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RESOLUTION NO. 2016-36

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, URGING THE U.S. ARMY CORPS OF ENGINEERS, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO EXPEDITE PHASE II OF THE BISCAYNE BAY COASTAL WETLANDS PROJECT SO THAT PLANNING FOR PHASE II MAY COMMENCE AS SOON AS POSSIBLE AND TO TAKE ALL NECESSARY ACTIONS TO COMPLETE PHASE I OF THE BISCAYNE BAY COASTAL WETLANDS PROJECT; PROVIDING FOR TRANSMITTAL TO INTERESTED PARTIES; PROVIDING AN EFFECTIVE DATE. (Sponsored by Mayor Eugene Flinn).

WHEREAS, Palmetto Bay is part of Miami-Dade County, the only county in the nation that is home to two national parks, Biscayne National Park and Everglades National Park; and

WHEREAS, Biscayne National Park boundaries include part of Palmetto Bay; and

WHEREAS, the health of Biscayne Bay and the Everglades is intrinsically linked to the economic well-being of Miami-Dade County through nature-based tourism and commercial and recreational fishing; and

WHEREAS, restoration of the greater Everglades' ecosystem is important for continued clean water supply, environmental and public health, and the economic viability of Miami-Dade County; and

WHEREAS, The Palmetto Bay Mayor and Council previously approved resolution no. 09-18, on March 2, 2009, urging the US Congress and Florida Legislature to fully fund Biscayne Bay Coastal Wetlands Projects (sponsored by Mayor Flinn and co-sponsored by Councilman Tendrich), resolution no. 09-18 being included herein by its specific reference, and

WHEREAS, the Biscayne Bay Coastal Wetlands (BBCW) project, a critical component of the Comprehensive Everglades Restoration Plan (CERP), as authorized by Congress in 2000, is intended to restore natural coastal wetlands habitat by redistributing freshwater flow through more natural "sheet flows," and reconnecting coastal wetlands and marine habitats in Biscayne Bay and Biscayne National Park; and

WHEREAS, the BBCW project is the only CERP project that is dedicated to restoring Biscayne Bay and Biscayne National Park, both of which are vital to the ecological and economic health of Miami-Dade County; and

WHEREAS, the BBCW project will provide increased water storage in the wetlands east of the coastal ridge, which is expected to protect against saltwater intrusion and thereby increase resiliency against sea level rise in southern Miami-Dade County, which will specifically and specially

1 impact Palmetto Bay as well as other continuous Miami-Dade County municipalities/communities;
2 and
3

4 **WHEREAS**, both Phase I and Phase II of the BBCW project must be completed in order
5 to achieve the full project benefits as envisioned in CERP; and
6

7 **WHEREAS**, although there is a plan in place for the completion of Phase I of the BBCW
8 project, the planning for Phase II of the BBCW project is not scheduled to begin until 2021, and
9 actual construction of Phase II would occur even later in time; and
10

11 **WHEREAS**, Phase II of the BBCW project is intended to provide water storage and
12 rehydrate significant wetland areas between the Princeton and Mowry Canals as well as the Model
13 Lands wetland area, which contains more than 20,000 acres of important wetlands that connect the
14 Everglades to Biscayne Bay and Card Sound; and
15

16 **WHEREAS**, in addition, Phase I of the BBCW project has not been completed, and
17 therefore the potential benefits of that portion of the BBCW project have not yet been fully realized;
18 and
19

20 **WHEREAS**, Palmetto Bay, along with and as an integral part of Miami-Dade County, is
21 deeply invested and committed to seeing the BBCW project completed, and in order to do in a
22 timely manner, Phase II of the BBCW project must move forward in advance of the current
23 schedule; and
24

25 **WHEREAS**, to this end, Palmetto Bay has joined with Miami-Dade County in numerous
26 projects where Miami-Dade County has continued to contribute substantial resources towards the
27 goals of CERP and the BBCW project, including land acquisition, technical data, and staffing
28 resources to those project delivery teams; and
29

30 **WHEREAS**, in order to expedite Phase II of the BBCW project, the South Florida Water
31 Management District, as the local sponsor for this project, would need to ask the U.S. Army Corps
32 of Engineers to include, in its budget for fiscal year 2018, the 50 percent federal share of funding for
33 the planning of Phase II of the BBCW project, and such a request by the South Florida Water
34 Management District may need to be made as early as mid-May 2016 in order to meet budgetary
35 deadlines; and
36

