that the Governing Board would adjourn to closed-door session at 4:05 pm and would reconvene in approximately 30 minutes.

Chair McCarty reconvened the meeting at 4:25 pm.

Chair McCarty reported there was one closed-door session, Agenda Item 18.

Chair McCarty reported no action would be taken.

**Action Items (if any) Stemming from Closed Session**

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in United States of

America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

Sheryl G. Wood, General Counsel, Office of Counsel, x6976

**19. Adjourn**

Chair McCarty adjourned the meeting at 4:30 pm.

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Kevin McCarty  
Chairman  
South Florida Water Management District Governing Board

Recorded By:

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Cathy Widness  
Administrative Assistant Senior  
Governing Board and Executive Services  
SFWMD