

LAKE BELT MITIGATION COMMITTEE

Meeting Summary

South Florida Water Management District

3301 Gun Club Road, (B-2, EMD Training Room)

West Palm Beach, Florida 33406

This meeting was conducted as a teleconference call at (561) 682-6700

Meet-me number (866) 433-6299 - Meeting ID #4944

Friday, February 22, 2013 10:00 AM

1. Call to Order by Terrie Bates, Vice Chair

- a) Meeting began at 10:00 AM

2. Designation of Lake Belt Committee Chairperson & Vice Chairperson

Terrie Bates brought to the attention of the Committee that since Janet Llewellyn was no longer a Committee member, they should consider appointing a new Chairperson and Vice Chairperson. After discussion by the Committee, a motion was made by Allen Webb and 2nd by Samantha Rice to nominate Terrie Bates as the Chairperson. Motion was approved by the Committee. At this time, the Committee tabled the appointment of a Vice Chairperson until a future meeting.

3. Attendees

- a) Committee Members

- 1. Terrie Bates, Chairperson, SFWMD
- 2. Tim King, FFWCC (Teleconference)
- 3. Eric Hughes, USEPA (Teleconference)
- 4. Chris Klena, DEP (Alternate)
- 5. Matt Davis, M-D RER
- 6. Samantha Rice, USACE (Alternate)
- 7. Allen Webb, USFWS (Alternate)
- 8. Jeff Rosenfeld, MDLPA (ex-officio)

b) Other meeting attendees

1. Lee Chitty, SFWMD
2. Marjorie Moore, SFWMD
3. Joan Lawrence, USDOJ
4. Lourdes Elias, SFWMD
5. Tom MacVicar, MDLPA
6. Martha Musgrove, FWF
7. Olga Serrano, SFWMD

c) Other teleconference attendees

1. Kerri Barsh, MDLPA
2. Howard Hayes, BMMR
3. Ansley Samson, NRDC
4. Laura Reynolds, Tropical Audubon Society
5. Bertha Goldenberg, MDWS
6. Roy Sonenshein, ENP

3. Approval of Minutes:

a) Meeting December 4, 2012, moved to accept the minutes by Samantha Rice, 2nd by Allen Webb. Motion approved by the Committee with no corrections.

4. Opening Comments – None

5. Submittal of Invoices for Acceptance by LBMC – Marjorie Moore

Marjorie presented a spreadsheet summarizing \$144,520.51 in invoices to be accepted by the Committee. After discussion, Samantha Rice moved to accept the invoices; Matt Davis 2nd the motion and the Committee accepted the invoices.

6. Alternate FPL Corridor Administrative Fee Reimbursement – Tom MacVicar

Tom presented a memo dated February 22, 2013 from MacVicar Consulting requesting the Committee approve \$32,489.25 in administrative fees spent in the Alternate Corridor for the Transmission Line Siting Certification process. The purpose of the process is to attempt to remove the corridor from Everglades National Park and the Pennsuco where the Committee has approved mitigation projects. After discussion, Allen Webb moved for reimbursement of the administrative costs and the motion was 2nd by Matt Davis. The committee approved reimbursing MDLPA for the costs of filing fees and advertising costs in the amount of \$32,489.25.

7. SFWMD Audit Recommendations for Procurement Processes – Terrie Bates

Terrie Bates reviewed a section of the SFWMD Audit of the Lake Belt Mitigation Fund. The auditors noted that the Committee does not have to comply with any specific procurement requirements thresholds and that all project costs have been discussed and approved by the Committee, however, the auditors suggested that the District should consider recommending that the Committee establish competitive processes for procurements exceeding certain dollar thresholds. Terrie noted that each agency has its own procurement policies for competitive bidding which are in effect for any mitigation projects implemented by the agencies. The issue noted by the audit only comes into play when activities are implemented by the MDLPA itself.

The Committee discussed the detailed engineering and construction cost comparison review that was performed by SFWMD and Corps engineering staffs for the L-31N Seepage Barrier Pilot Project. The Committee members expressed their general satisfaction with the agency cost review process and noted the MDLPA has a vested interest in containing costs while ensuring the most qualified consultants/firms implement the work. It was noted that for the construction of a project like the L-31 Seepage Barrier in a very sensitive environment, the qualification, experience and capability of the firm conducting the work was as important as the costs. Allen Webb made a motion, seconded by Chris Klena that the Committee would request a cost comparison review be performed by SFWMD and/or Corps engineering staffs on MDLPA-sponsored construction contracts greater than \$1 million prior to Committee approval. The Committee approved the motion.

8. Approval of Initial Budget for the Dade/Broward Levee Project – Tom MacVicar

Tom presented at memo dated February 22, 2013 from MacVicar Consulting and supporting Statement of Work for the proposed Dade-Broward Levee Project. Tom requested that \$414,000 be transferred from the LBM Fund to the escrow account of Greenberg Traurig so work can begin on groundwater modeling, engineering design, surveying and permitting for this seepage project, as well as additional groundwater modeling for an L-31N seepage project alternative. After discussion by the Committee, Samantha Rice moved, 2nd by Matt Davis to approve the transfer of funds to the escrow account. The Committee approved the motion.

9) 2012 LBMC Annual Report Presentation – Jeff Rosenfeld and Lee Chitty

Jeff presented an overview of the annual report and the tables and appendices contained within the report. Jeff discussed the updates for 2012 and reviewed the changes from prior years. Terrie Bates had one minor change to the report, which will be included before submittal to the SFWMD Governing Board. With the noted change, Samantha Rice moved to accept the Annual Report, 2nd by Allen Webb, and was approved by the Committee.

10) Update on L-31 Seepage Barrier Project Monitoring Data – Tom MacVicar

Tom present a report titled “L-31N Seepage Project Preliminary Monitoring Results”. In summary, the report concluded that preliminary monitoring of well and flow-meter data indicate that the barrier is influencing water levels and seepage from the Everglades National Park into the L-31N Canal. Additional dry and wet season data will need to be monitored before drawing any final conclusions.

11) CEMEX Pennsuco Land Swap & Funds for Mitigation through EEL Program – Matt Davis

Matt presented a proposal for the Committee to reimburse the Miami-Dade County EEL (Environmentally Endangered Lands) program for the acquisition portion of 1984 acres of wetlands at a cost of \$13,822,459 over a period of three years. The requested reimbursement was based on an average acquisition cost for 122 parcels purchased between 2007 and 2012 in the South Dade Wetlands project and did not include a component for restoration and long-term-management which would be funded through other sources. The Committee discussed the need

for mitigation projects to include a restoration component rather than acquisition only, and also discussed the need for long-term management funding so that the restored properties do not become re-infested with exotic vegetation from adjacent properties.

The Committee requested that Matt, with the assistance of Marjorie Moore, look into the possibility of proposing acquisition, restoration, and long-term management of a larger specific property in South Dade, rather than only acquisition of a larger number of parcels. Matt was asked to report back at the next meeting with any alternative proposals.

11. Meeting Dates

The following meetings have been scheduled for the LBMC:

May 31, 2013, 10:00 AM SFWMD

12. Meeting Adjourned