

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
JANUARY 20, 2017**

Chairman Smith called the meeting to order at 9:36 a.m. and welcomed everyone to the meeting. He led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County:	Commissioner O'Bryan Commissioner Adams Mayor Tyson
Martin County:	Commissioner Smith Commissioner Fielding Mayor Campo Commissioner Conze, Jr., Alternate
St. Lucie County:	Commissioner Mowery Commissioner Johnson
Palm Beach County:	Commissioner Valeche Commissioner Bernard, Alternate Mayor Gerwig Mayor Tinsley Vice Mayor Hmara Commissioner Paula Ryan, Alternate Councilmember Robert Gottlieb, Alternate
Gubernatorial Appointees:	Douglas Bournique Michael Davis Reece Parrish Steven M. Weaver, Sr.
Ex-Officios:	Kathy LaMartina, SFWMD Jennifer Davis, FDEP
Council Staff:	Michael Busha Phyllis Castro Liz Gulick Stephanie Heidt Tom Lanahan Dana Little Peter Merritt
Council Attorney:	Keith Davis

The Executive Director announced a quorum is present.

## AGENDA APPROVAL AND CONSENT AGENDA

Chairman Smith noted Commissioner Ryan requested that Consent Agenda Items 7C9, City of West Palm Beach Comprehensive Plan Amendment No. 16-4ER and 7C10, City of West Palm Beach Comprehensive Plan Amendment No. 16-5ESR be pulled for discussion. Chairman Smith also noted Agenda Item 12, Regional Transportation Update, would be postponed until the February meeting. Commissioner Mowery moved approval of the Agenda and Consent Agenda with the requested changes. Mayor Tinsley seconded the motion, which carried unanimously.

**Motion**

Items remaining on the Consent Agenda were: 7C1, Annual Audit Report – Fiscal Year 2015-2016; 7C2, Financial Report – November 30, 2016; 7C3, Minutes – December 9, 2016; 7C4, City of Belle Glade Comprehensive Plan Amendment No. 16-1ER; 7C5, Town of Lantana Comprehensive Plan Amendment No. 16-2ESR; 7C6, City of Palm Beach Gardens Comprehensive Plan Amendment No. 16-2ESR; 7C7, City of Palm Beach Gardens Comprehensive Plan Amendment No. 16-3ER; and 7C8, Wellington Comprehensive Plan Amendment No. 16-4ER

## ANNOUNCEMENTS

Staff invited everyone to a Council Member Orientation being held at Council offices in Stuart immediately following the meeting.

Staff noted Council recently received a three-year grant award from the U.S. Economic Development Administration, which will enable Council to continue its legacy service of economic development assistance in support of all local economic development agencies and local governments in the region.

Staff indicated Council staff is working with the Federal Highway Administration (FHWA) to host a Road Diet Webinar & Live Course. Staff stated on February 3rd there will be a live course in Tequesta with the FHWA. Staff stated this is a great opportunity to learn more about Complete Streets and road diets.

Staff stated February 9<sup>th</sup>, Council will host two town hall meetings for the Florida Chamber Foundation to provide information and obtain local input for their 2030 research project. The meeting in St. Lucie County will be from 9:00 – 11:00 am and the Indian River County meeting will be from 2:00 – 4:00 pm. Staff noted Palm Beach County will be holding their meeting on March 14<sup>th</sup> at the Palm Beach Convention Center from 8:00 – 10:00 am.

Staff announced Council will be conducting a full-scale, mass-casualty and terrorism exercise for first responders in April. The event will involve a series of scenarios throughout the region to test our preparedness and communication systems in the event of a terrorist attack in the region. Several local, state, and federal agencies will be participating in the exercise.

Staff indicated the annual audit for Fiscal Year 2015-2016 has been distributed to each Council member. Staff noted fund balances and carry-over are up and revenue is up over expenditures, putting Council \$29,000 in the black. Additionally, staff stated at the direction of the Budget/Personnel Committee, an extra \$30,000 was applied to the principal on Council's building loan.

Staff congratulated St. Lucie County on their \$1.2 million award from the Florida Department of Transportation (FDOT) to create a connector trail in the Savannas.

Staff announced Council is co-hosting a Joint Legislative Breakfast in Palm Beach Gardens on January 30<sup>th</sup> from 7:00 to 9:45 am.

### **CHAIRMAN'S COMMENTS**

None.

### **COUNCIL MEMBER UPDATE**

Commissioner Conze with the Town of Jupiter Island noted most residents on Jupiter Island remain concerned about the All Aboard Florida (Brightline) project. Additionally, they are becoming very agitated about the state of the lagoon and the water conditions, and are eager to work together to find the solutions that will secure the future for Florida and our water supply.

Commissioner Fielding with Martin County noted that it was a pleasure to come to fully realize that our newly elected congressional representative, Brian Mast is quite interested and focused on our water quality issues. That is a very positive thing and he is going to be a good help.

Commissioner Bernard with Palm Beach County noted he is the newest Palm Beach County Commissioner and is eager to learn more about Council.

Commissioner Ryan with the City of West Palm Beach noted her city has a lot of things going on with transportation, and unfortunately the city's transit-oriented development project has been delayed. However, she stated they will continue to focus on mobility issues and alternative transportation.

Councilmember Gottlieb with the Town of South Palm Beach noted the town only has one issue, and that is to restore and protect their beaches.

Commissioner O'Bryan with Indian River County stated they are looking forward to the terrorism exercise in April.

Commissioner Valeche with Palm Beach County noted the Palm Beach Metropolitan Planning Organization (MPO) hosted a tour of the new Brightline station in West Palm Beach. He also noted the Atlanta Braves are no longer interested in locating in the county. He stated they were under a tight timeline and were having trouble identifying sources of funding.

Councilmember Davis, Gubernatorial Appointee from Palm Beach County, wished everyone a Happy New Year. He acknowledged the great work of Council staff, noting he recently attended a staff presentation in downtown West Palm Beach on mobility and good urban planning. He noted staff does not just work 9:00 to 5:00, but are out in the community promoting good planning when needed.

Commissioner Johnson with the City of Fort Pierce noted a lot of great things happening in his city. He stated he is glad to be part of Council and looks forward to all the opportunities ahead.

Commissioner Adams with Indian River County echoed Commissioner O'Bryan's comments about the mass casualty operation. She also noted the Frog Leg Festival is this weekend in the City of Fellsmere.

Vice Mayor Hmara with the Village of Royal Palm Beach stated they have decided to be more proactive with the subject of medical marijuana by developing a well-balanced ordinance that will embrace the intent of the amendment while also protecting the community. He stated they want to be proactive and have restrictions in place before the state imposes their interpretation of the amendment. He stated the ordinance addresses issues such as separation distances and hours of operation. He offered to share their ordinance with those interested. Staff indicated Indian River County has also done such an ordinance, and staff will post these ordinances on the website for use by other local governments.

Commissioner Valeche stated Palm Beach County had instituted a one-year moratorium regarding medical marijuana, but have since decided this is too long to wait, because the voters have spoken overwhelmingly and there are individuals that will benefit from this amendment. He said they have decided to wait for the end of the legislative session to see if the state will take any action, and if there is no state direction, they will craft their own ordinance, using Indian River County as a model, to give their residents an opportunity to take advantage of what the voters want.

Mayor Tinsley with the City of Palm Beach Gardens wished everyone a Happy New Year. She stated in her city they have had a similar conversation regarding medical marijuana and they have chosen to wait and learn from other local governments. She stated what she learned from Council on mobility and impact fees is coming to fruition with the comprehensive plan amendments on the current Council agenda. She said they are also preparing for the Honda Classic, noting this is the 15<sup>th</sup> consecutive year of the event being held in the city. She stated they have been a wonderful community partner, infusing \$53 million into the local economy last year, with a record-setting donation of \$3.2 million to local children's charities, which assist 30,000 children and their families. She indicated she recently read an article by Beth Kigel about autonomous and connected vehicles. She stated Ms. Kigel is a Florida Transportation Commissioner and also the CEO of the Palm Beach North Chamber of Commerce. Mayor Tinsley suggested Council invite her to a meeting to do a presentation on this subject.

Chairman Smith indicated the Florida Association of Counties (FAC) is hosting a medical marijuana summit that will include speakers that will present how they have implemented their programs and share their experiences. He indicated the summit will be held at the Embassy Suites in Lake Buena Vista, and directed Council members to the FAC website for more information.

Mayor Gerwig with Wellington invited everyone to the February 4<sup>th</sup> great charity challenge where over \$1.5 million will be awarded to Palm Beach county charities. She noted the Winter Equestrian Festival opened the previous Saturday night with standing room only. She indicated the horse show operator has requested changes to the equestrian overlay zoning district, which has created a lot of work for the planning staff. She stated they may be leaning on Council staff for assistance.

Mayor Campo with the Town of Sewall's Point stated it is a great day for him as an American, public official, and father to witness the peaceful transfer of power in Washington, D.C. He stated he is proud to be a public official and have his children going to school in D.C. during this time. He

noted his children had a chance to see a town meeting where the people were accusing him of government dominance over their septic tanks. He stated at the end of the meeting his children told him what he was doing to go from septic to sewer is a good thing. He stated the town is now working with Representative Harrell's office to obtain some grant funding for the septic to sewer transition, which will improve the environment.

Councilmember Weaver, Gubernatorial Appointee from St. Lucie County, welcomed the newest Council members and Chairman Smith. He stated it is fortunate to have Congressman Brian Mast appointed to the Infrastructure and Transportation Committee. He suggested inviting him to speak at a Council meeting in the future.

Mayor Tyson with the City of Fellsmere noted this is going to be an exciting year for the city, giving credit to Commissioner Adams for all her hard work when she was Mayor. He stated there will be a groundbreaking this year on a \$22 million assisted living facility. Additionally, he noted a joint venture between the Indian River County MPO and FDOT to build a \$4 million overpass to connect their rails to trails from Sebastian through Fellsmere. He stated the city has also received a grant to do landscaping and improvements to the old school building where City Hall and the Boys and Girls Club are located. He said the city will also begin digging a regional lake to handle runoff for future development on Broadway Street. He stated the City Manager, Jason Nunemaker is notorious for getting assistance grants. Mayor Tyson noted the Frog Leg Festival began the previous night and over the next four days they will have close to 100,000 people attend. He also noted the 2<sup>nd</sup> annual Shrimp Festival will be held on the last weekend in February, and will raise money for children's sports teams.

Jennifer Davis with the Florida Department of Environmental Protection noted in the last nine months the Department has taken a progressive approach to meet with municipalities, counties, different facilities, and trade organizations to foster relationships. She stated anyone can reach out to the Department if there is an opportunity to meet with any company or facilities in this area. She also announced they will be holding their 2<sup>nd</sup> Annual Open House, noting this is a great opportunity to meet the staff and attend a few training sessions. She stated they will be sending out information to everyone.

## **CITY OF WEST PALM BEACH COMPREHENSIVE PLAN AMENDMENT NOS. 16-4ER AND 16-5ESR**

Staff provided an overview of the proposed amendment No. 16-4ER, which is the city's Evaluation and Appraisal Review (EAR) amendment. The EAR process is required to be done on a periodic basis which involves a complete review of a local government's comprehensive plan to clarify language, eliminate redundancy, reflect current practices, ensure compliance with state regulations, and update references in the document. Staff provided an overview of the current amendment, which includes text changes to the Introduction and Administration, Future Land Use, Transportation, Housing, Utilities, Coastal Management, Conservation, Recreation and Open Space, Intergovernmental Coordination, Historic Preservation, Public Schools Facilities, Capital Improvements, and Downtown Master Plan elements, as well as changes to the Map Series of the comprehensive plan.

Commissioner Ryan stated she wants to make two important points in terms of what the city is doing that she believes are not in the best interest of the community. She stated the proposed

amendment will be the first step in creating a road that will go right through an historic African American community. She noted this community has already been bifurcated and isolated years ago with the construction of Palm Beach Lakes Boulevard and Quadrille Boulevard. She stated with the increased construction and development in the areas, as well as the continued pressure with Brightline and continued train crossings, approval of this is basically saying it is okay to cut this neighborhood off again and create an opportunity to isolate it further by extending 7<sup>th</sup> Street through. She indicated the idea of this amendment is to increase zoning to 8 stories in front of what is in essence the historic neighborhood with the intention of building a hotel. She stated it is very important to her that this neighborhood not be destroyed further. She noted when CityPlace was built it was promised that the investment was going to create a major opportunity for this neighborhood, the Northwest Neighborhood District. She said now there are plans to move their focus outside the neighborhood, as opposed to focusing on changes that could be done to improve the investment in the community. She stated she vehemently opposes this and asked Council to help the West Palm Beach City Commission understand the impacts this amendment will cause to the Northwest Neighborhood District, even though this is not a regional issue.

Staff indicated Council is limited to making recommendations related to impacts to regional resources and facilities. At the same time, Staff can make comments and recommendations that address good planning principles, which has been done and are included in the staff report for the proposed changes to the Downtown Master Plan Element.

Chairman Smith asked if there is anyone from the public who wished to provide comment on this amendment. Seeing none, he asked staff to provide an overview of the second amendment. Staff explained Agenda Item 7C10, City of West Palm Beach Comprehensive Plan Amendment No. 16-5ESR proposed changes to the city's Downtown Master Plan Element that will essentially move two portions of what is known as the Industrial Chic District to make it part of the Northwest Neighborhood District. Staff noted the significant part of the amendment is to change the height limit from 5 stories to 8 stories in the entire area. Staff explained that the subject property is partially developed and is along the west side of the Florida East Coast (FEC) railway. The amendment proposes to make this property part of the Northwest Neighborhood District as well as modify the development rules for the property and the area west of Rosemary Avenue, which runs north/south through the neighborhood, to allow taller buildings there as well. Staff stated what the city is trying to do is raise the height along the west side of the tracks and step down as you move westward. However, by raising the height, it makes it harder to step down across Rosemary to the existing one to two story neighborhood fabric to the west. Staff asked what actions were taken by the Community Redevelopment Agency Board and Planning and Zoning Commission.

Commissioner Ryan noted this has been in process for 12 months, and she has tried to insert herself into the process. She indicated the changes to the master plan were passed, but the proposed zoning was stopped. However, because it will be coming back for reconsideration, she stated she would like the full commission to have the facts and information on the long-term impacts some of these changes could have on this historic African American neighborhood that for the past 40 years has been ignored. Councilmember Davis asked if Commissioner Ryan believes there has been effective outreach and enough public meetings on this proposed change. Commissioner Ryan stated she does not believe so, noting the first meeting was scheduled for January 22, 2016 with 28 people from Florida Atlantic University and the city planning staff, but only 3 community members. She indicated since that time there have been 2 or 3 private meetings and a community meeting the

previous night with about 250 people attending. She stated there has never been an effort to create a real opportunity for discussion.

Chairman Smith stated it would be helpful to know the position of the city commission. Commissioner Ryan stated they have denied the zoning, but it will be coming up for reconsideration, because there has been a moneyed investment push to address the importance of an 8-story hotel. Chairman Smith asked if it is the objective of the commission to refile the plan amendment as something else. Commissioner Ryan said she is not sure if the commission understands what can and cannot be done, and have asked the city staff to provide some education on what is happening at this location. Staff indicated the draft staff report, which contains the concerns of Commissioner Ryan, has been sent to the city staff. Staff stated if the commission is going to reconsider this amendment, these comments and recommendations can be reviewed at that time. In order to avoid any Sunshine Law conflicts, Commissioner Ryan asked if staff can make sure these comments are shared with her fellow commissioners. Chairman Smith stated it is legal for her to share a memo with the other board members, but they cannot respond and it needs to be a one-way communication. Keith Davis confirmed a one-way communication is not a Sunshine violation, but any interaction will cause a violation. Commissioner Ryan stated she just wants to have her points known. She stated what we are doing with road diets is good, but we need to recognize the importance of the impacts to the neighborhoods. Councilmember Davis asked if the recommendation should be strengthened. Staff indicated they can provide assistance to Commissioner Ryan on how the process works and how she can use Council's report to bolster her case to the other commission members.

Mayor Gerwig motioned to approve the staff report for the City of West Palm Beach Comprehensive plan Amendment No. 16-4ER. Commissioner Fielding seconded the motion, suggesting Amendment No. 16-5ESR be added to the motion. Chairman Smith stated he would like to keep the vote on the two agenda items separate.

**Motion**

Councilmember Weaver asked if there are any caveats within the 8-story zoning being presented that have a tiered setback for height as you step away from the existing one and two story heights. Commissioner Ryan indicated that is being brought forward under the zoning changes. She stated the problem is when you do not want 8-stories on the west side of the neighborhood, but you are not providing the same parity or equity for the business and property owners along Rosemary Avenue. She stated the original intent under the Downtown Master Plan was to maintain a commercial district, so this strategy will be creeping into the community.

Chairman Smith asked for public comment. Seeing none he called for a vote on the motion, which carried unanimously.

Commissioner O'Bryan moved approval of the staff recommendation for Agenda Item 7C10, City of West Palm Beach Comprehensive Plan Amendment No. 16-5ESR. Commissioner Fielding seconded the motion, which carried unanimously.

**Motion**

### **COMMITTEE APPOINTMENTS – 2017**

Chairman Smith presented his selection for Committee Members and asked for a motion to accept the appointments.

**Motion**

Commissioner O'Bryan moved approval of the appointments. Commissioner Mowery seconded the motion, which carried unanimously.

**UPDATE ON OFFSHORE FOREIGN SAND STUDY BY NICOLE FOGARTY,  
LEGISLATIVE AFFAIRS DIRECTOR, ST. LUCIE COUNTY**

Nicole Fogarty, Legislative Affairs Director for St. Lucie County and the City of Fort Pierce, and Kate Cotner, Assistant County Attorney for Indian River County, provided an update on a provision in the Water Resources Development Act (WRDA) signed into law last month. The provision authorizes, but does not compel, the U.S. Army Corps of Engineers (Corps) to study "the economic and noneconomic costs, benefits, and impacts of acquiring by purchase, exchange, or otherwise, sediment from domestic and non-domestic sources for shoreline protection." The study needs to be funded by Congress, which will be challenging without earmarks. The enacted provision was a compromise of the original request by St. Lucie and Indian River counties that the Corps allow the use of foreign sand. Staff indicated Council had reviewed a proposal in September 2015 by Miami-Dade County to continue their beach re-nourishment permit, with one of the potential sources of sand being offshore of the Treasure Coast Region. Staff noted Council took a very strong position against this, suggesting federal legislation should be changed to allow another sand study to look at the Bahamas as a possible source for sand.

Councilmember Davis indicated he had done three WRDA bills and he thinks some of the language in the proposal needs to be changed because it may not be procedurally correct. He said if we want to be successful, we need to try to get the provision in the 1986 WRDA modified, but he does not believe we should give up on the study path as well. He suggested contacting the Trump Administration and argue that they need to include this in their first budget. It is legitimate since it is already authorized. It will not be very expensive, and they should be sympathetic to something that potentially saves money in the federal government. He suggested contacting Ms. Jo-Ellen Darcy, Assistant Secretary of the Army.

Chairman Smith mentioned the possibility of contacting the Bahamas to talk to them about an agreement we have with them on manufacturing. There is a certain amount they can do to bring in duty-free into the country if manufactured there. He questioned if there is a way to amend the ability for the American dredging industry to do dredging in the Bahamas, so we are not asking them to compete with a foreign flag. They are actually the ones doing it, so the 50% rule or content rule is easily met because they would be the actual ones doing it. If there is a way to have an agreement with the Bahamian government that asked, using these parameters, or using this kind of infrastructure and work, is there a way to amend the process so there is no threat to the industry? The pressure is from the industry who does not want to open up competition. Ms. Fogarty noted they would like to have that option and then start opening our negotiation.

Chairman Smith declared that he does not know if an option is needed. He suggested that we talk to the Bahamian government about any impediments they would foresee. If they see it as financially beneficial, they probably would not see it as a problem. If there is a way for American dredgers to be able to do that portion of the business and control that part of the business on the revenue side, would they fight it? Ms. Fogarty said that she could not answer that question. Chairman Smith noted this is something that came up 15 years ago when Miami first came to us and asked the same question even before we had done the sand study in 2012.

Ms. Cotner responded that she thought it is a fantastic idea and agreed that we should explore that option, a dual track. It is a very good idea but the current language is limiting: Non-domestic sand cannot be used if domestic sand is available.

Chairman Smith responded that if the impediment, the threat to the industry, is removed, then the ability to amend that language specific to the Bahamian sand source for a specific portion of the southeast coast of Florida might be politically achievable. Chair Smith agreed with suggestions of keeping the parallel track going, and at the same time, find a way to remove the impediment.

Councilmember Weaver asked about changing the wording to say that it could consider international sand if there was no equivalently cost effective domestic sand available. Ms. Fogarty responded that the new study language, that made it in the WRDA bill, alludes to the fact that they are required or compelled to do it.

Councilmember Weaver asked Ms. Fogarty if they had analyzed what the dredging company's core issues are in any attempts to try to find some middle ground where they would not oppose you. She answered that when they were at the table with them, they were not very amenable to any of our issues. They indicated that they are protected and wanted to stay that way.

Chairman Smith assured that Council is ready and willing to help when they are ready to present something to us.

Ms. Fogarty answered that they want the new federal administration to come in and then assess what lies ahead. She noted that Congressman Mast sits on the Transportation and Infrastructure Committee, which is a huge victory for us and we can appeal to him to be able to put this amendment up again. They are going to start drafting WRDA 2018 in November 2017. Since we made it in the House WRDA 2016, we have more of a chance of getting it in the original language this year, and that is what we want to do. We will have to work with staff to modify or even delete the 1986 WRDA language in regards to non-domestic and domestic sand.

Commissioner O'Bryan asked if Miami-Dade County is required to make it an Army Corps project, a federal project, or a local project. Ms. Fogarty answered that they are taking it as a local project, because the proviso language has tied their hands, asserting that they cannot use the shoal sand source when re-nourishing their beach. She said that she is not sure if they are using Corps money for the truck haul, but she does know that they are using state money for their local truck haul right now. Commissioner O'Bryan noted that they could create a local project, use local funds, and get rid of a lot of this. Ms. Fogarty noted it was about \$20 million out of their budget. Commissioner O'Bryan said that Miami-Dade County probably gets more than \$20 million in their tourist tax, and a lot of this could be avoided if they made it a local project and spent their own money to get the sand from the Bahamas. Ms. Fogarty noted the Corps' position is that there are guidelines to follow if one wants to use their money. The Corps' money cannot be used to acquire non-domestic sand.

Councilman Davis indicated he is confident that the restrictive WRDA 1986 language only applies to the cost share provisions of the federal government.

Councilmember Bournique mentioned that he studied beach erosion since his dad had a beach house in Palm Beach, which was lost in the 1964 hurricane due to erosion. Velocity is a critical problem. Our sand supply comes from the rivers in New England, moves down the peninsula, and

we are losing most of it because the rivers are dammed and diked, so that the velocity creating the sand is not there. We need to slow the velocity of the northeasters that take our sand supply and deposit it out into deeper water. We can slow the velocity down by using jetties. When Palm Beach had engineers take out their jetties, the beach went away. When you talk to some of the old engineers they will tell you that if you can slow that current from the northeasters or a hurricane, the sand will be deposited.

Ms. Cotner finished by saying that per Council's direction, they will come back. Chairman Smith indicated that he had a couple of other things we could be doing, simultaneously, to make sure that we have all of our Florida people lined up that would be a help as well.

### **UPDATE ON COMPREHENSIVE EVERGLADES RESTORATION PLAN BY LIEUTENANT COLONEL REYNOLDS, U.S. ARMY CORPS OF ENGINEERS**

Lieutenant Colonel Reynolds provided an update on the Corps' ecosystem restoration projects. The update included the Kissimmee River Restoration Project; Lake Okeechobee Watershed Project; Indian River Lagoon – South; Loxahatchee River Watershed Restoration Project; Brown County Water Preserve Area; C-44 Reservoir and Stormwater Treatment Area; the Central Everglades Planning Project; Picayune Strand Restoration Project; C-43 Western Basin Storage reservoir; Western Everglades Restoration Project; Modified Water Deliveries to the Everglades National Park, C-111 in South Dade; and Biscayne Bay Coastal Wetlands.

Lieutenant Colonel Reynolds noted there is always discussion and questions on why the Corps cannot move projects forward sooner. She explained that when they developed their Integrated Delivery Schedule, they looked at how projects interact with one another, and their interdependency along with where federal and state investment can be used to realize the most benefits in a short-time to achieve multi-purpose benefits. She indicated this is a living document so it can be changed as projects move forward. She stated the next projects will be the Everglades Agricultural Reservoir project; the Lake Okeechobee Regulation Schedule; and Phase 2 of the Biscayne Bay Coastal Wetlands Project.

Chairman Smith said he believes we are in one of the better places we have been in a very long time, stating he appreciates all the progress and efforts of the Corps.

Councilmember Bournique stated he has been fortunate to have been involved with water issues for 40 years and for the first 30 served on South Florida committees. He said in the last decade the projects that are being done have been phenomenal, and for the first time in his life he sees tangible things being done to make a difference to the lagoon and ecosystems of our peninsula. He thanked Lieutenant Colonel Reynolds for her service. Commissioner Fielding agreed the Corps is doing a fantastic job.

Chairman Smith stated he needed to leave and Vice Chairman Parrish will be continuing the meeting.

### **UPDATE ON LOXAHATCHEE RIVER WATERSHED RESTORATION PROJECT BY KEN TODD, PALM BEACH COUNTY WATER RESOURCES MANAGER**

Ken Todd, Water Resource Manager for Palm Beach County stated he was asked to talk about the Loxahatchee River Watershed Restoration Project and the locally preferred options that have been developed by the project development team comprised of local governments, state and local agencies, as well as other stakeholders. He gave a brief history of the project, which included the Loxahatchee River being named a Wild and Scenic River in 1985; an interlocal partnership for the L-8 Reservoir; setting minimum flows and levels for the river; and tentative selection of a plan in 2010, which was not approved at the federal level. He noted in 2011 there was an extreme drought and at that time water was sent north for the first time in five years to the Loxahatchee River, along with providing water supply for several municipalities. He stated that unfortunately the L-8 Reservoir was repurposed and is no longer the reservoir used to supply water to the Loxahatchee River, which made people nervous and concerned about how they were going to supply water to the river.

Mr. Todd noted the north county environmental goals and issues were to: reduce flows into the Lake Worth Lagoon; restore flows to the Loxahatchee River; restore connectivity to the Hungryland and Loxahatchee sloughs and Vavrus property; use the Mecca site to help convey water north; and preserve and protect the water supply while providing an environmental benefit. He noted that for five years the project did not move forward, so the goals were revised to: provide restoration flows to the Loxahatchee River; enhancement of the Loxahatchee Slough; reduce freshwater flows to Lake Worth Lagoon; protect and preserve water supply for various utilities; and better flood protection for the western communities. He noted currently there are five alternatives addressing three flow-ways with various storage, conveyance and environmental restoration components. Flow Way 1 is in North Palm Beach and Martin counties; Flow Way 2 is the C-18 canal basin; and Flow Way 3 is the L-8 canal basin/Grassy Waters Preserve. He indicated this is an opportunity for local governments to work together to ensure that local concerns are addressed. He stated we need to make sure that whatever plan is selected, that the components the local communities want are included. Councilmember Davis said he wanted to make sure everyone understands that any components of the locally preferred option that are not included in the federal government's preferred alternative will be need to be paid for by the locals if they are to happen.

Mr. Todd thanked Lieutenant Colonel Reynolds and her staff, noting they have been very good about working with the locals. He stated their hands are somewhat tied, because they still have to meet all the federal regulations, and because their plan only has two of the goals (Provide Restoration Flows to Loxahatchee River and Enhancement of Loxahatchee Slough), all the components of the local plan may not be included. Councilmember Davis asked if there is a sense of the cost difference between the two plans. Mr. Todd stated they are still working on the cost estimates. Staff asked if there is a chance the local options could be completely accepted. Mr. Todd said it is possible, but unlikely.

Mayor Gerwig noted there is a lot of pressure between the farmland communities that feel threatened by being taken over for water storage and the eastern communities that want pristine beaches and waterways. She asked if this process is trying to address that issue. Mr. Todd stated this process deals more with the L-8 basin of the Loxahatchee River than the agricultural area. Mayor Gerwig stated she feels it is not a separate issue, because the lagoons are threatened. Mr. Todd stated to do that we would have to reduce flows coming from the west to the east, which has for the most part been done because of Stormwater Treatment Areas 1 East and 1 West and all the infrastructure that has been installed. Mayor Gerwig asked what the key is to keeping the L-8 from picking up lake water. Mr. Todd stated that will be determined by the Water Management District and Corps. Councilmember Davis asked if what is being proposed and designed by the water

management district on the Mecca site will be sufficient for the preferred alternative and if the water management district is listening to the locals. Mr. Todd stated they have done preliminary estimates and this should be sufficient. He noted the water management district and Corps understand the local options, and are trying to work with them within the confines of what they are allowed to do.

## **PUBLIC COMMENT**

Jeff Koons noted he was a proud member of Council for 20 years. He stated he was also a city commissioner in the City of West Palm Beach and mayor in 1991 when the Corps wanted to shut off the water into Grassy Waters, which is the headwaters of the Everglades and the river. He noted he has chaired seven different water committees and founded the Lake Worth Lagoon Initiative. He said he wanted to talk about where the monies have already been spent. He stated Martin County has bought 30,000 acres, and Palm Beach County has bought 20,000 acres for \$100 million. He stated all that property in Palm Beach County and south Martin County is publicly owned and cannot be developed. He stated the water comes from the Disney World parking lot, down the Kissimmee River, and through Lake Okeechobee. He said they put \$80 million into the Lake Worth Lagoon restorations and \$60 million into Loxahatchee River restoration. He said buying this land is a unique opportunity to have really good water, on publicly owned land, to make systems that work. He stated that we have a unique opportunity to take advantage of using and reusing this water and to have it go to the river and not into the lagoons. He stated all the well-fields, the river, and all the historic sloughs at the north end of Palm Beach County and the south end of Martin County will be recharged.

Mr. Koons stated that, going forward, there needs to be a mechanism that the locals can consider concerning funding in terms of restoration and maintenance of this water. He said fresh water will keep the saltwater out, and if he was a coastal community, he would be looking for high water tables. He stated that much has already been done to fund the difference between the Corps' plan and the public plan. We only need to be able to fund the operational costs going forward. Mr. Koons indicated he would like to address the Council at its next meeting and bring a proposal and resolution.

Drew Martin noted he has worked as a volunteer with the Sierra Club on support of Loxahatchee River restoration. He stated the club has not taken a position on the C-51, but is concerned that the first phase does not address the river and will cost \$161 million primarily for Broward County water. He stated the question is how to get the most done for the money. He stated you could probably buy a significant portion of the Avenir property, the part they say is not going to be developed, and then there would be a guaranteed flow way right to the Loxahatchee River and it would not cost as much as this project. He said there are a lot of possibilities that are being ignored. He said the locally preferred alternative is beneficial to reduce the freshwater flows, but the question is will that water meet the water quality standards. He indicated the Sierra Club does support restoration of the Loxahatchee River, but he is not sure if the preferred option is the best option and he would like to keep our minds open to other possibilities.

Mr. Martin noted Mr. Todd gave a very interesting presentation the previous day to the Water Resources Task Force regarding the different ways flood insurance is rated. One of the things presented was there are a number of different ways to rate flood insurance and having more open space preserved in your region, the lower the flood bills are for the public. He said his flood

insurance has risen from a couple hundred dollars to over \$500 and he is not even in a flood zone. He only buys flood insurance to help put more money into the program. He stated the Sierra Club continues to oppose any kind of baseball stadium in a public park, because he does not believe there will be economic development if you turn over park activities. He said if someone wants to build a baseball stadium, they need to purchase the land and fund the construction. He indicated one example of a good environmental project is the Westgate CRA in Palm Beach County that experienced a lot of flooding due to low elevations. He said they have put in a lake and a man-made creek that has reduced the flooding significantly, which will reduce their flood insurance. Mr. Martin stated he would like Council to invite Mr. Todd back to make the presentation regarding the ways that flood insurance is rated.

### **STAFF COMMENT**

Staff invited everyone to lunch and the Council member Orientation meeting.

Vice Chairman Parrish noted the next meeting is on February 17<sup>th</sup> at 9:30 a.m.

### **ADJOURNMENT**

There being no further business, Vice Chairman Parrish adjourned the meeting at 12:07 p.m. This signature is to attest that the undersigned is the Secretary or a designated nominee of the Treasure Coast Regional Planning Council, and that the information provided herein is the true and correct Minutes of the January 20, 2017 meeting of the Treasure Coast Regional Planning Council.

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Date

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Signature