37 **WHEREAS**, as such, the Palmetto Bay Village Mayor & Council wishes to join the request
38 that the U.S. Army Corps of Engineers include the above-mentioned funding in its budget for fiscal
39 year 2018; and
40

41 **WHEREAS**, the Palmetto Bay Village Mayor & Council also wishes to request that the
42 Florida Department of Environmental Protection and the South Florida Water Management District
43 move forward with planning for Phase II of the BBCW project on an expedited schedule, and take
44 all necessary steps to do so, including the allocation of up to \$3 million dollars, or equivalent in-kind
45 services, as approved and required by the U.S. Army Corps of Engineers, for such planning efforts;
46 and
47

1 **WHEREAS**, the Palmetto Bay Village Mayor & Council wishes to request that the U.S.
2 Army Corps, Florida Department of Environmental Protection, and the South Florida Water
3 Management District take all necessary steps to complete Phase I of the BBCW project,
4

5 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
6 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
7

8 **Section 1.** Urges the U.S Army Corps of Engineers, the Florida Department of
9 Environmental Protection and the South Florida Water Management District to take all steps
10 necessary to (1) complete Phase I of the BBCW project and (2) expedite the planning of Phase II of
11 the BBCW project, so that such planning occurs as soon as possible, and in any event, sooner than
12 the current schedule of 2021.
13

14 **Section 2.** Directs Palmetto Bay's state lobbyists to advocate for administrative action
15 accomplishing the goals set forth herein and as described in Section 1 above, and authorizes and
16 directs the Office of Intergovernmental Affairs to include this item in the 2017 State and Federal
17 Legislative Packages when they are presented to the Board.
18

19 **Section 3.** The Village Clerk is authorized on behalf of the Village to provide executed
20 copies of this resolution to the Members of the Florida Congressional Delegation; the Assistant
21 Secretary of the Army for Civil Works, the Governor, the Chair and Members of the Miami-Dade
22 State Legislative Delegation; Mayor Miami-Dade County, all members of the Board of County
23 Commissioners, including through the Clerk of the Board; the Secretary of the Department of
24 Environmental Protection, the Governing Board and Executive Director of the South Florida Water
25 Management District and other Federal, State and/or local interested parties.
26

27 **Section 4.** This resolution shall take effect immediately upon adoption.
28

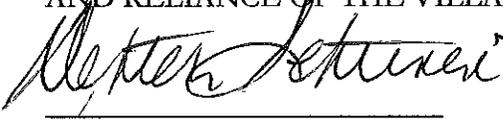
29 PASSED and ADOPTED this 9th day of May, 2016.
30

31
32 Attest: 
33 Meighan Alexander,
34 Village Clerk
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Eugene Flinn,
Mayor

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:



Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham YES
- Council Member Tim Schaffer YES
- Council Member Larissa Siegel Lara YES
- Vice-Mayor John DuBois Absent
- Mayor Eugene Flinn YES

FOR IMMEDIATE RELEASE



Palmetto Bay Officials Help Keep the Momentum Flowing by Attending Everglades Restoration Project Groundbreaking



(l to r) Environmental activist and President-Old Cutler South Neighborhood Association Beth Kibler, Palmetto Bay Mayor Eugene Flinn, Miami-Dade County Commissioner-District 8 Kati Sorenson, Palmetto Bay Councilmember Howard J. Tendrich, Chairman and Miami-Dade Representative of the SFWMD Governing Board Eric Buermann, Cutler Bay Councilwoman Peggy Bell, and Biscayne National Park Superintendent Mark Lewis.

PALMETTO BAY, Fla., (Jan. 26, 2010) – In a show of local support for restoration of the Florida Bay and Everglades, Palmetto Bay Mayor Eugene Flinn and Councilman Howard J. Tendrich, attended Today's (1/26/10) groundbreaking of the C-111 Spreader Canal project. A key component of the Comprehensive Everglades Restoration Plan (CERP), this project will restore freshwater flows to Florida Bay through Taylor Slough, preserve clean water for Everglades National Park, and maintain flood control for eastern communities, such as Palmetto Bay.

