



South Florida Water Management District

LAKE OKEECHOBEE WATERSHED RESTORATION PROJECT LANDOWNER WORKSHOP

**Monday, June 18, 2018
6:00 PM – 7:30 PM**

Indian River State College, Williamson Conference and Education Center
(at Dixon Hendry Campus), 2229 N.W. 9th Avenue
Okeechobee, FL 34972

Meeting Minutes

1. Opening Remarks – Brandon Tucker, South Florida Water Management District (SFWMD) Governing Board Member

Mr. Tucker called the meeting to order at 6:05 PM and explained the District's Governing Board input and approval points in the federal process for the Lake Okeechobee Watershed Restoration Project (LOWRP). Mr. Tucker continued to say that the proposed tentatively selected plan (TSP) for the LOWRP is the best plan and will receive his support.

2. Project Update and Timeline– Jennifer Leeds, Section Administrator, Everglades Policy and Coordination

Ms. Leeds introduced SFWMD staff including Eva Vélez, Division Director of Everglades Policy and Coordination Division and Ray Palmer, Section Administrator, Real Estate Division.

Ms. Leeds explained that LOWRP is a Comprehensive Everglades Restoration Plan (CERP) federal project with the District being the local sponsor. Ms. Leeds added the project features must stay within the CERP boundary. The goals of the project are to 1) improve the quantity, timing and distribution of flows into Lake Okeechobee to keep the Lake at desired depth, 2) reduce estuary discharges from the Lake, 3) improve wildlife habitat in the surrounding watershed and in the Lake, 4) increase availability of water supply to the existing legal water users of Lake Okeechobee Service Area (LOSA).

Ms. Leeds presented the proposed TSP which includes wetland restoration features, aquifer storage and recovery (ASR) wells and shallow water storage (wetland attenuation feature-WAF). ASR wells can be co-located with the WAF to manage the Lake at better levels and reduce the amount of water going to the estuaries. Location of water storage features have been evaluated since 1999. Water storage features closer to the Lake provide more opportunities for water availability than farther north in the watershed. Features farther north in the watershed would compete with water flows required for the Kissimmee River Restoration Project. Locating ASR wells in some areas of the watershed would impact existing legal water users. Additional factors considered when siting storage locations include presence of threatened and endangered species, and seepage concerns. It was

determined that having one large feature is the most cost-effective option versus several smaller features. Ms. Leeds presented the inflow and outflow of water through the proposed WAF.

The proposed TSP is under the District's Governing Board consideration. There are several key milestones during the federal process for the project, starting with the current step of identifying the proposed TSP. The second key step is the release of the Final Project Implementation Report/Environmental Impact Study (PIR/EIS), which is anticipated to occur in Spring 2019. The third key step is the US Army Corps of Engineers (USACE) Chief of Engineer's Report, which is anticipated to occur in the Summer of 2019. The final key step is Congressional Authorization for construction of the project. Authorization would occur as part of a Water Resources Development Act (WRDA) bill. WRDA is currently on a two-year schedule. The first opportunity for this authorization would be in 2020, or authorization could potentially occur in 2022. Ms. Leeds discussed potential land exchange and acquisition dates for LOWRP. Land exchanges could begin after release of the Final PIR/EIS in Spring 2019. Land acquisition could potentially begin after Congressional Authorization in 2020 or 2022. Discussion was held until after agenda item 3.

3. Real Estate Acquisition Process – Ray Palmer, Section Administrator, Real Estate

Mr. Palmer explained that the District is not currently in a position to exchange or purchase land from landowners in the footprint of this project. Once the LOWRP Final PIR is approved by the District's Governing Board and the project features are identified and final, District staff will know what state-owned land may be available for exchanges. This could happen as early as Spring of 2019. After the project is authorized and funding is available, land purchases could possibly begin. Mr. Palmer encouraged landowners to contact staff within the Real Estate Division to answer any questions they may have about the acquisition process. Ms. Leeds added that the District will continue to reach out to landowners to keep them informed as the project moves forward.

- Discussion

Mark Hunter Pearce asked about location of project features in relation to the Herbert Hoover Dike and existing roadways. Liz Caneja explained there is approximately a quarter of a mile setback north of State Road 78.

Patricia Pearce asked what the setback was in relation to the L-59 canal and where the deep injection wells are located. Armando Ramirez explained the project is half a mile away from the Brighton Reservation but does cross over the canal. Mr. Tucker explained there are no deep injection well features in LOWRP; however, there are ASR wells.

