

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD)  
WATER RESOURCES ADVISORY COMMISSION (WRAC)  
RIVER OF GRASS, PHASE I PROJECT PLANNING ISSUES WORKSHOP  
JANUARY 22, 2009, JOHN BOY AUDITORIUM, 1200 WC OWEN  
CLEWISTON, FL**

**MEETING SUMMARY**

**Attendance:** Approximately 120 people attended.

**Welcome - Carol Wehle, Executive Director, SFWMD**

- Welcome to the first in a series of “River of Grass” project planning workshops.
- Tom Olliff, Asst. Exec. Dir., SFWMD, will facilitate today and lead you through this meeting.
- These meetings are open to everyone – if you are here, you are on the “Committee”. We want to hear your thoughts, comments and suggestions.
- Introduced two SFWMD Governing Board members attending: Mr. Charles Dauray – represents Hendry County; Mr. Jerry Montgomery represents Glades County.
- Acknowledged WRAC members in attendance.
- This is the beginning of the “River of Grass” Phase I Planning process.
- Today, we need to present detailed information to you, but the meeting format will change so that your ideas, thoughts, comments; and, feedback on next steps can be discussed.
- We will post a Meeting Summary to our website soon after each meeting.

**Phase I Planning – Purpose and Scope – Tom Olliff, Assistant Executive Director, SFWMD:**

- This is an “Issues Workshop”, hosted by the SFWMD Water Resources Advisory Commission. Its purpose is to hear from you. We intend that with your input, this series will lay the groundwork for decision-making.
- We have an agenda for this meeting and will create a “Parking Lot” for issues and comments to address at future meetings.

**“River of Grass” Phase I Planning**

- There will be a break after each segment of the presentation for questions/comments.
- Tom Olliff provided an overview of the Purpose and Scope of the Phase I Planning process.
  - **Discussion:**
    - **Jennifer Hecker - Southwest Florida Conservancy:** Is the proposed leaseback price per acre a final number?
    - **SFWMD:** Yes. With approval of the Purchase and Sale Agreement, the \$50/acre has been agreed upon by the SFWMD Governing Board.
    - **N. Demayo - City of Belle Glade:** Purchase and Sale Agreement – how are the bonds to be repaid?
    - **SFWMD:** By using existing SFWMD Ad Valorem revenues.

- **Wendel Johnson - City Manager, Clewiston:** What assurances can the District give that existing revenues will pay those costs?
- **SFWMD:** The SFWMD Governing Board negotiated an amendment to the Purchase and Sale Agreement which allows the District to step out of the agreement if the impact of debt would interfere with our ability to carry out the mission. We don't know the interest rates today that would be available for financing, but we still need to meet mission requirements within existing millage rates.
- **Jeff Ward - Sugar Cane Growers Cooperative of Florida:** What will be the amount of Certificates Of Participation (COPs, or "bonds") to be issued and will they be specific to this project; or, be avail for the EAA reservoir, Compartments B&C buildout?
- **SFWMD:** The plan for the River of Grass restoration is to issue \$1.34 billion in bonds to be used only for this acquisition. The Governing Board will need to make strategic decisions for other projects. We have the funding needed to complete Compartments B&C, and we're now going out to bid.
- **SFWMD:** Assuming we close on the acquisition, the purpose of these workshops is to determine what is the best thing that can happen on this property. The SFWMD Governing Board has directed that we conduct an open and public planning process (Tom Olliff continued the presentation re: Planning Goals):
- **Discussion:**
  - **Mike DiTerlizzi – WRAC Member from Martin County:** Impacts and benefits of viable configurations – time table?
  - **SFWMD:** Don't have a firm time table at this time.
  - **Mike DiTerlizzi** - This is separate from the Comprehensive Everglades Restoration Plan funding then - any idea about whether the federal government will help pay for construction?
  - **SFWMD:** First we need to decide what restoration looks like and then decide who pays for what. Challenge is where to find funds to build this. SFWMD likely to be at the limits of funding availability and the "River of Grass" projects will require significant funding to build.
  - **Ray Scott - Florida Department of Agriculture and Consumer Services (FDACS):** What is the relationship between the planning process and the COPS – is it necessary for Phase I planning to be complete before COPS can be issued?
  - **SFWMD:** No. COPs can be issued prior to there being a plan in place. Hurdle is Validation Hearing to determine if we have the legal ability to issue the bonds but the important issue is whether that much capital will be available from the market.
  - **RayScott** - The validation is for \$2.2 billion? **SFWMD:** Yes.
  - **Sam Poole – on behalf of Florida Crystals:** What is the relationship between the acquisition of the 180,000 acres and CERP projects. Initially described as an alternative to storage and treatment in Northern Everglades. At annual Everglades Coalition Conference there was much

discussion about substituting these projects for the Aquifer Storage and Recovery wells planned for Lake Okeechobee. Without participation by CERP partner agencies how will this go forward?

- **SFWMD**: The federal partners are part of this process and have been invited to participate. Planning of this project is, however, not currently part of CERP. With this opportunity we have the option to look at all storage needs north and south of the lake. We know ultimate goal is about 1 million acre feet (maf) of additional storage needed in the system. Lake Okeechobee Watershed Technical Plan and River Watershed Protection plans presented to the Florida Legislature call for about 300,000 acre feet (af) of storage north of the lake. All options are open for this group to provide ideas, but we may not have a preferred alternative at the end of this process. We may present three or four of the best alternatives to the Governing Board noting positive/negative attributes, economic feasibility, etc.
- **Charles Dauray – SFWMD Governing Board**: This should be viewed as an incremental process to achieve a systemic whole for restoration. There are limitations about what can be accomplished by the partners. Each entity has financial limitations. Implementation will of necessity be incremental but will lead to achievement of overall goals.
- **Sam Poole** - If we're trying to achieve benefits for the entire system, storage north of the lake is vitally important. When evaluating the options we may find storage north of the lake is of more benefit to the overall system.
- **SFWMD**: When you see the modeling and approach for the proposed River of Grass project footprints, you may see more benefit from this approach.
- **Joe Schweigart – JAS Water Resources**: Can SFWMD identify lands adjacent to USSC lands that may be useful in helping achieve the overall goals?
- **SFWMD**: This will be part of the planning process – there are lands not within the USSC footprints. When we have scoped out several reasonable footprint concepts, constraints - e.g. willing sellers will be identified. Intent is to assess the constraints and opportunities to overcome them.
- **Frank Bernardino – the Wren Group**: Question for Governing Board members: When CERP was approved Florida relied on a 50% partnership with the federal government. With this acquisition, the ability to implement River of Grass projects exceeds the capacity of SFWMD to finance construction, so at time of closing the district may not have a commitment from the federal partners; or, is the opportunity so great that you must move forward?. Is there a threshold for closing on the acquisition?
- **Charles Dauray – SFWMD GB**: We hope there will change.
- **Jerry Montgomery – SFWMD GB**: Best answer is you need to watch the upcoming Board meetings. There is not a good answer to your

question at this time. These issues will be thoroughly discussed at the upcoming Board meetings.

- **Joe Schweigart** – it is troubling that the U.S. Army Corps of Engineers (USACE) is not participating in this process. The planning may be hindered by not including them early on.
  - **SFWMD:** This process is being hosted under auspices of the SFWMD WRAC, which includes the federal partner agencies. It provides opportunity for federal participation. This is intended to be a high level planning process.
  - **SFWMD:** Just because the SFWMD is responsible for pulling logistics together, does not mean we're not working behind scenes with the federal government, the American Indian tribes and others, at a technical level to look at modeling, options, etc. The USACE is with us each step of the way and we are ensuring information is fully vetted with the USACE.
  - **Joe Schweigart** - Need to have a transparent process.
  - **SFWMD:** We used a similar process for the C-111 Spreader Canal Expedited Project, Phase I, and believe this will be as successful.
  - **SFWMD:** Like to acknowledge attendance here today of Kimberly Taplin USACE; Bob Johnson, Everglades National Park; Rock Salt, U.S. Department of the Interior; and Paul Souza, U.S. Fish and Wildlife Service.
- **Map Overlays Presentation. Ken Ammon, SFWMD Deputy Executive Director, Everglades Restoration,** presented detailed maps showing the land and other assets of the U.S. Sugar Corporation and the existing projects of the SFWMD, in the Everglades Agricultural Area.
  - **Discussion:**
    - **Denny Abbott** - Since bulk of the USSC land is in Palm Beach County does that mean Palm Beach County taxpayers will pay for the acquisition?
    - **SFWMD:** No it's spread over the 16 counties of the SFWMD.
    - **Ray Scott** - How will this planning process deal with the proposals for the "Intermodal Port"?
    - **SFWMD:** We will consider the proposals as the conceptual footprints are developed. As we analyzed the conceptual footprints we asked the "what if" questions about whether any of the alternative sites would be selected so we moved the conceptual footprint away from the proposed port sites.
    - **Ray Scott** - What about the Florida Crystals proposed Intermodal Port site – appears to differ in size from the other proposed sites - would it not interfere with the restoration projects?
    - **SFWMD:** At the conceptual level it could be different, but we were looking at it from a location point of view and said we need to leave the land in event it might be the selected site.
    - **Gaston Cantens – Florida Crystals:** Our proposed Intermodal Port site is to the east and north of the mill. If a proposed footprint includes those lands, the SFWMD would have to acquire all of our facilities. Many people say the Florida Crystals proposed site for the port is untenable

because it would interfere with the restoration footprint, however, it will not because it's not situated that way.

- **SFWMD**: It depends on the final footprint; however, for discussion, assume an optimum flowway is selected as the final footprint, when cost estimates are completed, the price to SFWMD would likely be prohibitive.
- **Mark Perry – WRAC Member, Florida Oceanographic Society**: Palm Beach County presentations on the proposed Intermodal Port sites, appear larger in size than shown here, and would potentially interfere with the restoration footprints. But some of the lands in question are in contention now and would not be considered, correct? **SFWMD**: Correct.
- **Herbert C. Gibson – Landowner, EAA**: Has SFWMD notified owners of land adjacent to proposed footprints, and is there a process in place for including adjacent property owners in planning?
- **SFWMD**: We have included major landowners and some smaller owners in presentations about the proposed footprints. Mr. Gibson: Who are those owners? SFWMD: Florida Crystals and some Sugar Cane Growers Cooperative members. Mr. Gibson: Said he is a Cooperative member but has not been notified. SFWMD: Will work with Mr. Gibson on this.
- **Antonio Perez - Attorney**: The term “Flowway” has been used extensively by the SFWMD – so the question is - is it a flowway or not? SFWMD talks about transparency but it won't be a flowway and won't be like the pictures shown in the promotional materials.
- **SFWMD**: We're using “managed flowway” - a series of reservoirs and treatment areas to clean and store water. We remind everyone that there have been no decisions on any footprints.
- **Kevin McCarthy – Commissioner, Hendry County Commission**: SFWMD is showing these areas as flowways. This is disingenuous because the public thinks these are being dug down into ground 15', but the reality is you will build dikes 15' above ground. This also conflicts with the U.S. DOI characterization which is more “structure free”. There is an assumption we need to treat water coming out of the lake at 180 parts per billion (ppb). Need to look at problem comprehensively. And it appears you keep moving the boundary (for restoration) north to the northern boundary of Water Conservation Area 3, versus south to the northern boundary of Everglades National Park (ENP). This is not the answer. The public thinks this is all about saving ENP.
- **SFWMD**: We don't differ with those comments. Do want to remind everyone that we are not proposing any footprints here, but we are presenting information to the public that has been compiled over six months. Intent is to meet Everglades restoration targets including hydropattern restoration, endangered species protection, etc. We will go over all of the performance measures and go through the modeling issues to get your input at future workshops.
- **RaeAnn Wessel - Sanibel Conservancy**: How does USSC owned land shown on these maps compare to needs of the Caloosahatchee watershed?

- **SFWMD**: The S-4 basin is roughly half of the total. We're showing information used to develop the conceptual original footprint, but that will change as a result of these meetings.
- **Sam Poole**: This slide gets into interaction of projects (USSC, Florida Crystals, Intermodal Port, etc.). Everglades Agricultural Areas (EAA) Reservoir, Phase I was halted before the opportunity of the USSC acquisition was made clear. Need to make sure benefits of different projects are kept separate.
- **SFWMD**: The EAA Reservoir Phase I construction ceased because of the Natural Resources Defense Council lawsuit. That lawsuit is still not settled. This planning process provides an opportunity for assessment of restoration needs.
- **Mr. Gibson - EAA Landowner**: Asked about eastern boundary and how does it relate to USSC land, US 27/Miami Canal, and town of South Bay.  
**SFWMD**: We will provide you that information.
- **Barbara Miedema – Sugar Cane Growers Cooperative**: We've devoted two years in WRAC Lake Okeechobee Committee and WRAC meetings to develop consensus about the Lake Okeechobee Watershed Phase II Construction Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plans, and recommendations to the USACE about repairs to the Herbert Hoover Dike. All of this work is intended to plan for needed storage and treatment north of the Lake. With this modeling has there been a look at how those plans will work to resolve problems and avoid taking this much land out of agricultural production?
- **SFWMD**: Yes we did take that information into account. The task now is to determine the best mix of storage and treatment both north and south of the Lake.
- **Chad Kennedy** – WRAC Member, Florida Department of Environmental Protection: Areas outlined in white represent storage areas? **SFWMD**: some treatment but most of it is storage.
- **Jeff Ward – Sugar Cane Growers Cooperative**: Re: USACE Environmental Impact Statement on expansion of Compartments B and C - they want to add 7,000 acres to Stormwater Treatment Area (STA) -1 and the EIS states that the USSC acquisition "is speculative". There was a plan – "ECART" – to route more water from the S-5A basin to Compartments B&C. However "ECART" appears to have been taken off the table and USACE is not now considering it. Why? ECART seems to have been a more economical treatment alternative. If it is still part of the planning process why has it been taken off table?
- **SFWMD**: The EIS proposes phased projects. ECART is not off table but there may be even more economical options. The problem with ECART is it did not consider an additional volume of water moving south in the Everglades system, so we think it better to first determine volumes needed for restoration before moving forward with ECART.
- **Antonio Perez**: Why would SFWMD propose taking the most productive agricultural land in Florida out of prod?

- **SFWMD:** We need to go through this process to determine how much land would be needed for storage and treatment of water needed for Everglades restoration. We will address this issue as we develop alternative footprints. It does make sense to use less productive land because doing so would extend the economic value of the most productive lands
- **Tom Olliff, SFWMD:** Summarized comments:
  1. Need to involve federal government in formal and informal planning process because of the relationship to the CERP.
  2. Need to determine SFWMD budget impacts and especially impacts on future projects. Include relationship of funding for construction re: fed/state government.
  3. Assumptions re: Quality of water coming from Lake Okeechobee and other projects at the north end of the system.
  4. Consideration of ECART project – this proposed project footprint is in middle of River of Grass proposed footprints. Need to look at ECART in terms of these issues.
- Did we miss anything?
  - **John Marshall – The Arthur R. Marshal Foundation:** – the District just held a Hydrologic Restoration Targets workshop January 14-16, during which the feds discussed restoration targets. What will be the USDOJ role in this planning process?
  - **SFWMD:** We were not considering a presentation on the USDOJ proposal for this meeting. Will do so at a future meeting.

**Afternoon:**

- **Tom Olliff, SFWMD:** Governing Board Chair Eric Buermann sends his regards; he'd planned to be here but could not due to a medical problem. Depending on schedule, he plans to be at some of the future meetings.
- **Reservoir Sizing and Operations Screening (RESOPS) Model: Tommy Strowd, Asst. Dep. Exec. Director, Everglades Restoration, SFWMD:**  
Tommy Strowd summarized the Reservoir Sizing and Operations Screening (RESOPS) Spreadsheet Model used to run a high number of scenarios during the negotiating period for the USSC acquisition.
- **Discussion:**
  - **Mary Ann Martin - WRAC Lake Okeechobee Committee:** Re: Storage needs north and south of the lake: Recent droughts took a significant toll both north and south of the lake, while billions of gallons were discharged to tide on the east and west coasts. Concerned about Florida taxpayers paying for construction of storage areas and that could be bone dry much of the time. The SFWMD GB needs to consider options of the C-43 and C-44 reservoirs.
  - **SFWMD:** The RESOPS model and other planning tools will allow a look at storage in various basins and how it impacts those basins.

- **SFWMD**: Modeling will help determine how much water is needed north, south, east and west and can evaluate the wet and dry years.
  - **Paul Gray, Audubon of Florida**: When modeling in for the Northern Everglades plans needed to meet phosphorous removal goals. Model runs showed we would need from 350,000 acre feet to 1.3 million acre feet of storage and treatment.
  - **SFWMD**: We plan to run all of the scenarios through the models as we go through this process.
  - **Paul Gray**: Caution when modeling north of the lake if using an “average water year. It is the peak flows during very wet years; e.g. 1.5 million af went into the lake in one month and could only capture 300,000 af for treatment. One million af went into the lake without treatment. That blows the Total Maximum Daily Load requirement. We need more storage than assumed in an average water year. This issue needs more attention.
  - **SFWMD**: We moved through this analysis step by step: began with the CERP storage estimates. Northern Everglades: about 900,000 to 1.3 million af. Ran scenarios to simulate those numbers and came up with about 1 maf that will be needed.
  - **Paul Gray, Audubon**: SFWMD has initiated the Fisheating Creek sub-basin plan. The Kissimmee Modeling and Operational Study will help provide input into your modeling re: Upper Chain of Lakes, Kissimmee Headwaters and Kissimmee River Restoration needs.
  - **Mark Perry**: Re: Natural Systems Model and the RESOPS: Did you look at Taylor Slough and Northern Florida Bay needs or just Shark River Slough?
  - **SFWMD**: The water budget model scale does not get to level of flows at Taylor Slough/Northern Florida Bay. Our planning work for the C-111 Spreader Canal Expedited Project has been to improve those. **Mark Perry**: Any estimate of losses due to ground water seepage? **SFWMD**: Those are estimated to be relatively small. **Mark Perry**: What about evapotranspiration? **SFWMD**: It is part of the RESOPS water budget analysis and it is a huge amount.
  - **Forest Michael**: Other planning processes set goals, objectives and strategies. Request the WRAC assist in better defining goals and objectives for this acquisition.
  - **SFWMD**: We will tackle setting goals and objectives and strategies at the next meeting.
- **Preliminary Findings (Tommy Strowd)**: Mr. Strowd summarized the preliminary findings of the RESOPS modeling work.
  - **Discussion**:
    - **Mark Kraus, Everglades Foundation**: When reviewing plan, need to consider highs and lows. Reservoirs will be dry during droughts. Consider impacts on the biota. If we’re not providing water for the plants and animals, we’re not restoring the Everglades.

- **Kevin McCarthy**: Assume 100-200 ppb phosphorous in water coming out of the Lake. If we treat that water before coming out of the Lake, would need less coming out. DACS only has \$10 mil. per year to implement the TMDLs. The SFWMD Governing Board needs to supplement that, and needs to approach landowners north of the Lake and offer \$4,500/acre to see if they would be willing sellers.
- **Mark Perry**: 12,000 to – 45,000 acres of treatment are needed in addition to the existing STAs? **SFWMD**: Yes. **Mark Perry**: Evapotranspiration losses – really not lost because it comes back to the landscape as rainfall. Very important to consider timing and distribution of flows, especially historic timing of flows. **SFWMD**: We have ability to adjust the assumptions on inflows/concentrations, etc. We can then size storage and treatment areas based on an average annual basis. Regarding evapotranspiration, once we pay to store water, want to optimize keeping it there.
- **Environmental Assessment/Due Diligence Summary: Bob Kukleski, Lead Engineering Specialist, Land Management Dept., SFWMD**: Mr. Kukleski provided a summary of the Environmental Assessment work accomplished as part of the USSC acquisition negotiations.
- **Discussion**:
  - **Martha Musgrove**: We hope the cost estimates are very conservative. On removal of first 6” of soil – when removed and used for spoil alongside canals – since it is contaminated, would you not get runoff into the canals and would that not exacerbate the problem?
  - **SFWMD**: If we scrape the upper 6” of soil and replace it with clean soil it limits impact of the contaminated soil. **Martha Musgrove**: How long would that be effective? 20 yrs? 2yrs? **SFWMD**: We don’t anticipate problems with that type of sill – it is an accepted remediation technique. **Martha Musgrove**: With the high transmissivity of water through the soil in the Everglades what is the standard by which you would determine if is safely in place for each type of soil? **SFWMD**: We must go by Sediment Quality Assessment Guidelines (SQUAGs) for each contaminant or agrochemical used in preliminary screening. For agrochemicals with no “SQUAGs”, we did assessments of site specific contaminants, then ran results through a model which includes endangered species and other biological resources. **Martha Musgrove**: If the proposed footprints include land not within USSC owned lands, would you have to do additional evaluations? **SFWMD**: Yes. This report is specific to the 180,000 acres of USSC owned lands.
  - **Bob Pace, USFWS**: Need to do level 1 or 2 surveys before land swaps or third-party sales so we know where the hot spots are. Are those surveys being required before third party swaps?

- **SFWMD:** We have not discussed any potential swaps with 3<sup>rd</sup> parties. We need to go through this planning process first and recommend the footprint, then go to 3<sup>rd</sup> parties.
  - **Dave Disbrel – Organic Green Solutions:** – we are constructing biofilters using organics. Have you considered Biofiltration systems using microbial means to clean up water? **SFWMD:** we have considered phyto-remediation using plants to remove contaminants. To date on large scale projects, we’ve not seen evidence that those means would be efficient or effective at this scale. **Dave Disbrel:** Are you interested in looking at effective system? In British Columbia it is being done effectively at a large scale. We’ve shown you can get 15 years out of a biofilter if not more. **SFWMD:** Yes we’re open to options. **David Disbrel:** Water coming down could flow through berms and get remediation of the contaminants.
- **Future Mtg. Topics: Tommy Strowd, SFWMD:**
  - Not all meeting presentations in this process would be from SFWMD Staff. Our intent is get broad participation from the public. If you have a relevant presentation, please contact us so we can get you on the agendas.
  - **Charles Dauray, SFWMD GB:** It is important to note that we are contemplating one of the largest ecosystem restoration projects with many variables that will impact a large number of people. The SFWMD staff is thorough and knowledgeable. It is a priority of the Governing board to have broad public participation in this process.
  - **Jerry Montgomery, SFWMD GB:** We need to rethink the name and presentation of the proposed project.
- **Tom Olliff, SFWMD: Summary of issues for future meetings:**
    1. Need to involve the federal agency partners.
    2. Need to determine SFWMD budget impacts District operations and future construction.
    3. Assumptions re: Lake Okeechobee restoration and Northern Everglades projects need to be reviewed before completing a River of Grass project plan.
    4. Consider “ECART” in project planning.
    5. Presentation of USDOJ vision Paper at future meeting.
    6. Initial Steps: Identify Goals, Objectives and Strategies
    7. Consider improved “Best Management Practices” (BMPs) as part of planning for River of Grass project.
    8. Potential renaming of project/new template.
    9. Recognize that any project plans requiring additional lands or swaps will require environmental assessments and due diligence.
    10. Economic effects on agricultural productivity.
    11. Consider duration of environmental impacts.
    12. In-lake phosphorous load/mud layer.
    13. Coordinate/discuss with and notify landowners

- **Additional Discussion:**
  - **John Marshall:** Restore the “missing link” to the River of Grass. Anything less than that will not restore the Everglades. The Hydrologic Restoration Targets Workshop identified a huge amount of water that needs to go south in wet years to restore the Everglades. Need to work on that.
  - **Sylvia - Project Leader, Loxahatchee National Wildlife Refuge:** Have you considered expanding STAs-1 East and West?
  - **SFWMD:** This will play out as configurations are considered. We’re not looking to adjust existing STAs but do understand interrelationship with existing STAs. This project would be planned to store and treat more water coming out of the Lake.
  - **Kevin Mccarty, Hendry Co. Commission, and Clewiston Mayor Mali Chamness** thanked everyone for attending.

**Next Meeting – February 3, 2009, SFWMD, Building B-1 Auditorium, 10:00 a.m., 3301 Gun Club Road, West Palm Beach.**