"Any day we see continued progress on Everglades restoration is a day for celebration," said Mayor Flinn.

Councilman Tendrich echoed Mayor Flinn's remarks, adding that it was, "a remarkable event highlighting intergovernmental cooperation between local, county, state, and federal bodies, all working toward this positive, successful effort."

The groundbreaking event, hosted by the South Florida Water Management District (SFWMD) and attended by a host of federal and state partners, represents continued momentum for Everglades restoration. Florida Bay is an integral component of the Everglades ecosystem and is a valuable economic resource for the region. The groundbreaking, held along the C-111 Canal off State Road 9336 in the southwestern corner of Miami-Dade County, marks the start of construction for pump stations and other project features.

"Today's event at the C-111 adds to the anticipation of the groundbreaking of the rehydration/flow-way project at the Deering Estate in spring 2010," Flinn remarked. This restoration project, at this Miami-Dade County property within the boundaries of Palmetto Bay, is also managed by SFWMD.

SFWMD is a regional, governmental agency that oversees the water resources in the southern half of the state. The agency mission is to manage and protect water resources of the region by balancing and improving water quality, flood control, natural systems, and water supply. A key initiative is cleanup and restoration of the Everglades.

The Village of Palmetto Bay, one of South Florida's greenest communities, remains firmly committed to protecting the environment, improving quality of life, and promoting sustainability. Incorporated in 2002, this Tree City USA Community is introducing green-building standards into the construction of all present and future municipal facilities, including a Gold LEED-certified Village Hall and a new LEED-certified concession facility at Coral Reef Park. Village government is drafting legislation to encourage developers, building owners, and occupants to introduce responsible and manageable green-design features in all new and redevelopment projects within the Village.

###

CONTACT:

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Village of Palmetto Bay

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bkress@palmettobay-fl.gov

www.palmettobay-fl.gov



South Florida Water Management District

GOVERNING BOARD MEETING MINUTES

July 12, 2006

9:00 AM

Miami City Hall - Commission Chambers

3500 Pan American Drive

Miami, Florida 33133

Members Present:

Irela Bagué, Vice-Chair

Miya Burt-Stewart

Alice Carlson

Michael Collins

Nicolás Gutiérrez

Lennart Lindahl

Kevin McCarty, Chair

Harkley Thornton

Malcolm Wade

1. Call to Order - Kevin McCarty, Chair, Governing Board

Chair McCarty called the meeting to order at 9:10 am.

2. Pledge of Allegiance - Kevin McCarty, Chair, Governing Board

Jose Fuentes, Miami-Dade Regional Service Center Director, led the group in the Pledge of Allegiance.

Manny Diaz, Mayor of Miami, welcomed the Governing Board and staff to Miami. He said he is committed to working with the District and preserving our environment. Mayor Diaz presented the District with a proclamation declaring July 12, 2006, South Florida Water Management District Day.

Carlos Lopez-Cantera, State Representative, welcomed the Governing Board members to Miami.

3. Employee Recognition

Carol Wehle, Executive Director, recognized the June Employee of the Month, Cal Neidrauer, Chief Consulting Engineer, Water Control Operations Section, Operations & Maintenance.

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

40. Local Projects and Presentations - Jose Fuentes, Miami-Dade Regional Service Center Director

Gene Flynn, Mayor, Village of Palmetto Bay, presented a proclamation to the District declaring July 12, 2006, the South Florida Water Management District Day.

Paul Vrooman, Mayor, Town of Cutler Bay, presented a proclamation to the District declaring July 12, 2006, the South Florida Water Management District Day.

Ms. Bagué said she is pleased to have the Governing Board meeting being held in Miami. She spoke on the partnerships with the local entities.

Mr. Gutiérrez provided comment and said he is pleased to see the local community at this Governing Board meeting and the camaraderie these entities have with staff and Governing Board members. He said we will continue to work closely with them.

Manny Marono, Mayor, City of Sweetwater, presented a proclamation to the District declaring July 12, 2006, the South Florida Water Management District Day.

Joe Kelly, Mayor, City of Opa-Locka, presented a proclamation to the District declaring July 12, 2006, the South Florida Water Management District Day.

