



MINUTES

**WATER RESOURCES ADVISORY COMMISSION
Monthly Meeting**

August 07, 2014, 9:00 AM
 District Headquarters - B-1 Auditorium
 3301 Gun Club Road
 West Palm Beach, FL 33406

Attendee Name	Title	Status
James J. Moran	Chairman	Present
Kevin Powers	Vice-Chairman	Absent
Douglas Yoder	Alternate for Bill Johnson	Present
Samantha Whitcraft	Alternate for John Lamkin	Absent
D. Albrey Arrington	Utility	Present
Jeff Ward	Alternate for Barbara Miedema	Absent
Shelley Vana	Local Government	Present
Douglas Bournique	Agriculture	Present
Bob Ulevich	Alternate for Doug Bournique	Present
Chuck Collins	FWC / Statewide	Absent
Harry Cronin	Alternate for Jim Reynolds	Absent
Vincent Encomio	Alternate for Mark Perry	Absent
Jim Reynolds	Utility	Present
Kurt Harclerode	Alternate for Pam Keyes	Present
Michael Harford	Local Government	Absent
Mark Perry	Environmental	Present
James Humble	Agriculture	Present
Kristin Jacobs	Local Government	Absent
William "Chad" Kennedy	FDEP	Present
John T. Lamkin	NOAA / Federa	Absent
Joan Lawrence	US DOI / Federal	Present
Barbara Miedema	Agriculture	Present
Linda McCarthy	Alternate for Bubba Wade	Present
Kimberly Lawrence	Alternate for Michael Harford	Present
Newton Cook	Public Interest	Present
Don Fox	Alternate for Chuck Collins	Absent

Mary Ann Martin	Public Interest	Absent
Bevin Beaudet	Alternate for Shelley Vana	Absent
Brian L. Wheeler	Utility	Absent
Joe Capra	Business	Present
Bud Howard	Alternate for Albrey Arrington	Absent
Michael Collins	Public Interest	Present
Mark Dombroski	Alternate for Newton Cook	Absent
Medora Krome	Alternate for James Humble	Absent
James Erskine	Miccosukee Tribe	Absent
John Lesman	Business	Present
Ashley Tripp	Alternate for Mary Ann Martin	Absent
Maelo Reyes	Alternate for Jeff Schmidt	Absent
Rich Budell	Alternate for W. Ray Scott	Absent
Wovoka Tommie	Seminole Tribe	Absent
Malcolm "Bubba" Wade	Agriculture	Present
Jacqui Thurlow-Lippisch	Alternate for Joe Capra	Present
Thomas Greco	USACE	Present
Neale Montgomery	Business	Present
Harry Raucher	Utility	Present
Pat Martin	Alternate for Harry Raucher	Present
Joshua Kellam	Business	Present
Cherise Maples	Alternate for Wovoka Tommie	Absent
Lance R. Bennett	Business	Absent
Erin Deady	Environmental	Absent
Adam Gelber	Public Interest	Present
Jane Graham	Environmental	Present
Jason Liechty	Alternate for Kristin Jacobs	Present
Tom Jones	Agriculture	Present
Mike Sweeney	Alternate for Brian Wheeler	Absent
Pam Keyes	Utility	Present
Jenny Conner Nelms	Environmental	Absent
Nancy Payton	Environmental	Absent
W. Scott Ray	FDACS / Statewide	Present
Karson Turner	Local Government	Present
Jamie Poulos	Alternate for Lance Bennett	Absent
Caroline McLaughlin	Alternate for Jane Graham	Absent
Bill Johnson	Utility	Absent
Jeff Schmidt	NRCS State/Federal	Present

1. Call to Order - James J. Moran, WRAC Chairman

Chairman Moran called the meeting to order at 9:04 am. Mr. Moran introduced new Governing Board member Melanie Peterson and welcomed her newly appointed WRAC member, Jill Hoog who takes the place of former WRAC member Deena Reppen and represents the public interest on the Commission.

Len Lindahl, Assistant Executive Director, SFWMD, invited WRAC members and the public to visit staff scientists and the science posters on display in the lobby prepared by

District scientists outlining various processes and technologies used to achieve key District goals, objectives and statutory obligations.

2. WRAC Member Issues

WRAC Member Comment

Mark Perry, Florida Oceanographic Society, announced that a lot of water is coming in to Lake Okeechobee (Lake) from up north but not a lot coming out and even though there are no Lake discharges, basin run-off on the east coast is causing salinity levels to go down impacting seagrasses and oysters. Mr. Perry said he hopes to get the basin under control and asked the District and others to go upstream into the C-44 basin, even though the C-44 project is not yet underway, to help get salinities under control in the 31 sub-basins as currently run-off is entering the canal and discharging into the estuary because the canal level is too high. Mr. Perry stressed the need to gain control before Lake discharges begin again further adding to stresses on the system.

Joe Capra, CAPTEC Engineering, informed members of a rally that took place in the St. Lucie estuary this past weekend and thanked those who came out in support of the cause. Mr. Capra said that WRAC has been talking about doing lots of improvements around the Lake and it is important to recognize that everyone needs to get some improvements. Mr. Capra stated that at the end of the last meeting there was the feeling that there were regional concerns but all are on the same path to fix our water quality, water supply, and drainage issues. Mr. Capra said the public is realizing that working together makes a difference. Mr. Capra spoke about hearing about new money coming in and hopes the projects listed on the priority table can begin to move forward in light of this funding and the list can be updated to reflect new funds. Mr. Capra expressed the need for a plan to get there. Mr. Capra referred to an article in Civil Engineering Magazine concerning the Water Resources Reform and Development Act (WRRDA) and felt it was important to recognize that the bill contained \$15.4B, thirty four projects that covered seventeen states and its important to note that if the money is not spent it is lost and wants to be sure that the state is keeping track and not losing any money. Mr. Capra stated that he'd like to make sure that someone is monitoring the dollars that are not being used by states to which it is allocated so that the state of Florida has an opportunity to claim those funds and put it towards projects in Florida.

Doug Bournique, Indian River Citrus League, is pleased that water farming has gained some traction having had several elected officials including a Congressman out for a site visit on the Caulkins pilot site and several interested parties calling from other states to ask about the program. Mr. Bournique said the program is gaining momentum and has been featured in the news and is thankful for District staff, WRAC and everyone for their support of the program. Mr. Bournique discussed the C-25 Reconnect plan as part of the program and said that engineers were currently working on the plan.

Pam Keyes, Lee County Utilities, informed members of a stakeholder meeting for Caloosahatchee Estuary BMPs on August 8, 2014. Ms. Keyes said that, in this meeting, stakeholders would begin developing an implementation plan and stated that moving towards completing projects is an important step for progress. Ms. Keyes thanked the District for coordinating the meeting and the Florida Department of

Environmental Protection (FDEP) as well as all other meeting participants who would contribute to the conversation.

Adam Gelber, Atkins North America, announced that the Coast Guard is seeking public comment until October on removing sixty eight markers in Whitewater Bay that provide safety and directional information. Mr. Gelber stated that currently the maintenance program for 1,000 channel markers in Florida Bay has been halted due to the requirement of the Park to pull permits which could become a navigational hazard to staff working in the Bay or recreational users who depend on these markers for direction. Mr. Gelber stated that it will likely be two to three years before the situation is resolved.

