



Palm Beach County Water Resources Task Force



**March 31, 2022
1:30pm**

**Vista Center, Room VC-1W-47 (1st Floor)
2300 North Jog Road, West Palm Beach, Florida 33411**

Meeting Minutes

Water Resources Task Force Attendees

Seat ID	Member	Organization	Status	Alternate Name	Organization	Status
1	Monica Mayotte	City of Boca Raton	Present	Vacant		
2	Vacant			Vacant		
3	Milton (Chip) Block (Chair)	Town of Jupiter Inlet Colony	Present	Vacant		
4	Jason Haselkorn	Town of Juno Beach	Absent	Vacant		
5	Rachelle Litt (Vice Chair)	City of Palm Beach Gardens	Absent	Vacant		
6	Robert Hagerty	Town of Lantana	Absent	Vacant		
7	Gregg K. Weiss	Palm Beach County	Absent	Melissa McKinley	Palm Beach County	Absent
8	Poonam Kalkat, Ph.D.	City of Boynton Beach	Present	Julie Parham, P.E.	City of Lake Worth Beach	Absent
9	Tommy Strowd	Lake Worth Drainage District	Absent	Vacant	Lake Worth Drainage District	
10	Vacant	Drainage/Water Control District – Elected Official		Vacant	Drainage/Water Control District – Elected Official	
11	Jay Steinle	South Florida Water Management District	Present	Mark Elsner	South Florida Water Management District	Absent
12	Vacant	Environmental Interests		Vacant	Environmental Interests	
13	Vacant	Agricultural Representative		Vacant	Agricultural Representative	
14	Michael Johnson	Indian Trail Improvement District	Present	Greg Shafer	Indian Trail Improvement District	Absent

1. Call to Order and Introductions

A quorum was observed and Chip Block (Jupiter Inlet Colony) called the meeting to order at approximately 1:30pm. The Palm Beach County Water Resources Task Force (WRTF) members and alternates then introduced themselves.

2. VOTING ITEM: Consider Approval of July 29, 2021, September 30, 2021 and October 21, 2021 Meeting Minutes

A motion was made by Jay Steinle (South Florida Water Management District or SFWMD) to approve the July 29, 2021, September 30, 2021 and October 21, 2021 Meeting Minutes and seconded by Monica Mayotte (City of Boca Raton). The Minutes were then approved unanimously by the WRTF.

3. County Water Resources Manager Update

Patrick Rutter (Palm Beach County) stated that we are actively seeking to fill the position. Advertisement closed last Friday. Moving as expeditiously as possible to fill. Mr. Block recognized that good working relationships with SFWMD and US Army Corps of Engineers (USACOE) are critical.

4. Loxahatchee River Watershed Restoration Project Update

Jennifer Reynolds (SFWMD), Division Director for Ecosystem Restoration and Capital Projects, the Loxahatchee project has been in “wait mode”. It is now in “active execution mode”. The Loxahatchee River Watershed Restoration Projects (LRWRP) was approved in the Water Resources Development Act (WRDA) by Congress and funded on both sides by both the Governor and President’s budgets. We are moving forward with design of flow way 1 and flow way 3, and look at moving into design of flow way 2 in 2023. The goal is to deliver fresh water flows to Loxahatchee River. In addition to reestablishing necessary flows to the Lox River, this project also reconnects a series of wetlands throughout PBC and is important to reestablishing and rehydrating those wetlands for the benefit of water quality, wildlife and hydrology of a large portion of this area. Jennifer will bring continual updates to the WRTF and other groups interested. Moving forward, SFWMD will continue to collaborate with PBC, who has significant interest in flow way 2 component, and will continue to work with the County on their interest on that component of the project as we move toward design next year.

Mr. Block stated awareness of the proposed trade of GL Homes and Indian Trials– as it pertains to Mecca/C-18 Reservoir, would that obviate the need for an aboveground reservoir at Mecca if that land was available? Ms. Reynolds provided the Mecca parcel is very well situated geographically because that part of the system is what we are looking forward to, in this restoration project, to redeveloping the headwaters of the Loxahatchee River, so the farther you get from that geographic area, the more structures are needed to do the reconnections hydraulically and hydrologically. Part of what we are working with PBC to look at, during the rest of this calendar year, is those considerations. PBC has come to us interested in trying to answer this question and we have agreed to work with them on the technical issues associated with that. Additional parcels were considered during the plan formulation of the Loxahatchee project and there was a parcel considered but the specifics were a little different than what is being considered now. What is needed from PBC is additional modeling and economic analysis to compare to the plan formulation that was done in order to fully answer that question. Mr. Block asked can the County build on the modeling that you have already done? It seems to be a lot of the input in terms of assumptions and data is already available in terms of creating a new model. Ms. Reynolds stated that’s correct and we’ve provided the modeling information to the County and they are working with a consultant to look at that modeling, do some additional analysis, and then our technical teams will review that together and see where we are at.

Jay Steinle (SFWMD) stated this has been on the books for quite a while, and it’s great that we are in WRDA, and it seems that we have financing, the budget is there, so clearly we want to move forward, however, it seems to me as additional resources develop in the County, that might be beneficial to this

project, they can be wrapped in as not the formal project but as a component of a broader benefit. Ms. Reynolds stated yes, but if we change the project that's currently authorized by Congress, that project would then get delayed because there would have to be a change to the authorization that Congress agreed to. There would have to be additional paperwork that would delay the project and it would delay the benefits to the River. However, there is ample opportunity to use, for example, the GL Home site as a complementary project to the Loxahatchee River project. The Lox project, for example, did not achieve 100% of the needed benefits to the Lox River so that site could also be developed as a complementary project to fully realize all of those benefits, for example.

Public Comments

Jay Foy (Indian Trails Improvement District) a Local 298 District, stated the Loxahatchee River Project is a great benefit, part of a lessor project that should have happened before. We do not oppose the Loxahatchee River project, our problem is the Loxahatchee River Rule that the change, the consumptive water use rule is being developed prior to any contact with our Board. This plan uses our MO Canal, this plan pumps from our lower basin to the City West Palm Beach. I have been present at most of the meetings for the development of the plan and have made it clear that the Board of Indian Trail needs to be contacted to see what agreements could be in place. The problem is, because the Corps is saying to the SFWMD you must have a rule that guarantees that water is available with the use of our facilities, we have a problem with that. What is that agreement? I asked in a public meeting, who's going to operate the pumps? There are two pumps proposed in Indian Trails, one to the C-18 Reservoir, the other to the City of West Palm Beach canal. If we don't have control of those pumps, how do we know what the water is going to be used for? How do we know our canals aren't going to be sucked down? They are needed for fire protection. So we have a problem with the timing. The Corps should rescind their requirement to have the water availability before these agreements, at least a draft agreement is in hand. We don't oppose the river and its enhancement. We do have a real problem and our Board has directed us to write a letter of objection to the rule being revised before the agreements have even been drafted. Mr. Block asked who would meet with the Board, would it be the Army Corps or the District or both? Mr. Foy stated whichever they decide, whichever the agency we have the agreement with, the Corps tends to like to delegate that type of thing. Ms. Reynolds stated that the agreements with ITID are on her to do list of things that were required and have plans to coordinate on, but Jay is right, that our plan is not to seek the specifics of those agreements until following the rule which is anticipated to go final this summer. If we don't have the agreements in place, the project can't move forward. So regardless of the rule being in place, ITID definitely gets a vote in moving the project forward and insuring that their interests and their responsibilities are secured within agreements with the District and the Corps. Mr. Foy the District Indian Trails has been disappointed since the early 70's so we have a problem with the process of essentially "trust us", so I understand the agreements are on the slate, one of the concerns mentioned is that the waters are waters of the State, they do not belong to the County, they do not belong to the Water Management District, they are the State. Who is to say that the attitudes couldn't change and there be requirements that the water of the State be used the way the State deems it to be used. We are just uncomfortable that the agreements haven't even been drafted before you're going to adopt a rule, I think its April 14, comments are due by tomorrow. We are very concerned and will be writing a letter of objection. Mr. Block points out that the County has found that the current word of the District and management of the District is much more amenable to being great partners than some of the past Boards and management of the District. I think that while I understand the history, I have a lot of confidence in the current makeup of the District, both the Board and the staff.

Jeff Koons (Private Citizen), I think Jay summarized what specifically happened in this geographic area. You've seen the list and this committee has generated the list of the proposed Everglades restoration projects, the strategies that have gone away. I think we're on our third separate letter from the Army Corps to the District saying how do we figure this stuff out? Indian Trail is allowed to discharge ¼ inch a day to the West. This has always been a system, how do we take a look at this? One of the things that need to be drafted in there is during an emergency event, there should be the ability to drain that neighborhood going back, and that's what we did with Isaac. I really suggest that the County and the City work on that and that should be part of the agreement when we have a flooding event, out there in particular. We're aware that we also tried to get the Corbett project funded, it was a priority of the District, Game and Fish and Indian Trail, and that did not get funded, that should be a part of that process. I would ask that that project be included in next year's budget. If it's possible, that's a good source of water that we can capture that goes to the West, the Corbett water and that can go back to the East. This is almost a microcosm over the particular problems we've had in the north end of the County in terms of Everglades restoration strategies. There are very specific projects and they fell away over a period of time, the County water bond issue, some of the commissioners don't want to spend money on infrastructure that the State's got? But if we don't do it, it's not going to get done and the history is thirty years of this stuff. It's just there. There are also issues that need to be made aware, there's water quality issues which have never been in any of these plans. You're finding Grassy Waters is having really serious issues, one with the algae and two with connate water. Water quality in the systems has to be done there, it's on the District to be able to put these local people in place and take a look at this. If there were draft requirements, but like Ronald Reagan said trust but verify, and that's where we are.

Drew Martin (Sierra Club), on behalf of the Loxahatchee Group of the Sierra Club, I think that the County is stepping into a bit of a Bear trap if they think they're going to take this over from the State and the South Florida Water District, I'm talking about the Loxahatchee Restoration. Mr. Block stated I don't think anybody in the County thinks we're going to take it over, we're going to contribute. Mr. Martin stated okay, but I think that, doing this is really the role of the SFWMD and that's why they were established and the US Army Corps of Engineers. They have the big guns, the Mecca site is there, that project has been under public comment for quite a while. I think that's where you need to work, I'm concerned about finding alternative sources before the State and the Army Corps of Engineers are going in a different direction. I'm just not sure that, and you know I understand, you talk about connate water and algae blooms and what's causing that, it's the fact that we're not capturing our own storm water runoff. And we're not treating it and we don't have green infrastructure, and I think we need to focus on some of those. The other things we're not doing enough of conservation and I appreciate the fact that you are doing this landscaping code but people are just wasting huge amounts of water. I work in Palm Beach, people run sprinklers when it's raining, people have water leaks in their sprinkler systems, nobody monitors it or takes care of it and those are the things I think, those are the little hanging fruit you can get first. Mr. Block provided you'll be glad to know my town was the first town to pass the District's Water Ordinance and the County has passed the District's Water Ordinance for Unincorporated.

5. 2022 Florida Legislative Update

Ed Chase, Director of Intergovernmental Affairs (Palm Beach County), is back from his nine weeks in Tallahassee and provided an update on the Legislative Session, which is almost at its end. He gave a brief Water Resources presentation which is part of the presentation given to BCC at their meeting on Tuesday. Total State budget is \$112.2 billion, that is \$10.6 billion more than last year (general revenue \$43.7B; Trust Funds \$68.4B). Looking at water issues, we received some big budgets, \$782 million in water quality

improvement, involving Indian Water Lagoon, Caloosahatchee; Alternative Water Supply at \$50 million; Springs restoration at \$75 million; Florida Forever Program very well-funded. DEP \$4.2 billion, up \$200 million from last year. Everglades Restoration \$886 million; PBC Beach funding \$50 million; \$370 million water projects up from last year significantly. In PBC we were able to get five funded in the Loxahatchee River Preservation Initiative and one project in the Lake Work Lagoon Initiative funded. Lots of money for the flood and sea level rise program. Municipalities did well this year. Mr. Chase shared some of the bills that passed and failed.

Mr. Block commented some worked for years on LOSOM plan; all different stakeholders. Interesting that Legislature totally ignored work of agencies and outrageous that Legislature tried to intervene on water issues like they did in Senate Bill 350.

Monica Mayotte (City of Boca Raton) asked about Soil and Water Board changes. If not in Ag, are terms terminated? Mr. Chase answered no; rule would apply for next terms.

Public Comments

Mr. Martin stated he served on the PBC Soil and Water Conservation District for eight years. He ran basically because there were people who wanted to abolish the Board who were running. He thinks the Board Palm Beach Soil and Water plays an important role. He is disappointed not because he doesn't think it's good to have people with Agricultural backgrounds but a lot of Palm Beach County, right now, is not Agricultural, and the Soil and Water Conservation District represents the entire County, so you are basically eliminating all the people. The Soil and Water Conservation Board does a lot of work Countywide. He thinks this bill is mean spirited. A couple of bills that were not mentioned. Golf course bill that allows them not to follow rules. Thinks it will affect water resources. Also, the tree cutting bill changes, it will affect water resources because trees help keep the ground moist.

6. Proposed Environmental and Water General Obligation Bond Referendum Update

Patrick Rutter and Deborah Drum (Both of Palm Beach County) gave a quick update. Mr. Rutter stated that they had a lot of good discussion with the Board and Deb gave an excellent presentation to the Board during the Workshop of the BCC Meeting this past Tuesday, March 29. To summarize, Deb walked through the history from what was contemplated for the Bond, which the Board had initially blessed in 2019, moving into 2020 where a pause occurred due to COVID and some other uncertainties, then took that information and took the list from ARPA to explain down where Bond items might have been covered from ARPA, as well as many others things that Ed and a number of others fight so hard for in Legislature, and identified those that had received appropriations over the past couple of years, and presented our Board and stopped as far as any measure of information. Our Board just wanted to hear about it, we weren't bringing anything new forward. Generally, it was a good discussion for the Board, they asked a lot of questions about partnerships and what resources and finances they may bring to the table, as well about operation and maintenance on any given numbers of the projects. One of the most informative things that Deb produced was identifying, in that list, what the County had absolute control over, what we were in measures of partnership of control, and others that were out there that we had essentially no control over and needed those other entities to really jump forward and help with those missions. We will be returning to the Board working with the County Administrator and others. No return date set yet, but we are moving really quickly, and we'll get back to the Board and take their future direction. Ms. Drum added that the Board did ask for more specificity to the project list. The project list that we brought forward on Tuesday was a reiteration of where we left off in March, 2020, so we didn't make any changes to the list, that's where the Board had left things. We have new Board members that had never had the

benefit of seeing that list. That's where we started. They do want to get more specific, they asked a lot of questions about what are the commitments of our partners, which is a very difficult thing to gauge when you're talking about theoretical discussions about doing theoretical projects and theoretical budgets, it makes it very tough to solidify commitment around that. We are trying to prepare to bring a list back maybe take a refresh look at the list given anything that has occurred, for example the C51 reservoir that Ed just noted had received some significant funding from the legislature was one of the projects on the list early on, so that can come off the list there is no reason for it to be there because it's otherwise funded. So we do need to refresh the list a bit. We will be having a lot of conversations with those in the community if you all have ideas, this is advisory to the board, and you want us to consider projects, we would be happy to listen to you or to bring those forward for consideration, knowing that they want to make a decision possibly for the primary election and we have a May deadline for the ballot language. The good news is the ballot language was advanced in March of 2020. Ballot language shared again on Tuesday, so they could see that the ballot language was something they had already seen and reacted to, we made some modifications and changes to it, so we think it's in pretty good shape. It had been approved by Bond Counsel and we're not having to start from scratch on that, so that gives us a little bit of an advantage. Mr. Block stated he thinks you eluded to this in the meeting on Tuesday, but I think the point really needs to be made very strongly to the County Commissioners that there is a history here. The District and the Army Corps and DEP are not going to simply say yes if you spend \$10 million on this project we'll kick in X amount of money. But there is history and if there were a way to show projects that the County has done over the last X years that has been matched or better than matched, by the District, Army Corps or DEP and any other agencies, that is about as far as you can go in terms of answering that question. Using historical data would be very advantageous. Deb responded it's a great recommendation and took note on it.

Ms. Mayotte stated that she wanted an opinion. We have a Housing Bond that's being talked about and the Water Bond now, two at the same time, are they possibly going to be on the same ballot. What are the timings of these Bond issues? Mr. Rutter stated the timing would be if they're General Obligation (GO) Bonds. We need to have the bond language the November Election. We'll take the direction from the Board, they didn't direct us or speak on either of those points, and certainly was not a yay or nay. Sent us off to do a lot of work on both fronts. We'll circle back with the Board and take that direction. Mr. Block stated he thinks the consensus of the Board is, if they agreed to put it on ballots, that the Water Bond would probably go on the August ballot, the primary ballot, and the Housing Bond would go on the November ballot. That is my interpretation of what was going on should they decide to allow these to go to the voters to decide whether or not they want to invest in these two areas. Ms. Drum stated there were a couple of deliberations around the timing, they haven't decided anything yet, but to answer your question, they could do the water and the housing on two different, they could do one on the primary and one on the general or they could do them both in November. We just don't know yet, and we don't actually know if they are going to move ahead with both of them at this point, and we also don't know if they're going to move ahead with them as GO bonds or some other type of financing. Still a lot up in the air, we initiated the discussion on Tuesday, and we've been asked to come back in very short period of time to continue the discussion with more detail, is what they seem to be most interested in, so they can make those decisions. Ms. Mayotte said these are both very important issues and I just hate to see them having to compete with one another. Ms. Drum stated it's not the first time she heard that comment and she thinks there's many that agree with you. Mr. Block stated plus there's millage for the schools that's going to be on the November ballot.

Mr. Steinle stated that Deb talked a little about this with the C-51, and he was wondering, clearly the financial condition of the State has improved in the past two years since initially the bond was considered. Does that, understanding we got state monies and we have local monies, and everything, but I would assume the County's money or reserve in income has increased in proportion with the state or maybe even more, if that's the case, and I'm not aware of the budget, so forgive me, is the bond as relative, is a debt offering as relevant as potentially having the money in budget and lobbying for funding from the budget? Mr. Rutter answered every dollar reserve is a crucial dollar reserve, I don't think Ms. Baker would ever say that she would feel she's got adequate reserves fully there. Very proud of our Triple A Bond rating piece of it. Have we strengthened our position? Absolutely, through the years always would be looking to do more. One of the pieces that we're working through so much, is these different, between the ARPA and the others, working through a lot of those projects, as well as responding to a lot of the grants and opportunities that are out there and we are budgeting more money to be able to respond and provide the match that is needed on some of these. That's been a big push in the budget and you're going to see that again this year as we contemplate and work with the Board on that. Mr. Block pointed out that it's not feasible to do some of these capital projects from the Operating Budget. The Operating Budget is still tight we haven't increased the County millage since 2009, and the Sherriff eats a greater proportion of the increase revenue based on property values every year. So there isn't a lot of wiggle room there and you don't want to touch the reserves because one of the advantages to issuing Bonds by the County is our Triple A Bond rating and part of that is based on the fact that we're fiscally sound, including the fact that we have more than adequate reserves. Ms. Drum responds to Mr. Steinle, your question is well received. Our revenues are healthy, because of all the same reasons the State revenue is healthy. Are we \$150 million for water projects healthy without a Bond? We are not. We're in a good spot revenue wise, but the kind of projects that we're talking about, and the project list that we're talking about, I think, warrants more of a discussion of, if that's the priority of the Board, and they want to participate in a more significant or a different way than they have in the past, at least at the level of a county government, then they can choose to do so. There was also discussion about whether or not because of the ARPA influx of dollars our Board made a decision and voted to put the majority of ARPA funds that were received by the County towards water projects, to the tune of \$75 million. Of all the pots of money that were allocated by our Board, through the ARPA funds, the vast majority went to water. So there's a question as to whether or not it should be \$150 million, there was some discussion about whether a \$100 million would be a more appropriate amount and that then fed to the discussion of looking at more details in terms of the priorities of the list and looking at how we are doing on ARPA. That's another part that they're very interested in. We just recently made the decision that the ARPA funds were going to be part of revenue replacement and we're already getting a lot of questions as to where are you on those ARPA dollars, have you spent them yet? Some of them are in engineering and design right now. So we owe that answer back to our Board as well, so they can again make some decisions about what they think is appropriate for a GO Bond.

Ms. Kalkat asked if all members could get a copy of the project list and are you also thinking of using some of the infrastructure money that's coming from the federal government to the state or does it all have to be Bond. Ms. Drum stated we will be happy to email everyone the presentation that was given Tuesday. Before Jeremy left we did have a big discussion around the infrastructure dollars and there were quite a few restrictions on how those dollars can be spent. It's just not on any infrastructure that you happen to want to spend dollars on. Drinking water infrastructure, there was very specific rules, especially around water, that were a little bit outside of what a lot of the projects that are on our Water Bond list. Very much outside what would be appropriate expenditure for those particular funds. We get that question a lot, I wish they were a little wider open in terms on how the money could be spent, like on restoration

type projects or connecting flow ways or hydrologic connections in restoration and a lot of those dollars, most, I would say if not all, of those dollars are just kind of outside of what we're trying to achieve with the Water Bond projects. Mr. Block stated we have some real sewer conversion and storm water problems that absolutely need to be addressed and I think the Board was interested in that. Ms. Drum stated we agree, the last list had \$40 or \$50 million of the \$150 million that was proposed were for septic to sewer conversions and storm water and those are projects that we would work very closely with the municipalities on trying to raise the bar on water quality especially for the Lake Worth Lagoon, so we agree that those are really important projects and we were happy to hear that from the Board that they agreed with that. Ms. Kalkat stated she thinks the infrastructure bill does provide for some of the septic to sewer and some of the storm water infrastructure for sure, may not be for flow ways and restoration. Ms. Drum stated we have been working with our engineering group, there were a lot of the projects that the engineering group maybe didn't fit into the infrastructure sales tax and are some of those but they did have a good list of projects and put quite a bit of the ARPA dollars towards storm water as well and septic to sewer so we do have those going on with ARPA and you can do those projects for a long time.

Public Comments

Mr. Martin is very much in favor of septic to sewer. Opposes putting a boatlift in the Water Bond, doesn't address water quality issues. The C-51 sediment trap is important but not sure if it is still in there. The Water Bond should not be used to subsidize the C-51 project, doesn't think it is ready to be funded. Spend on things that have a direct benefit.

7. Task Force Member Comments

Mr. Block stated history of other agencies' commitment to County projects in partnership, show ways that they have matched in the past. Using historical data of partnerships. Ms. Mayotte wanted opinion on the Housing Bond and Water Bond. Mr. Steinle was wondering if we can use reserves. Do we still need the bond given higher revenues?

8. General Public Comments

When the Meeting was called to order, Mr. Block stated they were switching the format for the Public Comments to follow each of the updates, see all comments above.

9. Adjournment

Mr. Block stated the next meeting is scheduled for April 28, 2022 at Vista and a joint meeting with Broward County is TBD. Mr. Block stated there are three additional planned meetings July 28, September 9 and October 27. If water bond goes further, might be advantageous to have an interim meeting. Have to wait and see. Ms. Mayotte made a motion to adjourn which was seconded by Ms. Kalkat. Mr. Block then adjourned the meeting at approximately 2:33pm.

**Palm Beach County Water Resources Task Force
March 31, 2022 Meeting In-Person Attendee List**

Chip Block (Jupiter Inlet Colony)
Poonam Kalkat (City of Boynton Beach)
Monica Mayotte (City of Boca Raton)
Michael Townsend (Indian Trails Improvement District)
Ed Chase (Palm Beach County)
Deb Drum (Palm Beach County)
Patrick Rutter (Palm Beach County)
Jennifer Reynolds (South Florida Water Management District)
Jay Steinle (South Florida Water Management District)
Jay Foy (Indian Trails Improvement District)
Jeff Koons (Private Citizen)
Drew Martin (Sierra Club)