Zavier Garcia, Vice-Mayor, City of Miami Springs, presented a proclamation to the District declaring July 12, 2006, the South Florida Water Management District Day.

Miami-Dade County Commissioner Natacha Seijas thanked the Governing Board and Ms. Wehle for working so well with her and her staff.

Tommy Strowd, Assistant Deputy Executive Director, CERP, presented information on two restoration projects in Miami-Dade; Biscayne Bay Coastal Wetlands and the C-111 projects. He provided information of the historic conditions of Biscayne Bay and Florida Bay, the current drainage problems affecting these bays, and the restoration goals and objectives.

Mr. Collins provided comment on the C-111 spreader canal and the concerns regarding this project. He spoke on the funding for this project.

Mr. Gutiérrez said it is time to move forward with the project. He spoke on the costs of this project.

Ms. Bagué spoke about these Acceler8 projects in Miami and funding constraints.

Public Comment: Sara Fain representing the National Parks Conservation Association provided comment on the C-111 project. She supports this project and looks forward to working with the District and WRAC to continue to make this happen.

Chip Merriam, Deputy Executive Director, Water Resources, presented an update on the Miami-Dade County water supply issues. Mr. Merriam reported on the consumptive use permits in Miami and the regional systems. He provided information on the wellfields and the wastewater facilities in Miami-Dade County. Mr. Merriam reported on the agreement and the draft alternative water supply plan for Miami-Dade. He spoke on Miami-Dade's accomplishments for alternative water supplies.

John Renfrow, Director, Miami-Dade Water & Sewer Department, provided additional information and commented on continued support with the District staff and thanked the Governing Board regarding Agenda Item # 17 for funding support on the Savings Incentive Program (SIP).

Ms. Bagué thanked Mr. Renfrow for his support with staff regarding the alternative water supplies in Miami-Dade County.

Ms. Wehle thanked Mr. Merriam for his leadership and the Water Supply staff for their dedication and cooperation working with Miami-Dade County. They are doing a fabulous job.

Sean Sculley, Deputy Director, Watershed Management, presented information on the Combined Structural and Operational Plan (CSOP). Mr. Sculley provided information on the project objectives, the requirements for CSOP, and the status of the project. Mr. Sculley reported on CSOP's performance in the water management areas.

Mr. Lindahl had questions regarding Pump Station SC356 and the maintenance of flood protection.

Mr. Sculley provided additional information regarding this issue.

Mr. Wade stated support to move forward with adaptive management.

Audrey Ordenes, Chair of the Biscayne Bay Regional Restoration Coordination Team (BBRRCT) presented introductory information on the Biscayne Bay Access Plan and the Biscayne Bay Partner Initiative.

Amy Condon, the Trust for Public Land, presented information on the Biscayne Bay Public Access Plan. A packet was distributed to each Governing Board member.

Ms. Bagué thanked Ms. Ordenes and Ms. Condon for their support and ongoing efforts regarding Biscayne Bay.

Chair McCarty recognized Vice-Chair Bagué for the 2006 "Up and Comers" award. This award is presented by the South Florida Business Journal to outstanding business leaders in the South Florida community.

CERP

41. Everglades Agricultural Area Storage Reservoir A-1 Project Construction Management at Risk Services Contract Status Update -- Tommy Strowd, Assistant Deputy Executive Director, CERP

Tommy Strowd, Assistant Deputy Executive Director, CERP, provided information to begin construction on the EAA Reservoir. He reported he has the last two documents to begin the construction: the 404 permit and the Land Use Change Letter.

Chair McCarty introduced Terrance "Rock" Salt of the United States Department of the Interior and Dennis Duke, USACE.

Mr. Salt provided comment and spoke about the history of this project. He congratulated the Governing Board for moving this project forward under the Acceler8 program.

Mr. Duke provided comment and said this is a historic event and a major component for the Everglades Restoration.

Ms. Wehle commended USACE staff, Torrey White and Beth Lewis, for their efforts in the issuance of the 404 permit.

Chair McCarty thanked Mr. Salt and Mr. Duke. Chair McCarty said the District continues to make incredible progress in our commitment to speed up the construction for Everglades Restoration.