Mike Collins, Florida Keys Fishing Guides Association/Florida Bay Initiative, said that billions of dollars have been spent to preserve and protect the resource and then a situation is encountered where the amount of money needed is less than the cost of lawn mower gas and on one hand the objective is to preserve and protect the seagrass beds of Florida Bay and on the other hand the objective is to provide access, which is part of the charter of the National Parks, and a decision is reached not to provide markers. Mr. Collins stated the only way to preserve and protect and limit crop damage in Florida Bay is to limit access or use markers to help the public navigate the Bay. Mr. Collins stated that the Coast Guard has determined that the plastic directional markers, developed to help keep recreationists in the channel and headed in the right direction, are illegal markers and the Park can no longer pay to maintain them. Mr. Collins said that the Florida Keys Fishing Guides Association will likely step in and pay for the maintenance in this case and stated that there is a certain attitude within the government that billions of dollars can be spent on trying to reach a certain goal and a very small amount of money is required to see that the goal is realized, similar to invasive species management which should take place before other restoration projects are even considered, and there seems to be a problem identifying problems while they are small and manageable. Mr. Collins responded to Mr. Capra about the plan he mentioned in his earlier comments by stating that the state had a plan and it was CERP which has since been dismantled and broken up along the way. Mr. Collins said that there were pieces in CERP that balanced all of the interests that Mr. Capra identified in his previous comments and he hopes that stakeholders in all of the planned meetings are revisiting the original CERP projects because they worked and going back to the fundamental agreement is the only way that any projects will be done. Mr. Collins stated that if changes are to be made to CERP, those changes need to start with science and if you look at some of the areas where the District has taken science into account, some of it reinforces the current direction in terms of statute and restoration and some of it doesn't and the places where it doesn't needs to be considered.

Newton Cook, United Waterfowlers of Florida, announced that the United Waterfowlers and the Florida Fish and Wildlife Conservation Commission (FWC) will host a Waterfowl Habitat Summit beginning on August 15th at the Ocala Hilton and invited everyone to attend the free event. Mr. Cook thanked the District for sending a representative to participate.

Jane Graham, Audubon FL, asked for an update on the C-139 Annex/Abiaka project as it is a prime example of Everglades restoration.

Joshua Kellam, The ESG Companies, commended the District for moving the Dispersed Water Management program forward.

3. Dispersed Water Management Update - Beth Lewis, State Policy Chief, Office of Everglades Policy and Coordination, SFWMD

WRAC Member Comment

Doug Yoder, Miami-Dade Water and Sewer, asked if the contracts with private land owners based on the idea that they get paid for the volume of water they store for a certain period of time and if the private owners have control over the timing and volume of storage or if they were required to store a certain amount according to contract terms. Ms. Lewis responded that it depends on the individual contract, for example if private property owners are pumping water onto their property, they must follow an operational plan based on the project and the District has final say in the operational plan to tell them when to pump and get paid for operations. Ms. Lewis continued that on other projects where private land owners are holding water back, they are paid for keeping fixed boards at fixed levels and having water held back based on rainfall. Mr. Yoder asked that in the cases where a land owner may be using their property for other purposes, that require a certain water condition, can they independently decide that they will release water. Ms. Lewis reiterated that each land owner that is storing water has fixed boards at fixed levels. Ms. Lewis stated that a typical contract term is one year for construction and ten years for operation. Doug Bournique said that citrus lands are all in because nothing else can be done with that property as the root system for citrus must be kept dry. Mr. Bournique stated that the topography of the citrus groves in the north counties makes it an ideal location to implement the dispersed water management program. Mr. Bournique suggested adding future water supply to the list of program benefits for dispersed water storage.

Mike Collins stated that dispersed water storage is a useful tool and supports it, however, said that there is an endemic problem to all shallow water storage, with a possible exception of citrus lands. Mr. Collins continued that a lot of times when there is a need to store water on these properties during the wet season, they already have too much water on them, and when water might be needed for water supply in the dry season, there may not be a sufficient amount stored up, due to the nature of shallow storage and evaporation rates. Mr. Collins stated that the reason the estuaries in the original plan and the Glades were supplied by deep water storage because the seasonal issue is not a factor, which is not to say that this is not a viable option. Mr. Collins said that when looking at the 87,000 acre-ft of storage offered by the program, availability of the water must be taken into consideration. Mr. Collins commented that this program must be balanced with deep water storage to solve other problems.

Joshua Kellam asked what restricts these projects from becoming deep water storage. Mr. Collins explained that leasing a conservation easement is a much easier business decision to make and cost conscious but building a deep storage reservoir would require the District to buy the property and assume the cost of constructing the reservoir. Mr. Collins stated that buying property was part of the original program and

the District has acquired quite a bit of property, but the original plan was to buffer the impacts in the estuary, not actually solve the entire problem. Mr. Collins said the goal was to take the edge off so that oysters and seagrasses had a better survival rate. Mr. Collins said the District and stakeholders must make a decision regarding the number of ranchers and citrus grove owners that are willing to participate in the dispersed water management program compared to those that are willing sellers. Mr. Kellam clarified that those under contract for the program are being paid per acre-ft of storage including the infrastructure. Mr. Collins agreed and expressed his advocacy for public-private partnerships. Mr. Collins stated that his is a proponent of deep water storage and briefly discussed the need to get below the evaporation transfer rate for adequate water storage for water supply.

Mark Perry asked Ms. Lewis to distinguish operational vs. construction acre-feet of storage. Ms. Lewis explained that projects that have not been certified as operational are still in the construction phase and will move to operational acre-ft once certified. Mr. Perry asked if there were a total cost in relation to the total 87,000 acreage in the program, and if there were a range in the selection criteria of cost per acre-ft of storage that would qualify certain land owners to participate because they meet that criteria. Ms. Lewis emphasized that the total acreage provided is comprised from many different programs and stated that in the private contracts or Payment for Environmental Services (PES) program, the District looks to negotiate a range for cost per acre-ft with private owners to work to get projects negotiated within that range. Ms. Lewis said that the District has worked to get costs down since PES I and with lessons-learned and working with owners to find ways to incur lower construction costs, the District has been able to negotiate costs down. Mr. Perry asked if the additional \$10m allocated by the legislature was specifically for PES to which Ms. Lewis confirmed for PES II. Ms. Lewis explained that the selection of program participants had already taken place and been approved by the Governing Board, however, there were no funds to continue and the legislative funds would allow the District to move further down the list. Mr. Perry spoke in support of increasing interim storage on District owned lands because using lands that are scheduled for construction for interim storage is a very cost effective way to provide some storage opportunities.