Brad Phares explained that his land is not within the footprint but is near the land in between the wetland features. Mr. Phares believes his property will be affected by seepage from the project. He recommended that soil samples be taken and evaluated as the land is primarily limestone which is not suitable to prevent seepage. He went on to discuss the effects of seepage on his land when the locks are open. Mr. Tucker explained the District will perform geotechnical and cultural resource evaluations to do its due diligence to ensure any lands purchased or exchanged will be suitable for utilization for the LOWRP.

Mr. Phares inquired about the project's effect on endangered species including bonneted bats, burrowing owls, caracara, bald eagles, gopher tortoises, and grasshopper sparrow. Ms. Leeds and Ms. Vélez explained the National Environmental Policy Act (NEPA) process which

requires the District to evaluate the environmental effects of a project, including impacts to threatened and endangered species. Based on the findings, considerations are taken to protect and minimize impacts to these species.

Ms. Leeds stated that some geotechnical surveys have been conducted in the area. Ms. Vélez added that geotechnical surveys indicated that a seepage management system is required and that a seepage canal would be constructed to minimize impacts.

Keith Pearce expressed additional concerns regarding seepage from the project onto his land.

Mark Hunter Pearce asked why land by the L-59 canal is not included in the project features. Mr. Ramirez replied that the team committed to maintain a half mile buffer from the Brighton Reservation.

Linda Crane, FDACS, asked why the benefits of other projects already in place aren't being considered. Ms. Vélez spoke to the importance of dispersed water management and NRCS projects and the partnership agreements. Both dispersed water management and NRCS projects are agreements between landowners and the District as equal partners and the agreements can be canceled by either party at any time. In order to minimize discharge to the estuaries, large long-term storage features are needed, which are not provided by these projects. In response to questions from Ms. Crane regarding contamination associated with cattle dipping vats and water shortage, Ms. Vélez explained the District will conduct environmental site assessments and remediation of impacted areas. During water shortages when the elevation of Lake Okeechobee is decreasing, ASR wells have the capability to release water back to canals and into Lake Okeechobee to reduce the effect of droughts.

Mr. K. Pearce believes the project will eliminate all the LOSA water users as the project will relocate them all and continued to explain his perspective on water seepage that will occur in the shallow water storage feature unless it is completely lined. Mr. K. Pearce believes the federal process could be improved by providing funding for the entire project up front, and upon acquiring land from landowners, the project should immediately begin the construction phase. Mr. K. Pearce commented on land values of District's property versus privately owned property. He believes a project should be considered in the Osceola and Orange County area and discussed the importance of taking soil samples on privately owned land in the project footprint.

Mr. Tucker encouraged all landowners in the project area to allow soil samples to be taken on their property in order to properly evaluate private lands for project suitability.

Ms. Vélez explained that the federal partners have not committed funds to the project at this time. As the local sponsor, the District involves the public early in the project development.

Mr. K. Pearce discussed the June 2018 WRAC meeting and the comments he made regarding early land purchases for a project. He feels funding should be appropriated for projects before moving forward with land acquisition.

In response to a question from Scott Mullendore, Ms. Vélez explained that ASR wells will be located on District owned land or right-of-ways. ASR wells have a small footprint and will not require the District to acquire land.

Phyllis Norris asked if the District is still issuing permits and whether BMP programs are being implemented in this area. Ms. Vélez explained that until the project is approved, the land is still in private ownership, so permits will still be required.

Wil Croncich asked if the District has funding for this project. Ms. Vélez explained the project needs Congressional Authorization before it could be funded.

As a landowner wanting to make improvements to his property, Mr. Mullendore is concerned if he should do so. Mr. Palmer explained that appraisals include land improvements and structures in the value of the property.

Ms. Tucker provided his personal experience of land acquisition for a District project and encouraged landowners to grant access to their property to evaluate its suitability for use in the project. He agreed with Mr. K. Pearce that the federal process can be improved.

Levi Pearce commented on the project footprint and does not believe land evaluations would alter the project. Mr. K. Pearce expressed at this time he is not a willing seller.

Glades County Commissioner Tim Stanley commented on the importance of keeping the quarter mile buffer from State Road 78 for commercial purposes. Ms. Vélez has received requests to leave it as commercial land and keep it on the tax rolls.

4. Adjourn

The meeting adjourned at 7:25 PM.