Corporate Resources

42. Discussion of proposed FY06-07 millage rates for the purpose of notifying county property appraisers for publication on Truth-In-Millage (TRIM) notices

Project Sponsor: Doug Bergstrom, Ext. 6214

Doug Bergstrom, Division Director, Budget presented information on this item. Mr. Bergstrom provided information on the FY2007 draft budget highlights.

Motion made by Michael Collins, seconded by Alice Carlson to Approve the following item(s): 42

Vote called. Voting yes: Michael Collins, Alice Carlson, Irela Bagué, Miya Burt-Stewart, Nicolás Gutiérrez, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

Discussion Agenda

Water Resources

43. Final order of the Governing Board of the South Florida Water Management District approving the 2006 amendment to the Upper East Coast Water Supply Plan for 2025 in compliance with section 373.0361, F. S.; providing an effective date. (John Mulliken)

John Mulliken, Director, Division of Water Supply Planning & Development, presented information on the Upper East Coast Water Supply Plan.

Mr. Lindahl provided comment on this amendment and the estimated increase in population projections in the upper east coast within the next 20 years. Mr. Lindahl reported on the alternative water supply projects in the upper east coast. Mr. Lindahl commended Mark Elser, Director, Water Supply Implementation, and Linda Hoppes, Lead Planner, Water Supply Planning, for their hard work on this project.

Motion made by Lennart Lindahl, seconded by Nicolás Gutiérrez to Approve the following item(s): 43

Vote called. Voting yes: Lennart Lindahl, Nicolás Gutiérrez, Irela Bagué, Miya Burt-Stewart, Alice Carlson, Michael Collins, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

- 44.** Final order of the Governing Board of the South Florida Water Management District approving the 2005-2006 update of the Lower West Coast Water Supply Plan for 2025 in compliance with section 373.0361, F. S.; providing an effective date. (John Mulliken)

John Mulliken, Director, Division of Water Supply Planning & Development, presented information on the Lower West Coast Water Supply Plan.

Ms. Carlson commended Mr. Mulliken and his staff for a wonderful job working with the Lower West Coast utilities and stakeholders on this water supply plan. She reported on the residential growth as well as the agricultural growth in the Lower West Coast. Ms. Carlson commended Michael Coates, Senior Planner, for his hard work on this project.

Public Comment: Paul Mattausch representing Collier County Utilities thanked District staff and Alice Carlson for their efforts with the West Coast Water Supply plans.

Motion made by Alice Carlson, seconded by Michael Collins to Approve the following item(s): 44

Vote called. Voting yes: Alice Carlson, Michael Collins, Irela Bagué, Miya Burt-Stewart, Nicolás Gutiérrez, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

- 45.** **2006-725** A Resolution of the Governing Board of the South Florida Water Management District accepting revisions to the "Long Term Plan for Achieving Water Quality Goals" (Long Term Plan) and directing staff to amend the permit application submitted to the Florida Department of Environmental Protection in December 2003, pursuant to Section 10 of the Everglades Forever Act, Section 373.4592, Florida Statutes (2003), incorporating those revisions to the Long Term Plan; providing an effective date. (Tracey Piccone)

Tracey Piccone, Lead Engineer, STA Management Division, presented information on the long term plan for Achieving Water Quality Goals and directing staff to amend the permit application submitted to FDEP in December 2003. Ms. Piccone reported on the proposed revisions of the STAs.

Mr. Collins commended Ms. Piccone and staff for their efforts in this project.

Motion made by Michael Collins, seconded by Nicolás Gutiérrez to Approve the following item(s): 45

Vote called. Voting yes: Michael Collins, Nicolás Gutiérrez, Irela Bagué, Miya Burt-Stewart, Alice Carlson, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

46. Approve Environmental Resource Permit Modification Application 050706-21 for construction and operation of a surface water management system serving 504-acres of recreation/residential development known as Bonita Beach Road Estates (Lee County) (William Foley, ext 7728) (Janet Starnes, ext 7735)

Damon Meiers, Deputy Department Director, Environmental Resource Regulation, presented information on this agenda item.

