



**PALM BEACH COUNTY
WATER RESOURCES
TASK FORCE MEETING**



**Clayton Hutcheson Agricultural Center
559 N. Military Trail
West Palm Beach, FL 33415**

**January 16, 2014
1:30 P.M. to 3:00 P.M.**

I. CALL TO ORDER

A quorum was announced and Chair Jay Foy called the meeting to order at 1:35 p.m.

Members Present:

Jay Foy (Chair), Matt Wilhite (Vice-Chair), Ted Winsberg, Mary Lou Berger, Rod Braun, Michael Dahlgren, John Flanigan, Michael Mullaugh, Adrian Salee, David Brown, James Alderman

Alternates Present:

Chip Block

Members not Present:

Dave Stewart, Jeff Hmara

Alternates not Present:

Shelley Vana, Scott Maxwell, Dawn Pardo, John Whitworth, Dick Tomasello, David Levy

WRTF Working Group Present:

Ken Todd (Chair), Pete Kwiatkowski, Pat Painter

County Staff Present:

Chris Pettit, Brian Shields, Bevin Beaudet

Guests Present:

Laura Corry, Drew Martin, Martha Musgrove, Steve Lamb, Danna Ackerman-White, Becky Hachenburg, Ernie Cox, Albert Carbon, Richard Radcliffe, Terry Clark, Dan Beatty, Karen Brandon, Anne Kuhl, Alex Larson, Patrick Martin, Jack Horniman, Sean O'Keefe, Alan Wertepny, Liz Perez, David Boyer, Brandon Selle, Brent Whitfield, Jonathan Ricketts, Ed Weinberg

II. APPROVAL OF MEETING MINUTES

A motion was made to approve the 10-17-13 meeting minutes as presented. The motion passed unanimously.

III. WRTF Resolution Revisions – Ken Todd, PBC Staff Liaison to WRTF

Ken Todd gave a short presentation on WRTF Resolution changes that were approved by the BOCC. One of the key changes concerns term limits, which will now be 3 year terms with a 3 term limit. Ken noted that terms are staggered with the League of Cities and BCC slots expiring September 30, 2015 and all the other slots expiring September 30, 2016. The role of the Task Force members remains the same – identify and evaluate opportunities and impediments to supply water, wastewater, reclaimed water/reuse, and other alternative water supplies. Task Force members were reminded not to go beyond their task and charge. There were no questions.

IV. FEMA Mapping Update – Ken Todd, Palm Beach County

Ken Todd said PBC, municipalities, and consultants have met several times among themselves and with FEMA staff and consultants, the last time in November 2013. FEMA has committed to continuing to accept more technical data and comments until February 28, 2014. The Biggert-Waters Act requires completion of the maps by the end of 2014. Stakeholders continue to work diligently to produce additional data for submittal and FEMA has committed to integrating that data where it can. Stakeholders are awaiting the final C-51 modeling report being undertaken by SFWMD. Ken predicted that sometime this summer FEMA will place the maps into preliminary status, thereby triggering the 90 day appeal period, should they desire to appeal. At that time, stakeholders will have to quickly determine whether and how best to appeal. Sometime this fall Ken anticipates the FEMA appeal process will be completed and somewhere around first of the year, the maps will take effect. The insurance rates accompanying the new maps would then apply. So long as the old maps remain official, property owners will retain the subsidized rates they currently receive.

CONCLUSION: Stakeholders should be diligent and continue to work to submit the best possible technical information and data to FEMA for possible inclusion in the new maps.

Ken went off the agenda to report on the rare storm last week (week of 1/8/14). He reported that heavy rain fell from Hypoloxo to Delray Beach, reaching 22 inches in a 24 hour period. Rainfall amounts greatly exceeded a 1 in 100 year storm and it was reported that 15-16 inches fell in a 3 hour period. He said SFWMD staff calculated the amount of rainfall was somewhere in neighborhood of a 1 in 5000 year event. While there were some reports of flooding, the flood control systems worked relatively well. Maintenance is key!!! In some of the problem areas, lack of maintenance was part of a problem.

Jay Foy noted that it is extremely important to be diligent in submitting information. Jay also speculated that FEMA will not lower rates after they recover the deficit that has accrued in the NFIP. Ken replied that he has been asked by several individuals what the new rates will be for our area. The higher rates that are occurring in other areas of the state are because they are further along in the map review process. Chris Pettit reported that there is a provision in the omnibus appropriations bill provides funding for FEMA mapping and an exemption for homeowners who were not in flood zones in old maps but are in flood zones in the new maps.

V. C-51 Reservoir Working Group Update – Bevin Beaudet, Palm Beach County

Jay Foy disclosed that the discussion concerning this project will involve the first phase of the project, which is a water supply phase, not flood control, so Mr. Foy can participate without conflict.

Bevin Beaudet reintroduced the C-51 Reservoir project to the Task Force and noted that the finance and governance committee has been meeting to discuss the cost of the project. There is currently one cost estimate from the owner and additional study is being funded for confirmation of those costs. An additional topic of discussion is who/what entity is going to run the show and how will the project and process be governed. The first action of the finance and governance committee was to commission an independent study of the costs of the project and an independent contractor is being hired. The group utilized an expedited selection process. Instead of issuing an RFP, the study will be done using a continuing services contract. Hazen and Sawyer and MWH were the choices. Hazen and Sawyer did original study and MWH will be verifying those cost numbers. Bevin volunteered to get the Inter-local Agreement drafted (copies of the Inter-local Agreement were passed out to WRTF members). He said ten parties have agreed to share costs on the project – attached to handouts is the technical services requirement – spreadsheet for cost sharing members – 2 shares for larger utilities – one share for smaller utilities. Bevin indicated that all but one entity has secured approvals from their respective boards and councils. Broward County is waiting until January 28th to consider it on their agenda, which makes it too soon to go to the PBC BCC on Feb 4, so PBC will discuss it at a workshop Feb. 25th. MWH has agreed to begin working on the project at their own risk to keep the project moving. Bevin thanked MWH and committed to getting things executed. He stated that hopefully we will have a product in April (90 day scope of work).

Comments/Questions:

Mary Lou Berger stated the BCC of both Palm Beach County and Broward County appointed alternates to the finance and governance committee with Steve Abrams being the alternate for PBC. She also noted that there is a field trip to the C-51 Reservoir site February 26, 2014 for a guided tour. Adrian Salee said that a preview of the tour is on Youtube.

Jay Foy asked if the study is just for financing and is the next step is to decide governance?

Bevin responded that the next step would be to decide the next step based on the outcomes of the study. He mentioned that one of the outstanding questions is how to finance and negotiate; governance issues would be part of next step. The decision is up to governance and finance committee. He said the League of Cities need to appoint city alternates to the committee. Matt Willhite clarified that the appointments have already been made. Richard Radcliffe, League of cities Executive Director, confirmed that.

VI. Loxahatchee River Watershed Restoration Plan Update - Beth Kacvinsky, SFWMD

Beth stated that she is the project manager for the Loxahatchee Project, which is a CERP project; meaning that it is cost shared 50/50 between SFWMD and USACE. The Project Delivery Team (PDT) formulates what will become part of the Project Implementation Report (PIR) which must be congressionally authorized. Even though the project has not been authorized as yet by Congress, the state has moved forward with land acquisition and construction of some project components. Beth explained that Federal planning was suspended in October 2012 after the PDT agreed upon a tentatively selected plan. The USACE then asked SFWMD to formulate and evaluate the most cost effective reservoir size. SFWMD examined various flow ways to provide water, including wetland and Lake Worth Lagoon restoration. The current L-8 Reservoir was determined to be optimal size if it functioned

as a Flow Equalization Basin to aid in meeting Quality Based Effluent Limit for discharge to Everglades National Park. She said this is the reason the L-8 Reservoir was repurposed as part of the Everglades restoration strategies. Restoration strategies recognized the importance of finding a replacement for the L-8 Reservoir to supply water to the Loxahatchee River. Therefore, it supplied \$180 million for land acquisition and storage, as well as undertaking several modeling efforts to that end. The SFWMD's conclusion was to maintain a flow-way and shallow reservoir on the Mecca Farms site. The Mecca property will be used to take waters from C-18 basin through the Mecca site and into the Loxahatchee River. Two flow-ways were envisioned, one through Grassy Waters Preserve and a second one through the Mecca site (via a flow-way).

The USACE 3x3x3 process is to be used (new USACE process), which will minimize planning process. In early 2014, SFWMD will resume the planning effort with the USACE. There is a meeting scheduled next week with USACE (week of January 21st). Rescoping and refinement of the plan will be necessary to revisit goals and objectives. Loxahatchee River restoration targets will be maintained and will accommodate other water delivery needs. Modeling performance measures will be reviewed and changes made as necessary. Beth indicated the Mecca site modeling will be used to support the Tentatively Selected Plan. SFWMD wants to incorporate existing constructed features to maximize cost share possibilities. SFWMD is focused on in-basin storage and operational strategies to meet MFLs and restoration targets. The land acquisition has cost the state \$147 million (for approx. 9000 acres) and the Mecca property was 1896 acres at a cost of \$26 million. PBCWUD kept its pump stations and SFWMD is negotiating with FWCC for a shooting range. SFWMD is continuing to focus on "quality quantity timing and distribution". Dry season flows are estimated between 50 and 110 cfs with a mean monthly flow of 69 cfs. Wet season flows are estimated at 120 days of flow at greater than 110 cfs.

Questions:

Jay Foy asked whether or not this group will be voting on approval of the project? Jay said he cannot chair or participate in any meeting (conflict) that will vote on this project. If there is a vote, he will abstain. Mary Lou Berger asked why would we not just recuse ourselves if there is a vote to support? Ken Todd said there is no reason to vote on this project. SFWMD and USACE are not looking for support as the project is already on-going. This presentation was brought before the WRTF for informational purposes only. Jay Foy asked that it be **put in minutes that the WRTF will not vote on this project**. He then asked if any of the Task Force members thinks that the group should any vote of support for it. **NONE of the members felt a vote was necessary. Matt Willhite then made a motion that the WRTF will not make any recommendation from this presentation. –Mary Lou Berger seconded the motion. It passed unanimously.**

Jay Foy then asked what is going to happen with the C-18 Canal? Beth said SFWMD would take water from C-18 and send it back out C-18 – put in Mecca parcel and supply Loxahatchee. Jay then asked if the SFWMD would take any water from Corbett? Beth said no possibility as modeling was simplified (Loxahatchee model) and would take excess time to model Corbett, but that does not preclude possibility. Jay then asked what happens to overflow canal from Corbett? Beth said there is no current intent to take it out. Jay asked whether there be future stakeholder meetings? Beth indicated the PDT will be reconvened, but there is no schedule yet. She indicated the SFWMD staff will be having discussions with USACE next week. Chip Block asked if the Mecca acquisition is going to mitigate releases from the C-18 into the Lox River?

Beth answered that it will to a degree. Water for the Lox River was originally supposed to come from the C-18 basin. THE SFWMD will have to determine what physically has to happen to affect the plan. Drew Martin (Sierra Club) stated that he supports the purpose of the Mecca project but wonders when dry periods occur, where is the SFWMD going to get water? Beth said the Mecca project is expected to

be a reservoir and as the river needs water, controlled releases in dry periods will occur. Drew then asked how deep the reservoir will be? Beth said the modeling shows that the project can meet dry season flows 85% of time at a reservoir depth of 5 feet. Jay said he understands the project would start in 2016 and be completed by 2024. At that time, per Ernie Barnett, the WMD would then look at 10 foot reservoir. Beth said that if CERP determines that a deeper reservoir is needed, then deeper reservoir would be part of CERP Plan. Martha Musgrove asked what is L-8 basin boundary (on map supplied by SFWMD)? Beth said the boundary is where the majority of water flows to L-8 Canal. Alex Larson asked whether the SFWMD is proposing to excavate or build the berm? Beth said the District plans to build the berm. Pat Painter (City of WPB) asked if the goals include addressing the water plan for the North Palm Beach area? Beth said she doesn't know the process or whether additional modeling will result but she thinks it is a good idea.

VII. Public Comments

Alex Larson said her opinion has not changed – the C-51 Reservoir is waste of money. The project assumes that 298 districts will be conveyors to Broward County.

Drew Martin (Sierra Club) expressed concerns about WRTF process and feels as though it is “all about the C-51 Reservoir” and it needs a broader outlook. He feels as though the Task Force ignores water conservation issues. He believes that more can be achieved from conservation than from the C-51 Reservoir. He said people do not water efficiently and we need to get people to practice conservation.

Richard Radcliffe (League of Cities): FEMA Flood Maps – He said there are 165,000 existing flood policies in Florida with \$64 million paid in premiums per year on those policies. Since 1978, he said only 9080 claims were filed in PBC. He also noted that the stakeholders must continue to be vigilant and continue to contact AECOM to ensure assimilation of the submitted information into the database.

VIII. Task Force Member Comments

Mary Lou Berger related her experience from Friday's storm – part of her ceiling collapsed due to a clogged drain pipe in Kings Point. She noted that when this subdivision was built, land development rules were different. King's Point is now hoping to make minor modifications to their system to address the drainage issues. Jay Foy noted that he has looked into issue of clogging drains in the past. He said he found that many times there was no overflow protection was provided for the drains. Pat Martin (LWDD) said LWDD is well aware of the situation at King's Point and has spoken with or reached out to several residents. LWDD is looking at their structures and determining whether additional flow can be allowed. LWDD has additionally asked Kings Point representatives to come to the table to develop a better plan for flood control and conveyance during high flow events.

Matt Wilhite noted that residents need to be conscientious as maintenance issues are important and need to be addressed. Unfortunately, he said many times those issues are not thought about until it is too late. –He believes we can't afford to take the maintenance for granted.

Mike Mullaugh said the drainage systems operated really well as long as they are maintained, particularly in such a big storm event.

Jay Foy commented that if the regulatory criteria that engineers and special districts design to changes, or the storm frequency is greater than the design storm, then impacts will occur. Municipalities and the County can adopt higher regulatory standards if they desire. Developers and engineers can design to a higher standard as well.

Jim Alderman expressed that LWDD did a great job and noted that, at times, issues do exist in Home Owner/Property Owner Associations. He noted that LWDD has criteria and guidelines for these associations to have their flood control gates opened. Jim felt that awareness is key and notes that farmers act on these issues ahead of time and that maintenance is key ahead of a storm. He suggested that POAs designate a person to address this issue. Pat Martin said LWDD has met with 60 communities on flood control issues and lists examples of meetings with COBRA and the Delray Alliance. At those meetings LWDD stressed the responsibilities of associations. Mike Mullaugh said that unfortunately, sometimes the message does not get across. Mary Lou Berger stated that everyone has to get the word out because not everyone gets prepared. Jay Foy said he also felt that LWDD does a great job and is progressive in that it allows HOAs to operate and open gates.

IX. Election of Officers

Jay Foy: Volunteers to be Chair again and opens the floor for nominations

Mary Lou Berger: Nominates Jay Foy – motion seconded – nominations are closed by acclamation – unanimous ballot and **JAY FOY re-elected Chair.**

Jay: Matt Wilhite is current Vice-Chair – Asked if he was willing to serve again?

Matt: Yes – nominations are closed by acclamation- unanimous ballot and

MATT WILHITE re-elected Vice-chair.

Jay: Mary Lou Berger is the current President pro tem – Is she willing to serve again?

Mary Lou Berger: Yes, I am willing – nominations are closed by acclamation- unanimous ballot and **MARY LOU BERGER re-elected Chair pro tem.**

X. Next Meeting Agenda - Jay Foy, PBC WRTF Chair

April 17, 2014 will be the next meeting date.

XI. Adjournment

There being no further business, Chair Foy adjourned the meeting at 3:00 p.m.

<p style="text-align: center;"><u>Next Scheduled PBC WRTF Meeting</u> April 17, 2014 1:30 p.m. – 4:00 p.m. Clayton Hutcheson Agricultural Center 559 North Military Trail West Palm Beach, FL 33415</p>
