

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD)
WATER RESOURCES ADVISORY COMMISSION (WRAC)
LAKE OKEECHOBEE COMMITTEE MEETING
Wednesday, October 29, 2008, B-1 Auditorium, SFWMD,
3301 Gun Club Road, West Palm Beach, FL 9:00 a.m.**

MEETING SUMMARY

AGENDA ITEMS:

- Member Issues
- Water Conditions Summary
- Lake Okeechobee Ecology Update
- Northern Everglades Plan and River Watershed Protection Plan Updates

Item 1: Welcome: Ms. Melissa Meeker, Chair, WRAC Lake Okeechobee Committee: Ms. Meeker welcomed everyone and said she is honored to have the opportunity to chair this group and looks forward to working on the issues. She introduced Diane Hughes representing FDEP, Tina Bond representing Osceola County; and new member John Winfree, representing The Nature Conservancy.

Item 2: Member Issues:

- Question about whether Picayune Strand water reservation rule would come to WRAC prior to going to Governing Board. SFWMD: It will be presented to Governing Board in November but will check on bringing it to WRAC in December. Draft rule language will be available next week.
- U.S. Department of Agriculture, Natural Resources Conservation Service (USDA/NRCS) gave a summary of 2008 Farm Bill Programs. Questions and Discussion followed.
- Martin County representative said the county had participated in the plan and will appeal changes. NRCS suggested those interested contact the State Director, NRCS to place a discussion item on the agenda of the next Technical Committee meeting, November 10. Discussed "EQUIP" program. FDACS: Comment that Everglades restoration identified in Farm Bill "Managers Report" as a priority so there will be opportunities for funding programs not in the previous Farm Bill.
- Chair: These programs have been of great assistance in helping the District acquire additional lands partnering with Martin County. It is important to make sure that the new program gives us continued flexibility.
- Member raised concerns about high water levels in Water Conservation Area 3, and impending closure of the S-12 structures to benefit the Cape Sable Seaside Sparrow. Much discussion, many questions. Several members stated these problems underscore the need to move more water south.

- United Water Fowlers representative handed out a flyer about urban turf fertilizer and said the group is drafting legislation for the upcoming session to require 0 phosphorous in urban turf fertilizer used in south Florida.
- Florida Farm Bureau representative said a provision requiring soil testing should be included. Need to use science to get to the goal of eliminating phosphorous runoff.
- Polk County is completing its final landscape irrigation ordinance and on November 1, will dedicate its new environmental education center on Lake Hancock.

Item 3: Water Conditions Update: Cal Neidrauer, Chief Engineer, Operations and Control Dept., SFWMD, provided an update on water conditions in the District. **Discussion:**

- Chair: Given Lake Kissimmee is below regulation schedule are releases necessary and do we measure amounts needed for base flow in Kissimmee River Restoration area? We don't need more water in Lake Okeechobee. SFWMD: Amounts needed are measured by our science groups and the releases of less than 300 cfs are needed for river base flows.
- Water is discharged below the Kissimmee River restoration area.
- SFWMD: Again these are low-level releases done in accord with the regulation schedule to benefit the Kissimmee River base flows and the river restoration.
- Miccosukee Tribe: Water levels in WCA-3 are so high you can airboat over the tops of the tree islands. It has been above schedule for four months and the tree islands are dying. Soon Everglades National Park, US Dept. of Interior will require S-12 structures to be closed due to the biological opinion on the Cape Sable Seaside sparrow, a single endangered species. This will be the tenth year that the S12 structures are to be closed. The USACE and SFWMD are being held hostage once again. Tribe asked the USACE and SFWMD to not close the gates.
- USACE: Working to everything possible to move more water south.
- FDEP: Gap at S12-D – how long before results will be evident? USACE: Plan to leave open until conditions in WCA-3 improve.
- Miccosukee Tribe: The “reasonable and prudent alternatives” for the sparrow have only caused further decline. US Fish and Wildlife Service issued an “incidental take” permit on the Snail kite, another endangered species. The Miccosukee Tribe filed a lawsuit on this issue ten years ago and asked the SFWMD to join but it could not.
- Questions and discussion about flows through the S-12 structures into Everglades National Park. SFWMD: S12 structures have been open all season. The operating plan calls for maximum discharges from WCA-3 and that is being done; however, the S-12s have never met their design discharge capacity. Maximum discharge has been 8,000 cfs which is only 25% of the design discharge capacity. This is primarily because the tailwater downstream of the structures does not allow enough capacity for

- increased flow of “get away water”. It is not just the federal criteria for the Cape Sable Seaside Sparrow. It is also this inherent problem.
- Question about the maintenance of the S-12 structures? SFWMD: That was accomplished at S12-B on a pilot basis, but again the tailwater problem enters in.
 - Miccosukee Tribe: Maintenance could not go very deep into the Park downstream of the S-12s (and culverts under Tamiami Trail) to provide more capacity for the get away water. WCA-3 wildlife (and tree islands that support a variety of endangered species) are being destroyed.
 - USACE/SFWMD: Working to create a gap at S12-D structure to provide more flow and lower WCA-3. This was done in 1994-95 and was effective in helping lower WCA 3 water levels.
 - Martin County representative questioned characterization of recent pulse releases as “low level”. Questions and discussion of terminology used in the Lake Okeechobee Regulation Schedule, 2008 (LORS 2008). USACE: term in LORS 2008 is “up to x cfs”. But will take back message about use of terminology.
 - Comment that USACE using flexibility provided by LORS 2008 to determine volume, timing and duration of pulse releases; not available in previous schedules.
 - Chair: Point is the estuary gets both the local basin runoff and the lake releases resulting in harm to the estuary. That is why we are pushing to complete the C-44 CERP project.
 - Comment that USACE and SFWMD should face fact that cannot restore system unless water is allowed to flow south as in the past.
 - USACE/SFWMD: Decompartmentalization and seepage management CERP projects designed to help get there.
 - Miccosukee Tribe chickees on the tree islands are flooding causing loss of cultural use, economic losses, etc. Homes on the reservation are being protected by flood control pumping. Need to do seepage management now.
 - Chair: Staff has to deal with the system and tools that are in place. Job (of Governing Board) is to evaluate adequacy of tools and provide additional tools to improve the system.

Item 4: Lake Ecology Update: Dave Unsell, Dir., Lake Okeechobee Division, provided the status of Lake Okeechobee health and restoration projects. Mr. Unsell introduced Dr. Paul McCormack, Chief Scientist, Lake Okeechobee Division. **Discussion:**

- Question about difference between 2004-05 hurricane impacts and Tropical Storm Fay impacts? SFWMD: Impacts probably significant but not seeing as much impact to vegetation as first thought. Prefer to see 6' – 1' rise in one month vs. 4'. FWCC: Not as much mechanical damage from wind impacts; sediment was not resuspended. Are seeing low dissolved oxygen in some places where there was high biological oxygen demand (BOD).

- Current status of fisheries? FWCC: Bass are scarce – seeing more snook than bass. Threadfin and gizzard shad are responding very well to availability of plankton. They are the building blocks in the fishery and were lost in the 2004-05 hurricane seasons.
- Martin County: Was lake ecology helped out by pulse releases?
- SFWMD: May not have been significant improvements from lowering the stages, but with Hurricane Ike threatening, needed to prevent possible additional harm. FWCC: Bumping it lower helped give aquatic plants chance to adapt. USACE: Releases prevented lake from going higher and conditions from getting worse.
- Does USACE have a fixed target where lake needs to be when next rainy season begins? USACE: No fixed target but rather a range of from 12.5' to 15.5'. We will be evaluating conservation measures as we come out of the hurricane season.
- Need to get Tom MacVicar and Charles Shinn on weekly decision-making calls. USACE: We called them on last pulse release call; at time of next call, they will be included.
- Chair: Average annual losses from evapotranspiration and water supply; e.g. we are at 15' now and can expect 14' in May? SFWMD: At end of dry season, using the middle 50% probability range, we'd be between 11.5' and 13.5' by June 1.

Item 5: Northern Everglades Plan and River Watershed Protection Plan

Updates: Temperince Morgan, Program Implementation Manager, Everglades Restoration, SFWMD: Ms. Morgan provided a summary of the comments received regarding the draft River Watershed Protection Plans, and said the plans have been well received in the recent public hearings.

Discussion:

- Martin County Commission has endorsed the St. Lucie plan and is working on a joint resolution with Lee County. It is comprehensive, puts together the essential elements, brings in local projects for stormwater retrofitting, urban and agricultural “Best Management Practices” and provides good estimates of nutrient reduction through project implementation. Good job.
- **Public Comment** : Who has responsibility for regulating areas with a large number of septic tanks? SFWMD: FDEP working with local governments to implement Basin Management Action Plans
- Martin County: In addition, the Florida Department of Health, working with local governments, is identifying “Red Zones” where septic tanks pose water quality problems for surface waters, and developing solutions for resolving those problems.
- One possible pilot program would be to take old septic tanks and convert them into cisterns.

- Comment: glad to see plans moving forward – they address the “quantity in/quantity out” equation, essential to effective water budgeting and planning.

General Comments:

- Tropical Storm Fay impacted the northern Treasure Coast greatly and some water moved from northeast portion of SFWMD into the St. Johns River Water Management District (SJRWMD). How is movement of water between the two districts being addressed?
- SFWMD: Met last month with SJRWMD and Indian River Citrus League. Problem was Fay dropped more rain than any system was designed to handle. Have asked that we jointly address similar problems through operations, e.g. not turn on all pumps at the same time. Some causes may be that improved technology allows more water to be discharged from farms than in the past. In addition, culverts and bridges have not been designed to move that much water. Have asked landowners to review their permits, pump capacities and efficiencies in both districts. Will look at best strategies for solving the problems.
- USACE project in the Upper St. Johns River basin did not account for any water coming from the south when it was planned and implemented. The State Road 60 structure may not be sized correctly for the impacts of discharges from the Ft. Drum marsh. It is a critical area that needs to be addressed.
- Questions have been raised about whether some of the impacts were caused by Kissimmee Basin waters moving east: too much tail water in the system may have forced it into the Upper St. Johns River basin.

Next Meeting:

- **Joint WRAC/Lake O Committee Meeting, December 3, Key Largo Hilton, 9:00 a.m.**
- **Please contact Sandra Gomez, WRAC Coordinator, (561)682-2047 not later than 11/14/08 to make arrangements for lodging.**

The meeting adjourned at 11:30 a.m.