



# Palm Beach County Water Resources Task Force



**October 15, 2020  
1:30pm**

**Webex**

## Meeting Minutes

### Water Resources Task Force Attendees

Seat ID	Member Name	Status	Alternate Name	Status
1	Monica Mayotte	Present	Vacant	
2	Vacant		Vacant	
3	Chip Block (Chair)	Present	Vacant	
4	Jason Haselkorn	Present	Vacant	
5	Rachelle Litt (Vice Chair)	Present	Vacant	
6	David Stewart	Absent	Vacant	
7	Gregg Weiss	Present	Melissa McKinlay	Absent
8	Vacant		Vacant	
9	Tommy Strowd	Present	Vacant	
10	Vacant		Vacant	
11	Jay Steinle	Present	Mark Elsner	Present
12	Vacant		Vacant	
13	Vacant		Vacant	
14	Michael Johnson	Absent	Greg Shafer	Absent

#### 1. Call to Order and Introductions

A quorum was observed and Chip Block (Jupiter Inlet Colony) called the meeting to order at approximately 1:35pm. The Palm Beach County (County) Water Resources Task Force (WRTF) members then introduced themselves to the meeting attendees. The attached attendee list provides the full list of meeting attendees that was able to be obtained from the Webex participant list.

#### 2. VOTING ITEM: Consider Approval of a Resolution on Landscape Irrigation

Chip Block (WRTF Chair) asked Jeremy McBryan (County Water Resources Manager) to provide some background on the resolution provided to WRTF members on October 9, 2020. Mr. McBryan stated that at the July 2020 WRTF meeting, the WRTF asked him to prepare a resolution encouraging the County to adopt updates to the County's landscape irrigation ordinance that more closely aligns with the South Florida Water Management District's (SFWMD) Mandatory Year-Round Landscape Irrigation Conservation Measures Rule (Landscape Irrigation Rule). Mr. McBryan reminded attendees that also at the July 2020 WRTF meeting, Commissioner Weiss suggested that SFWMD provide additional information regarding SFWMD's Landscape Irrigation

Rule to the Palm Beach County League of Cities (LOC) and stated that SFWMD staff briefed the LOC's Environmental Committee on September 2, 2020.

Mr. McBryan stated that an alternate resolution was submitted by Jay Steinle (SFWMD) on October 14, 2020 which was provided to WRTF members on October 15, 2020 along with a "track changes" version so reviewers can easily discern the edits that were provided in Mr. Steinle's alternate resolution. Mr. Steinle thanked Mr. McBryan for distributing the alternate resolution documents and mentioned the changes in his alternative resolution focused on three things: 1) more specifics from the SFWMD rule on the number of days per week that irrigation is permitted; 2) language encouraging all local governments within the County to adopt ordinances that better align with the SFWMD rule; and 3) language highlighting partnership opportunities between the SFWMD, the County and local municipalities including outreach and education activities.

Mr. Block recommended tabling this issue until the January 2021 WRTF to allow Mr. McBryan time to coordinate with SFWMD and the LOC and prepared a revised WRTF resolution.

Ms. Litt asked if local municipalities would be subject to the County's landscape irrigation ordinance and how enforcement would work within cities. Mr. McBryan stated that while the County has the ability to adopt and has adopted Countywide ordinances, it probably makes good sense for the County's updated landscape irrigation ordinance to apply to unincorporated County areas only. Each municipality would then decide how to proceed regarding landscape irrigation ordinances within their jurisdictions that would apply to their residents. Code enforcement staff in each municipality typically conduct compliance and enforcement activities related to landscape irrigation.

Commissioner Weiss asked about the LOC's reaction to the information presented by SFWMD. Mr. Block stated that the LOC Board of Directors (BOD) has not yet been briefed by SFWMD. Mr. McBryan stated that SFWMD briefed the LOC Environmental Committee and that SFWMD has been invited to present at a LOC BOD meeting but that no date has been set. Mr. Block said he would encourage the LOC to add this item to their November BOD meeting when he meets with them next week.

Commissioner Weiss stated that, for example, the City of West Palm Beach's landscape irrigation ordinance includes exemptions for newly-planted landscaping and asked if the SFWMD Rule includes these types of exemptions. He also stated that the more information that can be provided to residents to alleviate any concerns they may have will make the ordinance more acceptable. Mr. Steinle confirmed that the SFWMD Landscape Irrigation Rule includes specific provisions to allow more frequent irrigation for newly-planted landscaping and vegetation.

Mr. McBryan mentioned that there are a variety of exemptions in the SFWMD Landscape Irrigation Rule, including athletic fields, golf courses, the use of reclaimed water, etc. and it may be a good idea to include this information in the WRTF resolution to educate readers and residents about them. Commissioner Weiss mentioned that one approach could be to mention

exemptions in the resolution and attach the exemption details to the resolution, similar to how many of the County's recent executive orders related to COVID are organized.

Ms. Litt asked if the ordinance being encouraged to be adopted by SFWMD would be year-round and not just for water shortage or drought conditions. Mr. McBryan stated that the SFWMD is encouraging both year-round landscape irrigation ordinance language and separate ordinance language that specifically applies during shorter-duration SFWMD-declared water shortages.

