



South Florida Water Management District

MINUTES GOVERNING BOARD WORKSHOP

February 11, 2009

1:00 PM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members Present:

Eric Buermann, Chair

Michael Collins

Charles Dauray

Shannon Estenoz

Melissa Meeker

Jerry Montgomery

Patrick Rooney

Members Absent:

Paul C. Huck Jr.

1. **Call to Order** - Eric Buermann, Chairman, Governing Board

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

2. **Pledge of Allegiance** - Eric Buermann, Chairman, Governing Board

Mike Collins led the group in the Pledge of Allegiance.

Ms. Meeker commended District scientists for their hard work on the scientific posters which were displayed in the B-1 lobby.

3. **Approval of Minutes**

Approval of the January 12, 2009, Workshop and the January 13, 2009, Regular Business Meetings held in West Palm Beach, Florida

Motion made by Michael Collins, seconded by Jerry Montgomery to Approve the following item(s): 3

Vote called. Voting yes: Michael Collins, Jerry Montgomery, Eric Buermann, Charles Dauray, Shannon Estenoz, Melissa Meeker. Not present: Patrick Rooney. Motion passed.

4. **Agenda Addendum** - Annette Carter, Director, Office of Governing Board and Executive Services

Annette Carter, Director, Office of Governing Board and Executive Services reported there was no addendum to the agenda.

5. Abstentions by Board Members from items on the Workshop Agenda

There were no abstention by Board members.

6. Pull Items for Discussion from Consent Agenda

There were no items pulled for discussion from the Consent Agenda.

Water Resources

7. Overview of Applied Research Projects Supporting District Activities - Dean Powell, Director, Watershed Management Department (ext. 6787)

Dean Powell, Director, Watershed Management Department, reported on the Applied Research Projects supporting the District activities. Posters describing each of the research projects was on display in the auditorium.

Mr. Powell reported on the research for the Kissimmee River Basin, Lake Okeechobee, Northern Estuaries plus the Everglades and Florida Bay.

Mr. Powell also provided a list of the books, journals and technical publications the District has published.

Everglades Restoration

8. 'River of Grass' Project Update:

A) Introduction and Overview - Carol Wehle, Executive Director (ext. 2893)

B) Purchase and Sale Contract / Lease Agreement - Kirk Burns, Sr. Practice Expert, Office of Counsel (ext. 6546)

Approve Schedule 4 (Best Management Practices Plan) to the Lease Agreement, Exhibit 19.e. to the Agreement for Sale and Purchase between United States Sugar Corporation, et al. and SFWMD dated December 23, 2008.

C) Legal Update - Sheryl Wood, General Counsel, Office of Counsel (ext. 6976)

D) Financing Update - Paul Dumars, Sr., Chief financial Officer, Executive Office (ext. 6212)

E) 'River of Grass' Restoration Project - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration (ext. 4210)

F) Economic Transition Activities - Deena Reppen, Deputy Executive Director, Government and Public Affairs (ext. 6232)

G) Legislative Presentations and Next Steps - Carol Wehle, Executive Director (ext. 2893)

Carol Wehle, Executive Director, presented an update on the River of Grass Project and introduced the following presenters.

Sheryl Wood, General Counsel, presented information on the administrative petitions challenging the contract filed by New Hope Sugar & Okeelanta Corp and the Miccosukee Tribe of Indians. Ms. Wood also reported on the Bond Validation Hearing which was held on February 6, 2009. The Bond Validation Hearing will be continued on March 16 - 18, 2009.

Paul Dumars, Chief Financial Officer, presented information on the funding timelines for the Bond Validation Hearing including timelines for challenges and appeals. Mr. Dumars also reported on the market conditions.

Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration, reported on the River of Grass Planning activities to date:

- Held Everglades Hydrologic Restoration Targets Workshop (January 14-16).
- Initiated public planning process - WRAC Issues Workshops (January 22 and February 3).

There was Board discussion on the attendance at the meetings, peer-reviewed models, and goals and the possibility of having an independent review done.

Mr. Strowd provided the vision statement for the River of Grass:

- Maximize restoration opportunities for the South Florida ecosystem by acquiring strategically located lands, establishing a managed system of water storage and treatment, and restoring a historic hydrologic connection to benefit Americas Everglades, Lake Okeechobee, and the St. Lucie and Caloosahatchee rivers and estuaries.

Mr. Strowd reported the next River of Grass WRAC Issues Workshop will be on February 19th, 2009 which will be held in Belle Glade, Florida.

There was further Board discussion on the planning process and the economic and afford-ability constraints.

Deena Reppen, Deputy Executive Director, Government & Public Affairs, provided information on the economic transition and the February 3-5 visit to the Glades communities by the Office of Tourism, Trade and Economic Development (OTTED).

Ms. Reppen reported on the recommended initiatives for economic stimulus: acquiring land for infrastructure, "economic gardening", and a strategic location of an inland port.

Ms. Reppen then reported on the next steps for OTTED: community advisory work group, communication, community visits, involvement of Enterprise Florida, extend fact-finding on Inland Port opportunities, exploring technical assistance, local community presentations at future restoration project planning workshop, continued coordination and assistance for local capital improvement and infrastructure projects, and potential funding support for economic transition activities.

Ms. Meeker commented on agricultural land needed by the Glades communities, the upcoming construction contracts, and grants available from the State.

Ms. Wehle reported on the briefings presented to the Senate Environmental Preservation and Conservation Committee and the Joint Legislative Committee on Everglades Oversight.

Ms. Wehle said she will be presenting information and briefings to the Senate Community Affairs Committee and have a Joint Hearing with the Senate Environmental Preservation and Conservation Committee and House General Government Policy Council.

Kirk Burns, Office of Counsel, reported on the three Best Management Practices (BMPs):

- Phosphorus and Nitrogen
- Sugar Cane Projection (includes row crops)
- Citrus BMPs.

Mr. Burns reviewed the existing legal requirements, BMPs proposed at the January Board meeting and the current BMP proposal.

Mr. Burns provided a summary of BMPs:

- All U.S. Sugar farms in S-5A Basin to implement 35 points.
- 18 of 35 U.S. Sugar farms in S-5A, S-6, S-7, and S-8 Basins to implement 35 points.
- No backsliding.
- BMP research projects.

There was Board discussion on establishing the BMP goals, compliance methodology and no backsliding.

Mr. Burns provided additional options to the Board regarding the due diligence inspection period, compliance methodology and the Board requesting a 30-day extension.

Mr. Burns said he would contact USSC and bring back an answer to the Board tomorrow, February 12 on the requested 30-day extension of the Due Diligence inspection period.

Public Comment: Drew Martin, Sierra Club, commented on his concerns for monitoring BMPs and meeting water quality standards flowing south.

Public Comment: Barbara Miedema, Sugar Cane Growers Cooperative, commented on the vision and the goals of the land purchase and requested the Board include landowners during the discussions.

9. Everglades Restoration Update - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration (ext. 4210)

Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration, reported on the status of Compartment B and C and reported both items will be postponed until the March Governing Board meeting. This is due to pending receipt of FDEP's and USACE's 404 permits.

Paul Warner, Chief Scientist, Everglades Restoration, presented an overview of the key concepts in the Draft Master Agreement, the summary of the issues and tentative resolutions, and a schedule for development and approval of agreements.

Mr. Warner reported on the dispute resolution and the management of the 50-50 cost-share balance, the CERP Master Agreement, and Valuation and Crediting, and Hazardous Substances.

Mr. Warner reported on the tentative schedule and stated that CERP staff will be requesting Board approval on the following in April:

- Master Agreement for CERP.
- Pre-Partnership Credit Agreement for Picayune Strand.
- Project Partnership Agreement for Picayune Strand.

10. Miami-Dade Water Use Permit Compliance Update - Chip Merriam, Deputy Executive Director, Water Resources (ext. 6597)

Chip Merriam, Deputy Executive Director, Water Resources, introduced Doug Yoder, Miami-Dade Water and Sewer Department. Mr. Merriam reported on Miami-Dade's water allocation decline due to water conservation practices and 2-day a week water restrictions.

Dr. Yoder reported on Miami-Dade's workplan, the decline in population projections for Miami and per capital consumption decline, and capital expenditures. Dr. Yoder also reported on discussions with FPL using reclaimed water for cooling generators.

Dr. Yoder reported about the coastal wetlands pilot project and groundwater replenishing project.

Ms. Meeker supports the FPL project and commented on the alternative water supply challenges.

11. Seasonal Agricultural Canal Drawdown in South Miami-Dade County - Dewey Worth, Director, Southern Everglades Restoration Planning Division, Everglades Restoration (ext. 3715)

Dewey Worth, Director, Southern Everglades Restoration Planning Division, reported on the seasonal agricultural canal drawdown in South Miami-Dade County.

Mr. Worth reported on emerging issues facing the canal drawdown:

- Increased evidence of regional salt water intrusion within the Biscayne Aquifer.
- Increased mining activity that could accelerate mixing of surface water and salt-intruded aquifers.
- Florida Power and Light expanded power facility at Turkey Point and affect on regional water resources.
- Proximity of wellfields to saltwater intrusion line and future wellfield sustainability.

Mr. Buermann requested reviewing the FPL agreement and commented on saltwater intrusion in the basin.

Mr. Merriam said staff are working with FPL to get data for saltwater hydrology in that basin.

Public Comment: Kahlil Kettering, National Parks Conservation Association, commented on the impacts to agriculture and Biscayne Bay during the dry season.

Public Comment: Mark Lewis, Biscayne National Park, commented on Biscayne Bay, the dry season, and the benefits to both agriculture and the environment.

Public Comment: Jacquie Weisblum, Audubon of Florida, said the drawdown has the potential to provide immediate ecological benefits to Biscayne Bay.

Public Comment: Mike Tamaro, FPL, commented about salt water intrusion and future monitoring efforts by the District.

Public Comment: Steve Walker, ACI, commented on salt water intrusion in south Dade, rock mining, and options to address the issues.

Public Comment: Martha Musgrove commended the District staff for the scientific poster session and requested this be done more frequently.

Chair Buermann requested these issues on canal drawdown be discussed.

Mr. Collins requested these issues be discussed at a WRAC meeting in order to get stakeholder input.

14. Adjourn

Chair Buermann adjourned the meeting at 5:10 pm.

Eric Buermann
Governing Board Chairman
South Florida Water Management District Governing Board

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD