



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING MINUTES

August 12, 2021

9:00 AM

District Headquarters - B-1 Auditorium
West Palm Beach, FL 33406

Attendee Name	Title	Status
Chauncey Goss	Chairman	Present
Ben Butler		Present
Ron Bergeron		Present
Charlie Martinez		Absent
Cheryl Meads		Remote
Charlette Roman		Present
Jay Steinle		Remote
Jacqui Thurlow-Lippisch		Present
Scott Wagner	Vice-Chairman	Present

1. Call to Order - Chauncey Goss, Chairman, Governing Board
Chairman Goss called the meeting to order at approximately 9:00 AM.
2. Pledge of Allegiance
Ms. Roman led the Pledge of Allegiance.
3. Attorney Client Closed Door Session
At this time, Chairman Goss called upon Ms. Ansay to announce the Attorney Client Closed Door Session pursuant to Section 286.011(8), Florida Statutes (2020).

Ms. Ansay announced the opening of the Attorney Client Closed Door Session at 9:05 AM. Ms. Ansay stated the Attorney Client Closed Door Session was called to discuss strategy related to litigation expenditures or settlement negotiations in Blue Goose Growers, LLC d/b/a Blue Goose Construction v. South Florida Water Management District, Fifteenth Circuit, Case No. 2018-CA-014544.

Ms. Ansay announced that Mr. Bergeron would not be attending the attorney client session and would be announcing an abstention because Mr. Bergeron's company, Bergeron Land Development, Inc., was selected prior to appointment to the Governing Board, as prime contractor for the C-44 Reservoir/Stormwater Treatment Area (STA) project.

Chairman Goss announced attendees of the Attorney Client Closed Door Session were: Governing Board Members: C. Goss, S. Wagner, B. Butler, J. Thurlow-Lippisch, and C. Roman; Executive Director D. Bartlett; General Counsel C. Ansay; District Attorneys J. Levine and R. Glass; Outside Counsel B. Kirwin, Kirwin Norris, P.A.; and, the court reporter.

Chairman Goss reconvened the meeting at approximately 10:40 AM.

At the request of Chairman Goss, Ms. Ansay announced there were no action items stemming from the Attorney Client Closed Door Session.

4. Employee Recognitions

Chairman Goss announced the attendance of Mr. Steinle and Ms. Meads who were participating remotely.

Mr. Bartlett presented employee recognitions for August Employee of the Month, Jenifer Barnes; August Team of the Month, Prescribed Burn Team; and, 30-Years of Service, Toni Turbeville.

Mr. Bartlett presented the Executive Director's Coin of Excellence to Col. Kelly, U.S. Army Corps of Engineers (USACE), for dedicated efforts partnering with the District.

5. Agenda Revisions

Ms. Byrd stated there were no revisions to the agenda.

6. Agenda Item Abstentions by Board Members

Mr. Bergeron abstained from attending and participating in discussion or actions stemming from item 3, Attorney Client Closed Door Session. Mr. Bergeron's company, Bergeron Land Development, Inc., was selected prior to appointment to the Board, as prime contractor for the C-44 Reservoir/ STA project.

7. Consider Approval of the Minutes for the July 15th Meeting

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charlette Roman
SECONDER:	Jacqui Thurlow-Lippisch
AYES:	Goss, Butler, Bergeron, Meads, Roman, Steinle, Thurlow-Lippisch, Wagner
ABSENT:	Martinez

8. Executive Director's Report - Drew Bartlett

Mr. Bartlett provided an update on the Old Tamiami Trail Road Removal Project event; Florida Fish and Wildlife Conservation Commission (FWC) Python Removal

Contractor Program awards; and, Lake Okeechobee System Operating Manual (LOSOM) Iteration 3 goals. Also, Mr. Bartlett announced the District had received the Key to the City of Pahokee for engaging with the Pahokee Marina to improve water conditions and remove harmful nutrients caused by algal blooms.

Board Comment

In response to Ms. Thurlow-Lippisch's questions, Col. Kelly elaborated on the next steps in the LOSOM process. Ms. Thurlow-Lippisch then asked when the new LOSOM iterations would be made available to which Col. Kelly stated by the end of August or September.

In response to Chairman Goss' question regarding when LOSOM would replace the Lake Okeechobee Regulation Schedule (LORS) - 08, Col. Kelly stated a final decision was expected during the calendar year of 2022-2023 when the National Environmental Policy Act (NEPA) and repairs to the Herbert Hoover Dike were both scheduled to be completed.

Col. Kelly thanked the Board and staff for partnership efforts with the USACE; introduced Col. James Booth, USACE, Jacksonville District; and, invited the Board and staff to attend the USACE Change of Command ceremony taking place on September 9, 2021.

9. General Public Comment

In-person:

Newton Cook, United Waterfowlers of Florida
Nyla Pipes, One Florida Foundation
Mike Collins

Virtual:

Addison Testoff

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10. Board Comment

Mr. Butler thanked the City of Pahokee for allowing the District to conduct research at the Pahokee Maria to assist with improving water quality conditions and thanked staff for the tour of the S-5A Pump Station.

Vice Chairman Wagner recognized the District's modeling staff for dedicated efforts with the LOSOM updates.

Ms. Roman provided an update on a FWC 5-year panther population review report; commented on the importance of wildlife corridors in south Florida; recommended staff consider utilizing a checklist to assess the need of wildlife corridors with future projects; and, thanked Lykes Brothers for the dispersed water management project tour at Nickodemus Slough.

Ms. Thurlow-Lippisch commented on contributions from Timer Power and Johnny Jones with the Kissimmee River Restoration project; recommended staff consider

providing an online mapping tool of seagrass habitats in the St. Lucie River and Indian River Lagoon to protect seagrass habitats; and, shared an article from 1959 detailing the need for more reservoirs in the northern part of the St. Lucie Estuary.

Mr. Bergeron thanked Governor DeSantis for leadership and support of the District's restoration projects; commended staff for efforts with an emergency deviation during wet season; stressed the importance of the removal of barriers to move more water south and equalize water levels between the Central and Southern Everglades into Florida Bay; and, shared partnership efforts with the U.S. Florida Fish and Wildlife Service (FWS) to provide a blueprint on global endangered species management.

Ms. Meads commented on a presentation shared during the 2021 Environmental Permitting Summer School on the District's projects and accomplishments over the last two years, and recognized staff for commitment and dedication to the District's mission.

Mr. Steinle thanked staff for efforts addressing water quality issues at the Pahokee Marina and for addressing the Lake Worth Lagoon optimization process during LOSOM updates which recognized the lagoon as an estuary as opposed to a flood control outlet.

Chairman Goss commented on partnerships with the USACE and federal government with the Kissimmee River ribbon-cutting and Tamiami Trail events; recognized staff's efforts to improve water quality at the City of Pahokee Marina; and, shared details on the FWC Python Elimination Program awards.

The Board thanked Col. Kelly, USACE, for partnership efforts and dedicated service to the District; welcomed Col. Booth; and, thanked the USACE for its transparency during the LOSOM update process.

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Consent Agenda

11. Move Consent Agenda Items to Discussion Agenda

No items were moved from the Consent Agenda to the Discussion Agenda.

12. Public Comment on Consent Agenda Items

There was no public comment on Consent Agenda items.

13. Fakahatchee Strand State Preserve Component, Collier County (Staff Contact, Stephen M. Collins)

A. Land Acquisition

Resolution No. 2021 - 0801 Authorize a final purchase offer of \$42,500 and eminent domain proceedings for the acquisition of land interests containing 1.25 acres, more or less, in Collier County, Florida, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, for which dedicated funds

(Land Acquisition Trust Fund and/or Florida Forever Surplus funds) have been budgeted.

B. Release of Funds

Resolution No. 2021 - 0802 Advise the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 1.25 acres, more or less, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, and request the release of funds from the Land Acquisition Trust Fund and/or usage of Florida Forever Surplus funds for acquisition of such land interests, together with associated costs.

14. Revocable Right of Entry/License on Tract KC100-024 (Duda Property), Glades County (Staff Contact, Stephen M. Collins)

Resolution No. 2021 - 0803 Approve a Revocable Right of Entry/License to Long Hammock Grove, Inc., Couse Farms, Inc., Berth Gran and Miller Couse to access a gate and an existing farm road within Tract KC100-018 (Duda Property) in Glades County.

15. Release of Reservations (Staff Contact, Stephen M. Collins)

Resolution No. 2021 - 0804 Release District canal reservations.

16. Right of Way Occupancy Permit Request, Glades County (Staff contact, Rich Virgil)

Approve issuance of Standard Right of Way Occupancy Permit Modification Number 7447 and approval of the associated petition for waiver to allow improvements within 40 feet of top of bank (Application No. 21-0326-3M).

17. Security Guard Services, District Headquarters Facility, Palm Beach County (Staff contact, Candida Heater)

Resolution No. 2021 - 0805 Authorize an amendment to the contract with G4S Secure Solutions USA, Inc., for security guard services at headquarters, and on an as needed basis at other District locations, in the amount of \$98,857 to be funded from Ad Valorem funds subject to Governing Board approval of the Fiscal Year 2021-2022 budget for a total revised contract amount of \$1,330,839.50 to fund the second and final one-year renewal option. (Contract Number 4600003714-A04)

18. C-25 Canal Banks Repair, St. Lucie County (Staff Contact, Alan Shirkey)

Resolution No. 2021 - 0806 Authorize entering into a 540-day contract with Dickerson Florida, Inc., the lowest responsive and responsible bidder for the C-25 Canal Banks Repair Project, in the amount of \$4,856,400, for which \$100,000 in Ad Valorem funds is budgeted in Fiscal Year 2020-2021, and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 4600004462)

19. Board Vote on Consent Agenda (13, 14, 15, 16, 17, 18)

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Technical Reports

20. Water Conditions Report - John P. Mitnik

Mr. Mitnik provided the Water Conditions report for the last 30 days.

Board Comment

In response to Mr. Steinle's questions regarding the naming convention of the lake management bands on slide 5, Mr. Mitnik stated changes to the new naming convention used for Zones C, D, and F would be considered during the LOSOM update process.

Referring to slide 20, Mr. Bergeron commented on the importance of moving water south and utilizing infrastructure when preparing for multiple tropical storm events.

Ms. Thurlow-Lippisch and Mr. Mitnik discussed the graph represented on slide 11 regarding flows south from Lake Okeechobee, basin runoff, and the transition periods and average start time of wet and dry seasons. Ms. Thurlow-Lippisch and Mr. Mitnik then discussed flows through the C-25, Bluefield Grove, and headwaters of the St. Johns River.

In response to Chairman Goss' questions on slide 4, Mr. Mitnik elaborated on the management and operations of Lake Kissimmee, East Lake Tohopekaliga, and Lake Tohopekaliga based on the regulation schedule.

Chairman Goss recessed the meeting at approximately 12:35 PM.

21. Ecological Conditions Report - Lawrence Glenn

Chairman Goss reconvened the meeting at approximately 1:30 PM.

Mr. Glenn provided an update on hydrologic and ecologic conditions over the last 30 days throughout the greater aquatic ecosystem of the District.

Board Comment

Ms. Meads and Mr. Glenn discussed Lake Okeechobee water quality, nutrient pollution, and aquatic vegetation impacts during high water level events. Ms. Meads then asked what water levels affected vegetation, Mr. Glenn stated water levels of 15.5 feet were recommended for the ecological envelope and levels at or above 16 feet would impact vegetation with greater impact occurring with longer durations over 16 feet.

Ms. Thurlow-Lippisch and Mr. Glenn discussed the changes in vegetation in Lake Okeechobee from 2018-2021, and the different species of emergent and submergent aquatic vegetation.

Mr. Bergeron and Mr. Glenn referred to slide 5 and discussed topographical elevations and the impacts to wildlife and vegetation due to higher water levels.

Ms. Thurlow-Lippisch and Mr. Glenn discussed the graph on slide 8 regarding the success in snail kite nesting activity in the C-44, and slide 14 regarding Lake Okeechobee Mycrocystin concentrations, collection sites, and treatment of residential water.

In response to Mr. Bergeron's question on slide 19 regarding nutrient reduction requirements north of the Lake Okeechobee, Mr. Bartlett stated that requirements for residents was to implement the Florida Department of Agriculture and Consumer Services (FDACS) Best Management Practices (BMPs). Mr. Bergeron then asked when expanded monitoring data north of the Lake would be available to report current BMP nutrient loads coming into State waters, Ms. Reynolds stated current data was available but was typically analyzed over a three-year period to take into account climactic data, however, this data was currently being used to indicate sites for future projects. Further, Ms. Reynolds explained BMPs would not accomplish Basin Management Action Plan (BMAP) goals alone and highlighted the importance of building projects which would assist with attaining water quality targets in BMAPs to achieve Total Maximum Daily Load (TMDL) limits.

In response to Chairman Goss' question, Mr. Bartlett explained the rationale of using percentages rather than a number when calculating nutrient load reductions in BMPs.

Ms. Thurlow-Lippisch commented on slide 19 and suggested staff provide a full description of how Source Control programs of the Everglades Agricultural Area and C-139 Basins were part of the Central and Southern Florida Project (C&SF Project) and Flood Control Act of 1948 to further assist with achieving BMP goals.

Ms. Meads commented on the FDACS commitment to reduce nutrient pollution.

The Board and staff continued discussion on North and South Lake Okeechobee topography and regulation requirement differences; extensive monitoring, solutions to improve source controls, and efforts to improve Water-Quality Based Effluent Limits (WQBEL); and, EAA and C-139 Basin monitoring and performance.

Ms. Reynolds stated that copious notes were taken on this discussion and future presentations would include information that would assist the Board.

Mr. Butler explained BMPs were economically designed to protect water quality while reducing water usage and consumption, and suggested staff consider conducting a workshop on BMPs and BMAPs.

Discussion Agenda

22. Construction Projects Update (Staff contact, Alan Shirkey)

Mr. Shirkey provided an update on the District's key ecosystem restoration projects. Items discussed included the Old Tamiami Trail Removal project; S-333N project; 8.5 Square Mile Are (SMA) Limited Curtain Wall; EAA Reservoir and STA; EAA Inflow/Outflow Canal; L-16 conveyance improvements; STA-1E modifications; STA-1W refurbishments; STA-1W Expansion #2 STA, G-780 and G-781 Pump Stations, and G-782 Pump Station; STA-2 refurbishments; C-139 Flow Equalization Basin (FEB); Lakeside Ranch S-191A Pump Station; Nubbin Sough STA Seepage Ditch Repair; Lake Okeechobee Watershed Restoration Plan; Aquifer Storage Recovery

(ASR) Wells; C-44 Reservoir and STA; Picayune Strand Restoration; Kissimmee River Restoration; Biscayne Bay Coastal Wetlands; C-43 Package 3 Inflow Pump Station S-470; and, C-43 Package 4 Civil Works.

Public Comment

None

Board Comment

In response to Chairman Goss' question, Mr. Shirkey confirmed the EAA Reservoir Inflow/Outflow Canal Project was on schedule and the change order to add the eastern FPL corridor extended the completion date.

The Board thanked staff for the project presentation update and for dedicated efforts exemplified with the many restoration projects.

In response to Ms. Roman's questions, Mr. Shirkey and Ms. Reynolds provided an update on the Caloosahatchee C-43 water quality component.

In response to Ms. Thurlow-Lippisch's questions regarding treatment of hot spots in and around the S-191 Basin, Mr. Shirkey stated the Lakeside Ranch STA provided treatment of water from the S-191 basin. Mr. Mitnik concurred with Mr. Shirkey and explained there were a number of projects and treatment areas in and around the S-191 basin such as Nubbins Slough STA and Taylor Creek STA. Ms. Reynolds further elaborated on efforts to address hot spots in the Lake Okeechobee watershed through partnerships with FDACS and DEP and both ongoing and future projects, including innovative technologies and the Lower Kissimmee STA. Also, Ms. Reynolds stated an update on extensive monitoring analysis would be provided to the Board at a future meeting and commented on staff's commitment to addressing the Basin's hot spots through extensive monitoring, prioritizing and completing water quality projects, and partnership efforts with sister agencies.

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Staff Reports

23. Monthly Financial Report - Candida Heater

Ms. Smith provided an update for Ms. Heater on the monthly financial report through the month ending June.

24. General Counsel's Update - Carolyn Ansay

Ms. Ansay had no report this month.

25. General Public Comment

In-person:

Ernie Barnett, Florida Land Counsel

Virtual:

Drew Martin

Mike Efenbein
Laura Reynolds
Paul Gray
Benita Whalen
Eve Samples
Scott Morris, on behalf of Susan Morris
Michael Conner
Mark Perry

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26. **Board Comment**

Ms. Thurlow-Lippisch stressed the importance of staff remaining engaged with the USACE on LOSOM.

Ms. Meads commented on shared adversity and stakeholder partnerships to achieve goals with restoration projects.

Chairman Goss commented on the importance of the STA projects and highlighted a majority of project completion dates in December of 2023.

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27. **Adjourn**

Chairman Goss recessed the meeting at approximately 4:00 PM.

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Public Comment Policy

The South Florida Water Management District Governing Board encourages the public to provide comment and input to the Governing Board. Public comment is accepted at the two dedicated General Public Comment periods at the beginning and the end of the meeting. Public comment is also accepted on the Consent Agenda and each Discussion Agenda item.



Gina Kamak
Deputy District Clerk
South Florida Water Management District