Mark Elsner (SFWMD) stated that SFWMD has developed model code and ordinance language templates for both year-round efficient use of irrigation water and water shortage emergencies for use by local governments. Regarding enforcement, Mr. Elsner stated that each local government implements enforcement activities a little different; some municipalities rely on code enforcement staff, some use water utility staff, and some use the sheriff's office. Instead of trying to re-iterate the allowances and exemptions in the WRTF resolution, Mr. Elsner suggests attaching the SFWMD Landscape Irrigation Rule to the resolution. Mr. Elsner also suggests that the WRTF resolution be a broad encouragement of year-round landscape irrigation water conservation and the efficient use of water. This would then allow each local government to determine how to adopt new or updated ordinances specific to their jurisdiction.

Mr. Block believes it is essential to obtain support from the LOC to have as little controversy as possible and asked if there were any comments on his suggestion to table the item to allow Mr. McBryan to coordinate with SFWMD and the LOC on a revised resolution. Commissioner Weiss stated that the WRTF resolution is an important step in the process of recommending that the County proceed with adopting an updated ordinance.

Mr. Steinle also supported tabling the resolution and apologized for sending the alternate resolution so close to today's meeting. Mr. Steinle understands that there are valid concerns from local governments regarding resources needed for enforcement but the goal should be to get the ordinance on the books; enforcement is a secondary issue and that educating elected officials and residents regarding efficient landscape irrigation and water conservation best practices could result in achieving water conservation objectives and other environmental benefits like less polluted stormwater runoff to the Lake Worth Lagoon.

Monica Mayotte (Boca Raton) agrees with the strategy to hold off and bring back a revised resolution to a future WRTF meeting and would like to see the County approve an updated ordinance to serve as an example for cities within the County to follow. Ms. Mayotte agrees that enforcement is secondary and efforts to educate residents on the benefits of efficient water use, including lower water bills, should be a priority and may help garner support from the community. Ms. Mayotte also supports more widespread use of rain sensors on irrigation systems.

A motion was made by Ms. Litt to have Mr. McBryan work with SFWMD on a revised resolution for WRTF consideration at the January 2021 meeting and encourage SFWMD to coordinate with

and get feedback from the LOC BOD on adopting landscape irrigation ordinances. The motion was seconded by Ms. Mayotte. The motion passed unanimously.

### **3. County Water Resources Manager Update**

Mr. McBryan stated that the proposed WRTF meeting dates for 2021 are included on the meeting agenda. The proposed dates are January 28, February 25, April 29, July 29, September 16, and October 21 and all meetings are on Thursday afternoons starting at 1:30pm.

Mr. McBryan stated that he briefed the Board of County Commissioners (BCC) on the County's Review and Evaluation of FEMA's Coastal Flood Maps on September 22, 2020. At that workshop meeting, the BCC directed staff to initiate coordination with FEMA and distribute relevant consultant deliverables to FEMA. A letter transmitting the deliverables and requesting a phone or webmeeting with FEMA and their technical team was sent on October 5, 2020. Mr. McBryan encourages anyone that is interested to review the documents and video of the September 22, 2020 BCC workshop meeting which are available at the [County's Flood Information website](#).

Mr. McBryan provided an update regarding the Loxahatchee River Watershed Restoration (Lox River) Project. The U.S. House of Representatives unanimously passed a bill authorizing the Lox River Project back in July 2020. A marked-up Senate version of the bill has passed out of Committee but the bill is not likely to move to the Senate floor for approval this month. House and Senate staff are having informal meetings to reconcile the two bills with the goal of approving before the end of this Congress, perhaps after the election in the lame duck session.

Mr. McBryan provided a brief summary of Lake Okeechobee operations and referred WRTF members to his recent email on the subject. He stated that the U.S. Army Corps of Engineers (Corps) initiated Lake Okeechobee discharges to both the St. Lucie and Caloosahatchee Estuaries to help stabilize water levels and slow the rate of water level rise. Also, the County was made aware of a plan to convey Lake Okeechobee discharges to the Lake Worth Lagoon (LWL) Estuary. County staff coordinated with Drew Bartlett (SFWMD) and SFWMD revised their plan which now attempts to minimize Lake Okeechobee discharges to the LWL Estuary. The County appreciates SFWMD efforts to reduce potential impacts of Lake Okeechobee discharges on the LWL Estuary.

Ms. Mayotte asked how long Lake Okeechobee discharges are expected to occur and what the ideal water level that the Corps is trying to achieve. Mr. McBryan said that is a popular question which no one likes to answer, especially the Corps. Mr. McBryan said that the Corps not providing an ideal or target water level is totally valid due to the numerous factors that are considered when operating the lake, including inflows, outflows, weather and climate forecasts, tropical cyclone activity, tide conditions, evapotranspiration, etc. The Corps has pledged to stop discharges as soon as possible.

Ms. Mayotte asked if king tides prohibit or impact Lake Okeechobee discharges. Mr. McBryan said yes, high tide conditions can impact the ability to convey Lake water to the coastal estuaries since Lake discharges flow via gravity and are not pumped. King tides may result in the Corps

temporarily reducing or stopping Lake discharges to the estuaries. Ms. Mayotte stated that she hopes the Corps considers the imminent start of the dry season. Mr. McBryan responded that the Corps looks at short- and long-term climate forecasts, including the current and projected La Niña conditions, which can result in drier than normal dry season.

Ms. Litt asked what Lake Okeechobee water levels are critical as it relates to the Corps' ongoing repairs of the Herbert Hoover Dike (HHD). Mr. McBryan stated that he believes the Corps initiates increased HHD inspections when the Lake reaches 15.5 feet, so based on the recent water level increases, the Corps has likely been doing this for a month or so. Mr. McBryan is not sure if higher water levels in the lake trigger additional or more frequent inspection activities but asked Tommy Strowd to comment.

Mr. Strowd stated that as the Lake water levels increase above 15.5, the Corps increases the frequency and duration of HHD inspections. Col. Drew Kelly (Corps) has stated that the Corps is more comfortable with higher Lake levels due to complete HHD improvements. In the past, the Corps stated that when the Lake was at 16 feet, there was a 25 percent chance of an embankment failure. Yet, today the Lake is at 16.2 feet and the Corps just recently initiated discharges so that gives us an indication that the Corps has more comfort with the structural stability of the HHD.

Mr. Steinle concurs that the completed HHD repairs seem to allow the Corps to be more comfortable with higher Lake levels and these discharges are driven entirely due to public safety concerns. Mr. Steinle stated that he understands that approximately 8,000 cubic feet per second (cfs) of water is coming into the Lake and the Corps is moving approximately 5,000 cfs east and west. SFWMD is therefore trying to move 3,000 cfs south so collectively we can match the inflows and slow the rate of rise of the Lake level.

Mr. Steinle stated that Jeremy and Deb at the County have done a great job expressing that the discharges of water from the C-51 Canal to the LWL Estuary are between the inlets that connect the LWL Estuary to the Atlantic Ocean; therefore these discharges are not actually to tide. SFWMD will be sending some Lake water to the L-8 Flow Equalization Basin and to Stormwater Treatment Area 1 East. And the Lake Worth Drainage District is assisting by re-directing runoff further south that would normally be sent to the C-51 Canal. Commissioner Weiss thanked SFWMD, Tommy, Jeremy, and everyone involved, regarding the efforts to find a solution to reduce Lake Okeechobee impacts to the LWL Estuary.

Mr. McBryan then provided a brief update on the status of the C-51 Reservoir Phase 1 project which is a regional water supply reservoir with 14,000 acre-feet of storage and the ability to deliver 35 million gallons per day of water to subscribed water utilities. The project is fully subscribed with 8 water utilities signed up to access water from the reservoir. Permits are in hand, construction is expected to start in November, and expected to be operational in 2022.

#### **4. General Task Force Member Comments**

There were no additional Task Force Member comments.

**5. General Public Comments**

There were no public comments; all attendees were encouraged to submit comments in writing to Mr. McBryan.

**6. Adjournment**

Mr. Block adjourned the meeting at approximately 2:15pm.

**Palm Beach County Water Resources Task Force  
October 15, 2020 Meeting Attendee List**

Danna Ackerman White (Palm Beach County)  
Todd Bonlarron (Palm Beach County)  
Karen Brandon (AECOM)  
Dan Clark (Town of Lake Clarke Shores)  
Laura Cole  
Laura Corry (South Florida Water Management District)  
Anne Cox (ecolo-G, Inc.)  
Deb Drum (Palm Beach County)  
Rebecca Elliott (Florida Department of Agriculture and Consumer Services)  
Natalie Fausel (Anfield Consulting)  
Edgar Fernandez (Anfield Consulting)  
Jay Foy (Town of Haverhill)  
Sussan Gash (Palm Beach County)  
Nicole Gumbs (Palm Beach County)  
Jim Harmon (South Florida Water Management District)  
Scott Kelly  
Jake Leech (Palm Beach County)  
Bill Lynch (Jones Edmunds)  
Jeremy McBryan (Palm Beach County)  
Suzanne Mechler (CDM Smith, Inc.)  
Steven Memberg (GMAwater)  
Christopher Pettit (Florida Department of Agriculture and Consumer Services)  
Walt Reigner (Black & Veatch)  
Beth Ross (Gunster)  
Ryan Rossi (South Florida Water Coalition)  
Patrick Rutter (Palm Beach County)  
Laura Scala-Olympio (South Florida Water Management District)  
Paul Schofield (Village of Wellington)  
Brian Shields (City of Lake Worth Beach)  
Jon Van Arnam (Palm Beach County)  
Robert Wanvestraut (South Florida Water Management District)  
Randy Wertepny (Keshavarz & Associates, Inc.)  
Brent Whitfield (Chen Moore and Associates)  
David Wiloch (Palm Beach County)  
Sheryl Wood (Manson Bolves Donaldson Varn)  
Joline Ziemerink (Jacobs)