Jane Graham spoke in support of dispersed water management and noted Audubon's interest in the District's performance data and evaluation criteria. Ms. Graham asked for an expected timeline for completing the evaluation and how would the collected information be used. Ms. Graham asked how the District is looking at federal projects such as the Fisheating Creek Wetlands Reserve or Everglades Headwaters projects, in relation to the dispersed water management program. Ms. Lewis replied that the internal resources have been identified for the site suitability analysis and are currently being brought together to begin the process of looking at very particular land use types in the watershed. Ms. Lewis stated that federal projects located in these areas would be noted by the District for consideration as part of the suitability analysis. Ms. Lewis informed members that District staff has been in discussion with the Headwaters Refuge regarding the interplay between the two programs and evaluating compatibility of the easements in their ownership and other areas of common interest.

Albrey Arrington, Loxahatchee River District, commented that the 9-Gems project is a great example of a low-cost opportunity with a willing land-owner requiring minimal

tweaks to the property. Mr. Arrington asked if the District tracking a list of all suitable district lands for the program as well as tracking the percentage of lands that are operational for use as a metric to show how much District owned lands are being used to effectively store water as a way to measure program success. Mr. Arrington stated that the acreage being provided for dispersed water management is equivalent to about 2.3 inches on Lake Okeechobee and there is no cheaper storage option available.

Barbara Miedema, Sugar Cane Growers Cooperative, agreed with Mr. Arrington that the Lake is the best place to store water and stated that a continued push is needed to encourage completion of the work being done to improve the Herbert Hoover Dike and support the USACE in getting funding to continue rehabilitation because any additional flexibility there provides so much more operational control of water releases to the estuaries. Ms. Miedema suggested that stakeholders may get confused due to all of the names of the program as it has been referred to as dispersed water management, water farming, PES and asked the differences between each type of program. Ms. Miedema stated that her understanding of the C-43 project, also referred to as Berry Groves, is that the project would store 190,000 acre-ft of water and has the ability to attenuate flows to the Caloosahatchee to take off the edge as Mr. Collins mentioned about CERP. Ms. Miedema stated that hurricane Katrina was one of the issues that arose during the design phase of CERP and caused stronger Dam Safety standards and deep water storage facilities were then required to have major infrastructure improvements in order to meet the new standard which escalated the costs two-fold for doing such projects than originally planned in the Yellow Book which is the main reason many CERP projects have not been implemented. Ms. Miedema said that Aquifer Storage and Recovery (ASR) wells have not yet been compared with efficiencies between regional projects, dispersed water storage, and deep water storage but if the goal is to have carry-over storage for use during a dry year, ASR is an option that provided that benefit especially in light of the success of the Kissimmee ASR pilot. Ms. Miedema stated that she was unsure of how the District would quantify how often water captured through the dispersed water management program would be used in a period of record and how many of those years were average, wet or dry years. Ms. Miedema commented that the program is a tool in the tool box but not the panacea.

Jane Graham countered Ms. Miedema's statement by disagreeing that the Lake is the best place to store water although it may have some flexibility but optimally should be kept between 12.5 and 15.5 ft. Ms. Graham stated that although the Lake can hold more water for short periods of time, it is not the best place to store water long term as Lake ecology would be negatively impacted. Ms. Graham asked if there was a map and a breakdown, by basin, of the operational pieces of land that are currently storing water. Ms. Lewis referred to the project prioritization document that would be distributed later in the meeting containing a listing of dispersed water storage projects and their locations within the watershed and stated that she would supply Ms. Graham with per basin information in the future.

Karson Turner, Hendry County, stated that when the program was first established he went and spoke to large land owners in Hendry and Glades counties and they were hesitant at the start of the program because they did not understand how it would benefit them. Commissioner Turner stated that he believes the Nicodemus Slough project is a success even though there was a lot of back and forth but the project is

functioning as designed and suggested high lighting the program in a more marketable way that shows how the program works by converting discussion points to layman's terms to attract more landowners to the program. The Commissioner stated that since there has been some established success it might be a good idea to revisit certain areas and legislators to provide additional, easy to comprehend information to gain further buy-in and demonstrate that there are some low hanging fruit that can be easily taken advantage of.

Mike Collins said that he also spoke to some landowners in the area and one of their legitimate concerns is based on the S-9 case in which the District was confronted by the Environmental Protection Agency (EPA) who was insisting that every structure in America needed a NPDES permit which would have put landowners in the position of being responsible for cleaning up the water related to any structure on the farm that was part of the program. Mr. Collins said that the case has yet to be resolved and is still pending. Mr. Collins said that the attorney's for some of the landowners were the ones who approached him with these concerns. Mr. Collins continued that Waters of the US is a topic that WRAC members should be briefed on because seemingly every body of water in the US, rather than navigable waters in the US, is subject to regulatory authority of the EPA which may have some significant impacts on the works of the District.

Joshua Kellam asked if there was an option to participate in the program for less than the ten years she spoke of earlier. Ms. Lewis replied that although that has yet to be done, it is possible and informed members of both parties' analysis of the period of return so that benefits outweigh construction costs. Mr. Kellam stated that farmland continues to rise in value and presumably will continue to rise as the demand for food continues to go up, but once a landowner enters into an agreement, do they have the option to convert their land back to its original use in order to take advantage of opportunities in the market or will they have become subject to regulation because their property has regained some form of natural stature. Ms. Lewis responded that termination clauses within each contract allows landowners or the District to give termination within 30 days so even if the contract term is long there are provisions to terminate. Ms. Lewis said in regards to reversion, contracts contain a reversion clause, that were a part of the negotiations that took place with the USACE on the regional general permit, that allows landowners to return to original baseline conditions as long as they are established up front and documented before construction for both the District and federal purposes.

Mark Perry asked if water quality of water stored on sites selected for the program was to be considered when transferring those waters back to surface water bodies such as the C-23. Ms. Lewis replied that generally those waters will not be transferred back as the water is not deep enough and will dissipate due to evapotranspiration and seepage.

Doug Bournique clarified that the permit being discussed earlier does not apply to water farming to which Ms. Lewis agreed.

Joe Capra thanked Ms. Lewis for her presentation and applauded the agricultural community for getting on board with this program. Mr. Capra stated that he recently saw an article related to the subject in Florida Trend and it is important to continue to

get the message out about these types of successes. Mr. Capra said that in the St. Lucie basin discharges are coming in from the C-23, C-24 and C-25 which present problems for the estuary, so these public-private partnerships help provide some relief. Mr. Capra said he appreciates the rapid implementation aspect of the program which is important as there is a revolution happening in Martin County and people are fed up with not being able to use the St. Lucie River. Mr. Capra presumed that utilities can help in a public/public partnership as they seem to have more money than cities and governments and asked what group the utility would fall under if it were interested in purchasing large amounts of land and wanted to build reservoirs or other water facilities. Mr. Capra stated a municipality in St. Lucie County has recently purchased some land and may want to participate in the program and asked how they would go about doing so. Ms. Lewis responded that if the question was in regards to interim use, the District tries to establish cooperative arrangements in an interim fashion with other public entities, such as counties and cities and an interested party should simply contact the program for guidance or assistance.

Doug Bournique said that as the program has evolved there has been increased interest in water farming in Martin, St. Lucie and Indian River counties and as far away as Jacksonville. Mr. Bournique shared that utilities are looking for water sources everywhere and this is a future water supply that is not wanted in the Indian River Lagoon. Mr. Bournique stated that the priority is to protect the lagoon and then the excess water can be used to rehydrate the area, help agriculture, help utilities, and help future water supply. Mr. Bournique opined that everybody wins and stored water can be put to future uses.

Newton Cook stated that as Executive Director of the United Waterfowlers of Florida, there is nothing he would rather see than as much land as possible covered in two to four feet of water, however, current federal government overreach, namely the EPA is scary. Mr. Cook commented that landowners need to be told that once they install boards on their property and their land has then been transformed to some sort of water body that can be connected in any way to a priority water body they may lose control of their property as the EPA could determine the property to be a wetland. Mr. Cook stated that without someone issuing a strong ruling guaranteeing the right to drain the property and reestablish its original use, he would be reluctant to participate in this program. Mr. Cook said that WRAC needs to look closely at the program.

Karson Turner stated that Mr. Cook's point is the primary reason he gets for lack of program participation in his area as the public is extremely nervous that the EPA will overtake properties that have been passed down to owners for generations. Commissioner Turner reiterated his earlier comments that with some successes to show there needs to be some marketing done by the District outlining the program and how it fits into property owner interests. The Commissioner thinks that the timing is right to revisit some large landowners that had previously expressed concerns and explain the benefits to they would receive from participating in the program. Commissioner Turner believes that there are large parcels of land that are sitting idle or being overtaken by exotics that can be enrolled in the program to provide benefits to the entire system in a rapid and cost effective manner.

Josh Kellam sought further assurance that land enrolled in the program will have the opportunity to revert to its original use once the contract is completed or the parties come to an agreement to terminate. Ms. Lewis stated that lands associated with the ranchland program are subject to a regional general permit administered by the USACE and encouraged everyone to read the terms and conditions in the permit along with the associated consultation key so that individuals can determine for themselves the level of protection offered in the permit.

Mark Perry stated that perhaps a lot of the land owners participating in the program are agricultural land owners and under agricultural exemptions it is highly unlikely that those properties would be determined to be wetlands because they are storing water on parts of the property, but understood the concerns of farmers and their need to be assured that their land is protected.

Doug Bournique stated that the Indian River Citrus League has met with staff from the Vero Office of the US Fish & Wildlife Service (FWS) who assured the League that they were in complete understanding of the program and would cooperate with both the St. Johns River Water Management District and the SFWMD on the issue and that landowners are entitled to go back to the original footprint. Mr. Bournique stated that he felt comfortable that the FWS understood the program to be a winning situation for all parties and would not block landowners from returning their lands to their original state. (Sidebar conversation – off mic.) Mr. Bournique referenced the Safe Harbor Act which contains enough provisions allowing owners to return to their original footprint.

Dan DeLisi, District Chief of Staff, informed WRAC members that the agency is working and engaged on the Waters of the US Rule and offered to bring the item back as a WRAC presentation. Mr. Moran agreed with Mr. DeLisi's offer to bring a future presentation on Waters of the US to WRAC.

Newton Cook said the problem is not the FWS or the FWC, it is the EPA and once connectivity is shown, even under ground, there is the possibility the landowners will lose control. Mr. Cook stated that he is a proponent of the program, but also a proponent of the property rights of the landowner and feels that landowners need to be forewarned of any possibility that they may lose their land if they participate in the program. Mr. Cook agreed that a presentation on Waters of the US was in order.

Jane Graham stated that earlier Mr. Yoder spoke to permitting issues and stated that there are growing pains associated with this new program, however, the agencies can work through these issues with the USACE and FWS. Ms. Graham stated that there were two cases in the US Supreme Court that conflicted with each other leading to the EPA's proposal of the Waters of the US Rule which clarifies key issues. Ms. Graham stated that the Everglades Coalition which is comprised of over 50 organizations including Audubon is supportive of this rule moving forward. Ms. Graham stated that these organizations see the rule as necessary to clarify how waters are treated and provide a definition of jurisdictional wetlands so that land owners can have some clear direction. Ms. Graham stated that this rule does not regulate a ditch in the middle of someone's property that's not connected to anything and there is a lot of misinformation going around which needs to be clarified because the rule will help everyone in the room and is open to further discussion related to the rule specifically.

Bubba Wade, US Sugar Corporation, disagreed with Ms. Graham and stated that every attorney that he's spoken to and a consensus letter from the House and the Senate talks about the exact opposite of those statements. Mr. Wade stated that the rule would include ditches that had never been included before. Mr. Wade said that when the final rule was released it was a big deal to the EPA that they removed "transient puddles" from the language and there needs to be a briefing on the issue as it affects everybody. Mr. Wade agreed with the sentiments of Mr. Cook and addressed Mr. Bournique by stating that as a representative of US Sugar, he would not be comfortable converting lands to a reservoir unless he had a written document from NRCS that a wetland determination would be completed at the end of the contract period certifying that his property can be converted back to its original state and not determined a wetland, a written document from the USACE that they would not determine the lands to be wetlands, and the same written document from EPA.

Commissioner Shelley Vana stated that government officials manage change. Ms. Vana stated that she envisions houses on the piece of land representing the amount of storage of the dispersed water management program depicted in Ms. Lewis' presentation. Ms. Vana stated that all kinds of changes could take place on this property and asked if the water being stored on these properties is being considered long-term and if so then it may be wrong to do it this way, however if the goal is a short-term fix then the program is good. The Commissioner drew a comparison to putting a thousand buckets in your house because your roof needs repair and eventually the number of buckets will cost more than repairing the roof. Commissioner Vana stated that it is important to determine the true purpose of the program and if this program is meant to be counted on as long-term water supply and if so, the bigger problem needs to be addressed.

James Humble, Miami-Dade Agricultural Practices Advisory Board, stated that it was indicated to the people located near the C-11, that if the structure began to cause flooding or other issues, the board would revisit the topic, but the follow-up never occurred. Mr. Humble agreed that there are exemptions in the wetlands law and in Dade County a permit must be obtained even if the organization is in agriculture because the county does not recognize the agricultural exemption on land in the county. Mr. Humble continued that the last permit issued by Miami-Dade County for normal farming activity was in 1984 and since then every permit application has been challenged and the applicant told that certain things were not exempt in Miami-Dade County. Mr. Humble stated that he does not buy in to the program because he sees people that are possibly looking for a revenue source on their land on a temporary basis and the possible repercussions of participating in the program are long-term. Because a public official can make promises today, but a future public official cannot be held to those promises. Mr. Humble contended that private land owners should be extremely cautious if they plan to enter into an agreement because there is a possibility that as time goes on, the agreement they entered into will not be upheld. Mr. Humble reinforced his comments by stating that the USACE will not revisit the C-11 project in the manner promised based on the premise of causing a deviation to the original plan.

Joe Capra stated that he agreed with the concerns for property rights. Mr. Capra stated that for \$77 per acre on the Caulkins land it must be presumed that participating in the

program is much cheaper than buying the land and building a reservoir and assumed that any of these projects would be considered from a cost-benefit standpoint to determine if the undertaking is a good deal. Mr. Capra compared the program to leasing cars and stated that it is another tool in the tool chest that should be used.

Bubba Wade clarified that he is not against dispersed water management and stated that it is a great concept that has been discussed at the District for the last ten years and it is good to see it finally coming to fruition. Mr. Wade said it should be left to the individual landowner to determine their risks. Mr. Wade continued that the big picture or a 100,000 foot view and would like the staff to produce a map of northern everglades plan that shows the projects north of the Lake that are already in place and what has been accomplished because that plan originally stated that there was a need for 800,000 to 1,100,000 acre-ft of storage and reservoirs and when divided by four because of dam safety standards and other issues that's 250,000 acre-ft of storage and reservoirs. Mr. Wade stated that in the Everglades Agricultural Area there are already 120,000 acres converted but in the north there is a need for two or three times the amount of land currently being converted to storage and reservoirs in the EAA. Mr. Wade stated that the map should also include dispersed water management projects north of the Lake, conservation lands purchased north of the Lake that cannot be used due to easements and government lands that cannot be used such as Avon Park Bombing Range because the issue needs to be looked at holistically. Mr. Wade stated that dispersed water management sounds great and is a popular concept today but it does not solve the issue as Commissioner Vana stated. Mr. Wade stated that stakeholders must stay focused on the resolving the entire issue of what needs to be done north of the Lake to keep 4,500 square miles of from going into a 700 square mile Lake with water that achieves the numeric standards. Mr. Wade said that a lot more reservoirs, Stormwater Treatment Areas (STA), and some sort of water quality treatment technology to help accomplish the issue in its entirety. Mr. Wade continued that neither dispersed water storage, STAs, nor reservoirs on their own would achieve the goal of rehabilitating the system. Mr. Wade reiterated that he wants to see a map depicting the 100,000 foot view of the issue and a status of what has been accomplished to date, especially in the north end of the system.

Mike Collins stated that the number is 2.5M acres of land needed for storage and reservoirs north of the Lake. He stated that if 800,000 acre ft of water is storage is required which can only be held at three ft deep, the total land required for storage and treatment is 2.5 to 3M acres as opposed to the 200,000 to 300,000 acres Mr. Wade stated in his earlier comments which is impossible.

Temperince Morgan, Director of Everglades Policy and Coordination, SFWMD, responded to Mr. Wade's comments by stating that she would be passing out a map today containing all of the existing locations for dispersed water storage projects. Ms. Morgan continued that identifying opportune lands to apply the program would be a part of the Land Suitability Analysis that Ms. Lewis spoke about previously which will incorporate GIS mapping to allow staff to see where the opportunities exist as well as where they do not. Ms. Morgan said that information will then be tied into the total storage analysis for north of the Lake helping to answer some important questions. Mr. Wade asked would the analysis include the east and west basins to which Ms. Morgan

stated that it would eventually include the St. Lucie and Caloosahatchee basins, but analysis is needed north of the Lake first for obvious reasons.

Mike Collins stated that the Central Florida Water Initiative is also evaluating the northern Everglades storage issue and the initial bill is estimated at \$3B just to deal with the central Florida area. Mr. Collins said that discussing the need to store 800,000 acre-ft of water will require a huge amount of land to which Ms. Morgan made some excellent points regarding getting a good start on conducting an analysis of available land in the region. Mr. Collins asked stakeholders to keep in mind that a self-proclaimed 100,000 acre National Wildlife Refuge in the middle of the northern Everglades that is not going to be usable for storage. Mr. Collins agreed with Mr. Wade that it is time that a 100,000 foot view of Everglades Restoration was taken in consideration with all of the individual pieces that do not seem to fit together. Mr. Collins said CFWI, dispersed water management and the 100,000 acre wildlife refuge are all pieces that need to come together for the greater good of the whole effort.

Mr. Moran stated that Ms. Lewis spoke about cost effectiveness of the program in the range of \$77 to \$147 per acre-ft per year on private lands, but did not provide an estimate of the cost of the program on public land. Ms. Lewis stated that according to an draft/interim audit report on the program, \$5.71 per acre-ft is given as the estimated cost on public lands. Mr. Moran stated that he understands the primary purpose of the program to be flow attenuation for water that must be dispersed to the estuaries and his evaluation at the 100,000 foot level is how much effect does the program actually going to have on the water that gets dispersed to the estuaries versus how much it costs and is it worth the effort. Mr. Moran hopes that the analysis reveals this information so that it can be determined if moving forward is the proper course to take.

Kimberly Lawrence, Osceola County, Alternate for Michael Harford, asked if the lands being evaluated would include all state lands and all government owned lands because there are other lands owned by counties and cities that are being considered for water quality projects that could be used for dispersed water storage and approaching these entities might be an alternate way to go. Ms. Lawrence stated that the biggest obstacle faced by Osceola county is the engineering that must be performed and obtaining permits and offered that if the District is willing to contribute to those items she believes many local governments would commit to building these projects.

Public Comment

Bob Ulevich, Indian River Citrus League, stated that his two issues of primary concern are the ideas of reconnecting the SJRWMD and the SFWMD formulated in 1998 and its by-product, water farming which became a concept in 2009. Mr. Ulevich stated that in regards to deep water storage, the regional reconnection and attenuation of the two water management Districts provides that deep storage and water farming will help get to that point. Mr. Ulevich said that when the idea was first presented, three big issues came to mind as a representative of agriculture; 1. Wetlands (need a get out of jail free card), 2. Endangered species (need a get out of jail free card), and 3. Property assessments which are critical before moving forward because you could have a property in Martin County that is now generating \$500,000 worth of revenue with a property appraiser and tax collector saying that this is formerly abandoned land that

perhaps needs to be re-evaluated. Mr. Ulevich said that since the proposal of Waters of the US, this needs to now be evaluated in relation to the program. Mr. Ulevich said that those issues still exist and there needs to be clarification on them before moving forward. Mr. Ulevich said that he read the letter regarding the Florida ranchlands and it is specifically applicable to those sites with no conveyance to the upper east coast and that needs to be clarified because if anybody approached him to ask advice he would have to tell them not to participate until they had those get out of jail cards. Mr. Ulevich continued that part two to the issue is endangered species and if the land owner creates a habitat that promotes new species, some of which may be endangered, then the property owner must be paid to maintain it but must have in writing, the ability to convert back to the original permitted footprint without penalty. Mr. Ulevich stated that he is the biggest proponent of water farming, but until that is in writing, the landowner is at risk. Mr. Ulevich referred to a link on the District website that contains a comprehensive description of the dispersed water management program, maps, and information on each project currently enrolled in the program. Mr. Ulevich stated that he recently sat on a panel that presented a Water Quality Site Selection Tool developed by University of Florida graduate students and NRCS that allows you to look at a particular site and analyze it for appropriateness before investing a lot of time or money. Mr. Ulevich concluded that he is looking forward to a WRAC discussion on the regional reconnection within the next few months.

Martha Musgrove, Florida Wildlife Federation, addressed questions about land reversion by stating that federal law had to be changed to make the FRESH program work because no rancher is going to take his land and agree to make it a wetland where an endangered species can move in and be stuck with a wetland on his property. Ms. Musgrove contended that because of this state law had to change and was by a bill introduced by Representative Steve Perman and both laws are the same in the sense that any property owner that is willing to go into contract must document the existing status of the land and then at the end of the contract period the property can revert or at any time during the contract the public can terminate or the property owner can terminate and at that point whatever condition existed prior to the changes made to store water, the landowner has the right to restore their property. Ms. Musgrove stated that both federal and state laws refer to the right to revert. Ms. Musgrove continued that even though she has not kept up with Congress, she is sure that no changes have been made since the approval of the law as the action would have been discussed at the Ecosystem Restoration Task Force meetings. Ms. Musgrove stated that since the Secretary of Agriculture sits on the Task Force, the USDA and other federal agencies are taking a more active interest in many areas. Ms. Musgrove suggested that people who are very concerned about the Waters of the US Rule check out the EPA's "Ditch the Myth" website and although there are controversial elements related to both environmental and farming, the EPA does try to clarify the extent of the reach of the Clean Water Act.

Jacqui Thurlow-Lippisch, Town of Sewall's Point, said she had an opportunity to visit the Caulkins Citrus water farm with Governing Board Vice-Chair Kevin Powers and Dr. Gary Goforth and the experience was incredible. Commissioner Thurlow-Lippisch said the property is next to C-44 canal and the water can be pumped right onto the land and a berm is built around the entire site that is being filled up with water. The Commissioner stated that hundreds of dead citrus trees can be seen at the site and birds and other

wildlife do visit that land, but people like her are offered hope that the Indian River Lagoon that is dying before her eyes, can be saved if something is being done now to try and protect it. Commissioner Thurlow-Lippisch stated that she would love to see water stored north of the Lake or south, but it is not happening, and what can happen is what is happening around the table today and these small steps can add up to bigger and better steps in the future. The Commissioner closed by urging support of the program.

Len Lindahl commented that this has been a good discussion and as the program grows and develops these types of open dialogues are important. Mr. Lindahl stated that the discussion has led to a number of topics that staff can come back to WRAC and report on, such as reversion and Waters of the US. Mr. Lindahl reiterated that as a program like this grows these dialogues are very beneficial.

4. Draft Lower Kissimmee Basin Water Supply Plan - Cynthia Gefvert, Section Leader, Water Supply Planning Unit, Water Resources Division, SFWMD

WRAC Member Comment

Joan Lawrence, US Department of Interior, asked if the CFWI water supply plan, when complete, would be modeled with the modeling done for the LKBWSP. Ms. Gefvert responded that it would probably be done when the LKBWSP is updated in five years. Ms. Lawrence expressed concerns that impacts of the projects in CFWI are known in relation to the LKBWSP. Ms. Lawrence stated that she understands that at the conclusion of the Kissimmee Restoration Project there will be a new regulation schedule called the Headwaters Revitalization Regulation Schedule and asked if it will be modeled in with the LKBWSP and the CFWI water supply plan. Ms. Gefvert responded that the next plan review will be in five years and take into account all water supply plans for possible impact and at that time, in light of new information, plans might be amended.

Jane Graham stated that Audubon FL has had an opportunity to review the Plan and there is a lot of good information within and will work with District staff to refine some of the language in the Plan. Ms. Graham commented on the need to rejoin the Upper and Lower Kissimmee Basin water supply plans once the CFWI water supply plan is complete and stated that the watershed is connected and Audubon scientist, Dr. Paul Gray, said that it is hard to look at in a segmented fashion, so Ms. Graham hopes to rejoin the pieces in the future so that a watershed-wide approach is utilized.

Public Comment

No public comment.

5. C-51 Reservoir Update - Jeffrey R. Kivett, P.E., Director Operations, Engineering and Construction Division, SFWMD

WRAC Member Comment

Joan Lawrence asked if the reservoir evaluation, which Mr. Kivett stated analysis on interaction with the Stormwater Treatment Areas and Loxahatchee River Watershed Restoration Projects, included CERP components and their interaction with the reservoir as well. Mr. Kivett clarified that the Loxahatchee is the CERP component of the project. Ms. Lawrence asked if the water supply benefits mentioned in the presentation included environmental water supply and water supply for utilities. Mr. Kivett explained that Phase I of the project is strictly for utility use for domestic or industrial water supply or whoever wants to sign up with Palm Beach Aggregates to help fund the project. Mr. Kivett continued that the current phase is not being targeted as an environmental water supply, however, there may be times in the future, due to its interconnection with the L-8 which is designed for environmental water supply, and depending on timing and water availability, the C-51 Reservoir could serve as an enhancement to the environmental system if the utilities do not need the water for their immediate needs.

Shelley Vana asked for clarification on the chloride levels in the water and how to get the right information to the public. Mr. Kivett explained that during the original processing of material from L-8 and permit restrictions, all water had to remain on-site so as materials were excavated from very deep and washed reusing the same water, residual chlorides on the material built up and because there were no water inflows or outflows the amount of chlorides measured continuously rose because it remained stagnant for about seven years. Mr. Kivett continued that since construction began on the site there has not been a return to the level of chlorides previously noted and chloride levels are continuing to go down. Mr. Kivett said that once the project is in operation, surface water which carries higher level of chlorides at times, will be brought in but at far lower levels than were originally measured in the mine. Mr. Kivett stated that there are no anticipated issues with chlorides in the reservoir and in the C-51 reservoir at depth minus-20 is not as deep as the L-8 reservoir at minus-53 there is less concern about chlorides in the C-51. Mr. Kivett concluded that based on real-data and the amount of seepage and the water that is coming in, there are not any issues with chloride levels associated with ground waters seeping through the reservoir.

Newton Cook stated that he likes to compare project to project, cost to cost and efficiency to efficiency and calculated about 60,000 acre-ft of storage in the C-51 reservoir which is equivalent to about 20,000 acres of Water Conservation Area property and is also equivalent to everything listed in the public lands projects and private lands projects in the entire dispersed water management program so one project accomplishes as much storage as the many projects in the water farming program. Mr. Cook said that although one project may not be better than the other it is a project that accomplishes a large amount of storage within a small footprint and should take priority.

Barbara Miedema asked for clarification of the District's role in the C-51 reservoir and if there were direct costs to the District, as it is her understanding that the reservoir is a private undertaking. Mr. Kivett responded that the only costs to the District was Governing Board approved staff time dedicated to the project due to the efficiency of utilizing the agencies knowledge of the system, modeling experience, and comparative analysis capability which will be reimbursed by the utility once the facility becomes operational. Len Lindahl added that since the MOU was signed in May of 2013 a year's worth of work and meetings have taken place and this presentation is meant as a timely

update due to the activity that is beginning to take place associated with the project and an interconnect and stated that Ms. Miedema is correct in stating that Palm Beach Aggregates is responsible to finance, recruit utilities and generate demand while the District's focus is for the regional system as far as integration and operation.

Mike Collins stated that the District spends a lot of staff time redoing and rerunning models because people in advocacy groups do not like the results they get the first time and the idea that this is not in the public interest is problematic. Mr. Collins commented that one of the fundamental problems that was trying to be resolved while undergoing the restudy was a competition that existed and continues to exist between the water that is needed for the natural system and the water needed for the natural growth taking place in Florida. Mr. Collins continued that at one point, Miami-Dade Utilities approached the District to get a consumptive use permit for an additional 100mgd of water immediately adjacent to the Everglades which would have negated much of what is currently being done for Restoration. Mr. Collins said thanks to the County Commission and Mr. Yoder, a plan was devised that would not be in direct competition with the natural system. Mr. Collins addressed Ms. Lawrence's comments regarding environmental benefits by stating that there is a huge benefit to reducing the competition and a project like the C-51 reservoir, even though it is a private project designed to provide water to utilities, because of its location will reduce the competition all the way down the eastern perimeter of the Everglades and into Miami-Dade. Mr. Collins stated that getting the media to provide accurate data regarding chlorides in the reservoir is a long-standing issue especially when the inaccuracies are viewed as more newsworthy. Mr. Collins stated that developing sources of alternative water supplies within the framework of District responsibility is a huge responsibility that must be met if the natural system is to be protected and utilities need an alternative to taking water out of the aquifer so any of these types of alternative water supply projects go far beyond a simple calculation and more time and effort should be devoted to development of these projects if problems in the Everglades are to be resolved.

Doug Yoder said that Miami-Dade Water and Sewer has been closely following the C-51 reservoir project and it raises some interesting questions. Mr. Yoder stated that from a utility perspective, the project has only been considered as being feasible to the utility if the project would essentially provide a guaranteed source of water for a sufficiently long period of time so that it would be reasonable to amortize the utility's investment in the project. Mr. Yoder said that he is not totally clear that the District's commitment, in terms of a water allocation that relies on the investment made by a utility for these improvements, serves as a guaranteed commitment for the life of the utility or exactly how the allocation would work. Mr. Yoder suggested that any utility that is willing to pay for the project is interested in knowing how the District perceives the water supply commitment going to participating utilities as a result of the project in terms of an indefinite water allocation. Mr. Yoder assumed that the reservoir will function similar to an ASR where water is captured during the wet season when utilities will presumably have sufficient water to meet their needs and water stored in C-51 will be released during the dry season when utilities need water for consumers and asked if there were conditions associated with the allocation. Mr. Kivett responded that the governance of allocations will be undertaken by Palm Beach Aggregates in coordination with the utilities and the District is providing maintenance costs and other operational information, however the District does view the project as an alternative water supply

and will issue a consumptive use permit which must include demand projections, the one-in-ten year standards and same cut backs related to Lake water levels.

Jane Graham understood that the project will provide benefits through attenuated flows to Lake Worth Lagoon and asked for clarification on the issue. Mr. Kivett responded that the unwanted water that is currently going into the Lagoon by way of the C-51 canal system will be withheld in the reservoir which is an inherent benefit to the Lagoon because the reservoir can be used as a water supply catchment area.

Joe Capra stated that he assumes depends on residential wells for service to the property owners in the area and has heard concerns that excavation could cause some of the water in the existing wells or surrounding canals to drop and assumed that, through modeling, this information has been verified or a model has been developed that confirms that water levels will not drop in association with the project. Mr. Kivett said that District staff has gone one step further in that the L-8 is much deeper and farther drawn down than the C-51 located on the west side, so detailed modeling has been done on the L-8 to determine any impact to the adjacent communities based on intended operation of the FEB. Mr. Capra asked if the District, utilities, or Palm Beach Aggregates would be responsible if there were a determination that operating the reservoir impacted the surrounding community. Mr. Kivett said that the responsibility lies with Palm Beach Aggregates until the utilities took the project over and at that point the utilities would be responsible. Mr. Kivett stated that District staff has been in talks with Palm Beach Aggregates to develop a contract that outlines the standard operation and maintenance of the facility including things like fuel and indexes for escalation but there would be a "true-up" of what was actually spent and some type of reserve so that if something breaks or something that needs to be done, the utilities would have the funding in place to deal with the issue but it would never be the District's responsibility to go in and pay for any types of fixes that may come up. Mr. Capra said that looking at the numbers in the presentation relative to 17,000 acre-ft at a cost of \$150M-\$186M would come to about \$10,900 per acre-ft compared to the \$77 per acre-ft associated with the cost of the DWM program and said the cost is about 143 times the cost of dispersed water storage for this type of project which points out that utilities have more money than the agricultural community on this issue and perhaps could provide a little more storage for agriculture. Mr. Yoder said that one of the alternatives is a permanent solution opposed to the other that is temporary. Mr. Kivett responded that part of the math that is missing in that calculation is the life of the permit so the \$10,900 per acre-ft should be divided by a 41-year permit, so the length of the permit and the residual use of the project must be included in the calculation. Mr. Capra stated that bang-for-the-buck and consideration for what is needed today, the Dispersed Water Management program still makes sense and is less expensive to initiate especially in light of the District's financial ability to undertake large water storage projects such as the C-51. Dan DeLisi interjected that it should be taken into consideration that the \$77 per acre-ft calculation is a per year calculation for DWM, unlike the cost associated with the C-51 reservoir which is for the life of the project. Mr. Capra contended that the DWM program still goes a long way to relieve the estuaries of massive Lake releases or basin run-off of poor-quality water.

Mark Perry stated that there is a confluence of water in this area coming down from West Palm Beach canal, the L-8 canal, the L-8 Flow Equalization Basin and now the

connection to the C-51 Reservoir and asked if this added an additional 61,000 acre-ft or what the total amount of water will now come in to the watershed out of the C-51 and if this was to truly try and prevent water from going out the Lake Worth Lagoon. Mr. Perry asked for an explanation of total water coming together at this point. Mr. Kivett responded that the best thing about this location is that the C-51 is going out to the east with the S5A and the West Palm Beach canal going west and the L-8 canal going north in addition to having the S5A and S319 Pump Stations which all work together to provide a lot of power to move water. Mr. Kivett said that there is a pot of water that was set aside in Restoration Strategies planning dedicated to the Loxahatchee that once deducted from the water dedicated for other uses left a surplus of water that was to be sent to tide through the Lake Worth Lagoon that could be stored for additional water supplies through the Consumptive Use Permit (CUP) process. Mr. Kivett stated that water dedicated to Loxahatchee River water supply and water quality in the Stormwater Treatment Areas (STAs) will not be used for the utilities project and after its allocation there will be excess water remaining in the system more than enough to satisfy the needs of all users both public and environmental. Mr. Kivett stated that at the end of Phase II of the project there would be approximately 90,000 acre-ft of water available in the system.

Jason Liechty, Broward County (Alternate for Kristin Jacobs) expressed Broward County's appreciation to the District, Palm Beach Aggregates, Palm Beach County and all utility partners for working together on this innovative and elegant solution to some of Broward's alternative water supply needs.

Mike Collins said that dispersed water storage and deep water storage are not comparable because the aim of deep water storage solutions is to store enough water in the wet years to buffer water shortages in the dry years which is important to utilities for obvious reasons, but especially important to the natural system. Mr. Collins stated that the group's goal is to take the hard edges off the years where there is too much water or the year's where water is lacking to provide relief to the estuaries and the Greater Everglades. Mr. Collins continued that both dispersed water storage and deep water storage are necessary to get close to achieving system needs. Mr. Collins stated that a big issue when looking this new solution is governance such as how the District would go about allocating the permits which staff has done a good job of figuring out and the utilities will have to work out among themselves with Palm Beach Aggregates, but the benefits up and down the entire eastern side of the Water Conservation Areas (WCA) and Everglades National Park lends itself to looking for opportunities to implement similar projects.

Mr. Moran asked about a timeline going forward and asked if the project is contingent on demand such as enough utilities signing up and needing the water. Mr. Moran asked how many utilities have already agreed to participate and how many were needed to make the program successful. Mr. Kivett stated that these questions are best answered by Ernie Cox, Project Manager, Palm Beach Aggregates, but currently no utilities have signed on, but many are engaged in discussions and development of the program. Ernie Cox stated that the current discussion hinged on Phase I which contains 17,000 acre-ft of storage producing 35mgd for public water supply. Mr. Cox stated that a relatively small group of utilities in the Lower East Coast that were in direct conversations with many of the utilities that funded the independent cost analysis and

each of them is in the process of reviewing the cost analysis, the Consumptive Use Permitting and modeling with the anticipation of going to Governing Boards of various utilities in the Fall with capacity allocation agreements . Mr. Cox thinks they are close to reaching the 35mgd demand for Phase I with Phase II set aside for future consideration.

Commissioner Vana asked when well modeling will be completed. Mr. Kivett responded that utilities would do the individual well field modeling once they determined their needs for alternative water supply and submit results to FDEP to receive CUPs, so each utility will determine the exact timeline of well modeling. Commissioner Vana asked if this option was cheaper than having to go to the aquifer for additional water supply to which Mr. Kivett concurred, according to the research. Commissioner Vana clarified that she is not opposed to dispersed water management, however it needs to be viewed as part of the solution and not compared to deep water storage which is different.

Bob Ulevich congratulated the group on the progress of bringing this project to fruition and expressed concerns with plumbing. Mr. Ulevich assumed that the L-8 canal was being used as a feeder canal for water supply to the C-51 and mentioned past integrity issues with L-8 canal conveyance capacity. Mr. Kivett said that there may be a problem in the north end of the canal but there is a project going out to bid that will address that concern by placing a divide structure just north of the pump station so that the District is only surcharging the lower end of the canal and not the entire canal all the way up to the Lake.

Jill Hoog, Keyes Realty, asked if the pump system in the L-8 adjacent to the C-51 have the capability to move water north because she thought the original design had water designated for the Loxahatchee River Restoration. Mr. Kivett responded that the purchase of the Mecca site allows water to be captured in the S18 basin just northeast of the Loxahatchee area as part of the Restoration Strategies replacement project. Mr. Kivett continued that another shallow reservoir along the C-18 is being added to address water quality concerns that will feed directly into the Loxahatchee River. Mr. Kivett said that water in the L-8 canal can be sent to the West Palm Beach pump station to bring it through Flowway 1 for distribution north if necessary but the main purpose of the reservoir is to provide water quality benefits to achieve 10ppb coming out of the STAs into the Loxahatchee Refuge. Ms. Hoog stated that there is a plan for 2,000 homes to be built in proximity to the C-51 reservoir and stated that there has been impacts to current residents when putting in the L-8 reservoir dropping the water table in the western communities causing problems. Ms. Hoog stated that right now it is rainy season and asked if the District would be finished with the project before the next dry season so people no longer have to be concerned with losing their wells. Mr. Kivett responded affirmatively and stated that modeling and monitoring would continue to ensure there is enough water in the system to maintain District operations and keep the community whole.

Kimberly Lawrence asked how much acreage involved in Phase I and Phase II of the project. Mr. Cox replied that the Phase I footprint is about 450 acres including the levees with Phase II at about 1,600 acres.

6. Staff Reports

Dan DeLisi announced the first Caloosahatchee Community Forum was held last Friday. Dan plans to report the outcome of that meeting to WRAC in September.

Temperince Morgan provided WRAC members a handout that summarized the outcome from the Restoration Project Prioritization effort that was conducted this year in coordination with the WRAC and Governing Board. The handout provides a comprehensive project summary table and maps depicting the location and categories for Restoration and Dispersed Water Management Projects.

WRAC Member Comment

Barbara Miedema asked if the District was working cooperatively with FDEP and the Florida Department of Agriculture and Consumer Services (FDACS) on the Lake Okeechobee BMAP so that all of the prioritized projects get wrapped up in the comprehensive plan. Ms. Morgan replied that the District is participating in the process and its being approached in five year and ten year periods so applicable projects that fall within these timelines are being considered and will be appropriately captured in the BMAP. Ms. Miedema asked that the WRAC receive an update on the BMAP. Ms. Morgan said that the District would be happy to work with FDEP to gauge the appropriate time to bring the topic to WRAC.

7. General Public Comment

General Public Comment

John Arthur Marshall, Arthur R. Marshall Foundation for the Everglades, stated that the organization is science based and stated that page one of the CERP document contains language that states “will restore natural flow.” Mr. Marshall stated that it has been a long time since that has been recognized and the current social mantra is “move water south” which goes hand and hand with restoring natural flow. Mr. Marshall stated that non-governmental organizations feel that the Central Everglades Planning Process (CEPP) comes closest to the vision that Art Marshall had of restoring flow to the maximum extent practicable which has hit a funding stumbling block. Mr. Marshall asked for the status of the Negron proposed University of Florida study and suggested that a presentation on the topic should be considered for a future WRAC meeting.

Final WRAC Member Comment

Mark Perry asked for a status update on Ten Mile Creek.

Bubba Wade clarified for the benefit of growers in the region, that he is not opposed to dispersed water management program and would never tell another agricultural land owner what he should do with his property. Mr. Wade stated that he is in favor of the dispersed water management program and it is up to each individual land owner to determine risks of future use and permits. Mr. Wade said that from the 1,000 foot level he wants to know how dispersed fits in and more importantly he'd like a progress report on the program that reports on its successes or shortcomings relative to the goals of the Northern Everglades Plan particularly for projects north of the Lake. Mr. Wade added

that Waters of the US may affect the program and asked for a presentation outlining its impact on restoration activities.

James Humble (some portions inaudible) expressed concern with unforeseen possibilities associated with the dispersed water management program.

Bob Ulevich said he spoke to Ms. Lewis and Mr. Meiers about posting a link to information on the dispersed water management program to the District website. Mr. Ulevich suggested that it would be advantageous for WRAC members take a field trip to the upper east coast when some of the projects discussed were operational. Mr. Ulevich referenced an agreement between a former District Executive leadership (Melissa Meeker and Tommy Strowd) and the Indian River Citrus League that public lands in the upper east coast would be evaluated for optimum uses. Mr. Ulevich said that it might be good to review SB536 in relation to dispersed water management, alternative water supply and water reuse. Mr. Ulevich encouraged the District to continue to monitor sea level rise as it relates to operation of the system.

8. Adjourn

Chairman Moran announced that the next WRAC meeting is scheduled for September 4th at 9 AM and a WRAC Recreational Issues Workshop is scheduled for September 15th at 5 PM, both at District headquarters.

The meeting was adjourned at 12:04 pm.