Motion made by Alice Carlson, seconded by Nicolás Gutiérrez to Approve the following item(s): 46

Vote called. Voting yes: Alice Carlson, Nicolás Gutiérrez, Irela Bagué, Miya Burt-Stewart, Michael Collins, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

CERP

49. **2006-728** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 321.95 acres, more or less, for the C-111 Spreader Canal CERP Project in Miami-Dade County, in the amount of \$2,736,600, and associated costs; subject to Governing Board approval of the FY07 budget; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (B. Katz, ext. 6837)

Ruth Clements, Department Director, Land Acquisition presented information on this agenda item.

Motion made by Alice Carlson, seconded by Irela Bagué to Approve the following item(s): 49

Vote called. Voting yes: Alice Carlson, Irela Bagué, Miya Burt-Stewart, Michael Collins, Nicolás Gutiérrez, Lennart Lindahl, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

50. **2006-729** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 300-day contract with GlobeTec Construction, LLC, the lowest responsive and responsible bidder, for the Picayune Strand Restoration CERP Project's Prairie Canal Backfilling Project in Collier County in the amount of \$2,390,600 for which dedicated funds (CERP Capital Construction Fund) in the amount of \$600,000 are budgeted and the remainder is subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number CN060045/3600001268)

No presentation was provided.

Motion made by Michael Collins, seconded by Lennart Lindahl to Approve the following item(s): 50

Vote called. Voting yes: Michael Collins, Lennart Lindahl, Irela Bagué, Miya Burt-Stewart, Alice Carlson, Nicolás Gutiérrez, Kevin McCarty, Harkley Thornton, Malcolm Wade. Motion passed.

Executive Office

61. **2006-734** A Resolution of the Governing Board of the South Florida Water Management District strongly recommending approval of federal funding to complete the urgently needed Modified Waters Deliveries to Everglades National Park Project in Miami-Dade County; providing an effective date.



South Florida Water Management District

Governing Board Projects & Lands Committee MEETING MINUTES

January 13, 2010

11:00 AM

Village of Key Biscayne - Village Chambers
88 West McIntyre Street
Key Biscayne, FL 33149

Members Present:

Joe Collins

Shannon Estenoz

Jerry Montgomery

Patrick Rooney

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

Chair Rooney called the meeting to order at 11:02 a.m.

Chair Rooney recognized Eugene Flinn, Mayor of Palmetto Bay, who was in the audience.

Governing Board members Michael Collins, Eric Buermann, Kevin Powers and Charles Dauray were in attendance at the meeting.

2. **Approval of Minutes**

Approval of Minutes for the November 12, 2009, Project & Lands Committee meeting held in Key Largo, Florida

Motion made by Shannon Estenoz, seconded by Jerry Montgomery, to approve the Project and Lands Committee meeting minutes from November 12, 2009. Vote called. Voting yes: Joe Collins, Shannon Estenoz, Jerry Montgomery and Patrick Rooney. Motion passed.

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

Annette Carter, Director, Office of Governing Board & Executive Services, read into the record:

Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown, as determined by the presiding officer. Based upon that authority, the Chairman has determined that good cause exists to make certain changes to the Agenda. These changes are being made in order to permit the Committee to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed. These changes have been listed in the Committee Addendum available at the entrance to this meeting room.

4. Cost-Sharing Remediation of Agrochemicals - Paul Warner, Chief Scientist, Federal & State Policy Division (ext. 6512)

Paul Warner, Chief Scientist, Federal and State Policy Division, presented information regarding policy approval requests that are being discussed with Corps Headquarters related to cost sharing remediation of agrochemicals. Currently, there is an approved policy for projects without an approved Project Implementation Report (PIR). Additional guidance for implementing this policy is under development by Corps Headquarters.

Another policy approval request is still under discussion with the Corps Headquarters. This policy would apply to projects with a completed and approved PIR. Implementation of this policy would result in significant cost savings by allowing the District to certify lands without remediating in advance and the Corps would integrate remediation into their construction contracts. A federal decision on the proposed policy is anticipated for February 2010.

Mr. Joe Collins, referring to agrochemicals as crop protection products, explained that when legal levels of these products are applied, the products are safe for residential and commercial use. The concerns are adding water to the product during construction of the restoration projects.

Agenda Item #5 was deleted from the Agenda.

6. Acquisition of Lands Adjacent to Current Okeechobee Field Station - Ruth Clements, Director, Land Acquisition Department, and Joel Arrieta, Director of Field Operations North (ext. 6271 and 2867)

Ruth Clements, Director, Land Acquisition Department, presented information on the land acquisition adjacent to the Okeechobee Field Station. This land allows for future expansion of the Field Station in its current central location and also allows for future co-location of the Service Center thereby avoiding rental costs and allowing for consolidation of land management inventory.

Mr. Joe Collins stated this is a good opportunity for the field station and for the Okeechobee Service Center which has outgrown its office space.

7. Public Comment

Public Comment: Mayor Eugene Flinn, Palmetto Bay, thanked the Board for their continued partnership between the District and Palmetto Bay. He also commented on Old Cutler Property and supports of the settlement proposal which is being presented to the Governing Board at the January 14, 2010 meeting.

Beth Kibler, Old Cutler South, commented on Biscayne Bay Coastal Wetlands land acquisition. She supports the settlement proposal.

9. **C-43 West Reservoir** - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration and Capital Projects (ext. 6998)

Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration and Capital Projects gave a presentation regarding two issues associated with the C-43 Reservoir:

- A wildlife entrapment issue as a result of the interior side slopes of reservoirs.

- A proposal to request the Corps to repackage the SFWMDs reservoir plans and specifications into a Corps format, which would allow the flexibility for either organization to construct the project when funding becomes available.

Mr. Dauray requested staff communicate with the local conservation groups regarding these issues.

Mr. Michael Collins had concerns on new standards by the USACE and U.S. Fish & Wildlife Service (USFWS) for wildlife entrapment protection, the increased costs to the projects, and whether the projects will ever be built because of these new standards.

Mr. Ammon provided an explanation of the design elements of a reservoir and the costs of making these design changes. He said USFWS has agreed that if we make the design changes, they would significantly reduce or eliminate the monitoring within these facilities, which is quite substantial.

Mr. Michael Collins indicated that if we could get USFWS to sign-off on significantly reducing the monitoring requirements, then maybe the redesign makes sense.

Ms. Estenoz agreed with Mr. Michael Collins that if we can get sign-off to reduce monitoring costs and that if we could avoid potential future problems with entrapment of wildlife, but only if this would not slow down the Chief's Report and subsequent authorization of the C-43 Reservoir Project.

Mr. Dauray expressed concern that once a species goes on the endangered species list, with so many rules and regulations, it will stay on the list and will effect our restoration efforts.

Mr. Joe Collins expressed concern about the continuously rising costs of CERP Projects based on new requirements, and encouraged looking at the ecosystem's big picture and overall environmental benefits we are trying to achieve for restoration projects.

Mr. Montgomery expressed concern about the District's budget and the amount of money being discussed. He said we need to move forward with this project and focus on saving money as the fiduciary responsibility to the taxpayers of South Florida.

Mr. Ammon said there has been numerous meetings with the USACE, USFWS and the U.S. Department of Interior on wildlife entrapment.

Mr. Ammon said he would bring back to the Committee a cost-benefit analysis for this design change versus monitoring savings.

Ms. Wehle commented on the discussions she has had between the District, USFWS and the USACE. She said the design change of stair steps for wildlife was the least expensive alternative design, and that this was a business decision, based on both costs and risk analysis. Redesigning the embankment would eliminate the risk of having to go back in the future and have to retrofit the project if we have migratory birds or endangered species entrapped, and the fact that redesign costs would be offset by USFWS not requiring monitoring. This will not be a precedent for projects; each project will be negotiated based on the cost and risk analysis specific to that project.

Ms. Estenoz expressed a desire to talk with USFWS about a programmatic approach to wildlife protection and monitoring requirements.

Ms. Wehle committed to come back to the Committee regarding the current monitoring requirement costs and projections for monitoring going forward associated with Everglades Restoration projects and let USFWS know the concerns and discuss the possibility of a programmatic approach.

8. Adjourn

Chair Rooney adjourned the meeting at 12:18 p.m.

Motion made by Jerry Montgomery, seconded by Shannon Estenoz to adjourn the meeting. Vote called. Voting yes: Joe Collins, Shannon Estenoz, Jerry Montgomery and Patrick Rooney. Motion passed.

Patrick Rooney
Chairman
Projects and Lands Committee

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD