

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
MAY 17, 2019**

Because a quorum was not present, action items were not addressed or voted on at this meeting. These items will be heard at the next scheduled Council meeting.

**Agenda Item 1: Pledge of Allegiance**

Chair Adams called the meeting to order at 9:41 a.m. and welcomed everyone. She led the pledge of allegiance.

**Agenda Item 2: Roll Call**

Thomas Lanahan, Council's Executive Director, took roll and announced a quorum was not present.

The following members and alternates were present:

Indian River County:           Commissioner O'Bryan  
  Commissioner Adams  
  Councilmember Dodd  
  Mayor Tyson, Alternate

Palm Beach County:           Commissioner Valeche  
  Commissioner Berger  
  Councilman Hmara  
  Commissioner Weinroth, Alternate

Martin County:                 Commissioner Jenkins, Alternate

Gubernatorial Appointees:   Douglas Bournique  
  Reece Parrish

Ex-Officios:                   Kathy LaMartina, South Florida Water Management District  
  Jennifer Davis, Florida Department of Environmental Protection

Council Staff:                 Thomas J. Lanahan  
  Kim DeLaney  
  Liz Gulick  
  Stephanie Heidt  
  Sarah Kammel  
  Dana Little  
  Jessica Seymour

Council Attorney:             Keith Davis

### **Agenda Item 3: Agenda**

Because a quorum was not present, this item was not taken up.

### **Agenda Item 4: Consent Agenda**

Because a quorum was not present, all items will be heard at the next scheduled Council meeting.

### **Agenda Item 5: Algae Presentation by Dr. James M. Sullivan, Executive Director, Florida Atlantic University Harbor Branch Oceanographic Institute**

Mr. Lanahan introduced Dr. James Sullivan, Executive Director of Florida Atlantic University's Harbor Branch Oceanographic Institute. He noted that Dr. Sullivan was recently named as one of five people to serve on the Governor's Blue-Green Algae Task Force. The task force will focus on key funding and restoration initiatives and make recommendations to expedite nutrient reductions in Lake Okeechobee and downstream estuaries. Dr. Sullivan noted that with the coming warm season we will start to see more harmful algal blooms (HABs). He stated that occurrences of phytoplankton that cause negative human and ecosystem impacts include red tide on the west coast; toxic blue-green algae blooms in Lake Okeechobee and the St. Lucie Estuary; and brown tide that is occurring in the northern part of the Indian River Lagoon. He indicated that the three things phytoplankton and HABs need to grow are optimal light, temperature, and nutrients, noting that the only one we can control is the amount of nutrients getting into our waterways. He noted these HABs release toxins that are harmful to humans, fish, and the environment, and produce high levels of biomass that sits on the surface of waterbodies and shades the light from reaching underwater plants that need the light to survive.

Dr. Sullivan noted that these HABs are also creating an economic crisis, because of lost tourism and recreational opportunities. He stated HABs are increasing not only in geographical locations, but also in the types of algae being found, as well as the frequency, duration, and severity of the HABs. He noted that HAB events are increasing due to several reasons which include more nutrients being put in our water; global warming and climate change; and human ecosystem modifications. His presentation included examples of how HABs are affecting the Indian River Lagoon, Lake Okeechobee, the Banana River, and the St. Lucie Estuary, and what the effects are to the health of humans.

Dr. Sullivan indicated that Harbor Branch, along with local government and agency partners, has started the Florida Center for Coastal and Human Health that will bring in scientific experts to help figure out what these HABs are doing to our population. He stated they will be doing research that includes screening across the Indian River Lagoon to look for toxins and monitor the water for HABs in order to look at how the toxins are getting into our food, which is critical to know in order to determine how HABs affect people and marine mammals. He noted they will also be looking at modeling to be able to better predict the risk to the environment and inform stakeholders on how to better deal with the HABs. He noted that this research could ultimately affect state and federal policy on how to deal with this issue.

Robert Lowe from St. Lucie County asked if there is a difference between saltwater and freshwater with respect to the types of algae. Dr. Sullivan said yes, noting that the blue-green algae in Lake Okeechobee is a freshwater algae that can grow in lower salinity conditions, but will die once it reaches the ocean. He noted that there is evidence that the blue-green algae that grows in Lake Okeechobee is adapting to higher levels of salinity and it can exist in places it had not before. Mr. Lowe stated that he read in a report that when algae die on the water surface it will go to the bottom and kill the oxygen for the plants. He indicated he has heard that this is what may be affecting the coral reefs. Dr. Sullivan stated that corals are not animals, but do have symbiotic plants that live inside them, and when the plants are hurt it results in coral bleaching. He noted that in the Florida Bay, if there is a thick bloom above a coral reef, the plants that live in the coral cannot get light and they can die. He noted that the Florida Reef Tract is being affected by a lot of issues that are separate from algae, but he believes all of these systems are connected. Dr. Sullivan noted that we are currently putting many nutrients into the water and they are trying to compartmentalize the nutrients to determine the biggest sources of this nutrient loading.

Commissioner Valeche from Palm Beach County asked if there is any effective algaecide that can be deployed to kill the Lake Okeechobee algae bloom before the water is discharged. Dr. Sullivan stated that because of the size of Lake Okeechobee there is nothing mechanical that can be done. Also, adding an algaecide will not only kill the bad algae, but also the good algae that are the base of the food chain for the Lake's ecosystem.

Commissioner Weinroth from Palm Beach County asked if anything is being done to go after the DNA of the harmful algae to try to eradicate just that particular type. Dr. Sullivan indicated there are some mitigation measures being developed that include manufactured clay that can be sprayed over the surface of a waterbody and then be wiped away. Also, some people are working on engineering viruses and/or bacteria to combat the algae, but he stated that bioengineering viruses to kill has had a long history of backfiring, and as a scientist he gets scared when we start talking about making organisms that kill. Commissioner Weinroth stated that we cannot do anything about light and temperature, and until we get rid of septic it will be hard to lessen the nutrients going into our waterways. He asked if the Florida Center for Coastal and Human Health is putting any resources into eradication of the algae. Dr. Sullivan noted that there is very limited funding from the state and federal governments, and although this is a very important issue, there has not been a lot of financial support. He stated that this is a battle on many fronts and all the money cannot be allocated to just one issue, such as red tide, brown tide, or blue-green algae. He stated that there needs to be more research done to understand the problem before mitigation strategies can be developed.

Councilmember Parrish, Gubernatorial Appointee from St. Lucie County, asked where all his work is focused. Dr. Sullivan indicated he mostly concentrates on the east coast. Councilmember Parrish asked how far out into the ocean can the algal bloom be found. Dr. Sullivan indicated that the red tide on the west coast originated offshore in the Gulf of Mexico, most likely around 100 miles, and was then transported over to the state's coastline. Another harmful algae is sargassum, which originates in the center of the Atlantic Ocean. Councilmember Parrish asked if the Florida Coral Reef Tract is being affected by these algal blooms. Dr. Sullivan stated he

believes it is putting more stress on an already overstressed coral reef tract. He stated they do not even know if the coral reef disease is bacterial or viral, and do not know what is causing it or how it is being spread. He indicated that the warming waters and the increase of sediments from the HABs are not helpful to the coral reefs.

Mr. Lowe asked if there is a survey of the coral being done. Dr. Sullivan indicated he has not heard of a survey being done, adding that at Harbor Branch there are researchers working on the coral disease issue with the Florida Department of Environmental Protection.

Kathy LaMartina from the South Florida Water Management District noted that blue-green algae is not always toxic. She asked what happens to make it toxic. Dr. Sullivan noted that there are many species of blue-green algae, and not all are microcystic, the toxic version, which grows in nutrient-rich water. Ms. LaMartina asked if it is a health risk to catch fish when there is an algal bloom, but no toxins are present. Dr. Sullivan noted that research is still being done to determine how long these toxins live in fish flesh. He indicated that most toxins cycle out over time, usually 30-60 days if there is no exposure to more toxins. He noted that there is not a lot of data on this, but part of the fundamental research that is being done is to look at trophic transfer, which is how the bioaccumulation and toxins move up the food chain.

Under public comment, Drew Martin with the Sierra Club stated that one of his concerns is that people believe a chemical can be put into the water to solve the problem. He indicated he appreciated Dr. Sullivan's response to this question. He stated that the assumption is that all that can be done is being done, but he stated the regional planning council does have more power, because the ultimate cause of the problem is overdevelopment, building on wetlands, and the way people landscape. He suggested there needs to be more education of the public from the elected officials. For example, he noted that the expansion of Kanner Highway in Martin County could contribute to the toxic algal blooms with increased runoff. He stated that when we issue dredge and fill permits that take away wetlands for development we create more runoff that puts more nutrients into the system from more fertilizer being applied to the new lawns. He stated just reducing the lawns and the amount of chemicals going on those lawns would make a huge difference. He stated he recommends that development should be encouraged to treat runoff onsite through bio swales. He noted that the septic tanks that are still being used, particularly on the barrier islands, are also part of the problem.

#### **Agenda Item 6: Comprehensive Economic Development Strategy Committee Bylaws Modifications**

Because a quorum was not present, this item will be heard at the next scheduled Council meeting.

#### **Agenda Item 7: Brownfields Revolving Loan Fund Consultant Selection Committee**

Because a quorum was not present, this item will be heard at the next scheduled Council meeting.

## **Agenda Item 8: Proposed Budget Amendment for Fiscal Year 2018-2019**

Because a quorum was not present, this item will be heard at the next scheduled Council meeting.

## **Agenda Item 9: Announcements**

Mr. Lanahan made the following announcements:

- Governor DeSantis vetoed the bill that prohibited local governments from issuing bans on plastic straws, therefore local governments still have the authority to ban straws.
- On Monday, May 20<sup>th</sup>, there will be a Coral Reef Working Group meeting at the South Florida Regional Planning Council (SFRPC) offices in Hollywood. Commissioner Smith from our Council and Commissioner Furr from SFRPC have taken the lead on the issue of coral disease in the Florida Reef Tract and coordinating efforts across the two regions.
- On Friday, May 24<sup>th</sup>, the City of Port St. Lucie will be hosting a tour of the McCarty Ranch water quality project that was presented by Mayor Oravec at the March Council meeting.
- The week of June 10<sup>th</sup> Council staff will be working with the City of Fort Pierce Council and staff on their Request for Proposal process to select a developer for the former H.D. King Power Plant Site that is located in the downtown, waterfront area of the city.
- The Florida Regional Councils Association will be meeting on June 13-14 in Orlando. The meetings will be in conjunction with the Florida Association of Counties conference.
- Council staff is working with St. Lucie County on a resilience conference scheduled for June 26<sup>th</sup> that will be geared to elected officials and senior staff of the county and municipalities.
- The next Council meeting will be on June 21<sup>st</sup>.

Mr. Lanahan noted that House Bill (HB) 7103, adopted by both the House and Senate, contains a number of different growth management issues. One is a provision whereby the losing party of a land use decision challenge must pay the prevailing party's legal fees. He noted that Council staff does not believe that this is positive for land use regulations in the state, because there are few ways left to ensure that comprehensive plans are followed. This will weaken the ability for citizens to challenge a local decision, and how adjacent local governments can address extrajurisdictional impacts. Mr. Lanahan noted that Council could not currently vote on sending a letter to the Governor, but encouraged everyone, as either individual citizens or a local jurisdiction, to send comments to the Governor opposing the bill. He noted that the bill has not yet been sent to the Governor's office.

## **Agenda Item 10: Chairman's Comments**

Chair Adams thanked Council members for attending the meeting.

## **Agenda Item 11: Council Member Update**

Commissioner O'Bryan from Indian River County noted that when Governor DeSantis vetoed the plastic straw ban bill he included a letter that stated he thought it was best to let local governments make those types of decisions. Commissioner O'Bryan indicated the Indian River Board of County Commissioners voted to send a letter to the Governor thanking him for taking this stance on home rule. Commissioner O'Bryan noted the Florida Association of Counties is also sending a similar letter, and he encouraged other local governments to do the same.

Commissioner Valeche indicated that Palm Beach County has been notified that the U.S. Department of Homeland Security intends to send 1,000 illegal immigrants to Broward and Miami-Dade counties each month over the next year once they have been processed and given a court date. He stated that the problem is where these people will live and how they will sustain themselves. He indicated he has not heard that there will be any funding assistance from the federal government, and Governor DeSantis is not happy that he was not consulted on this beforehand. He noted that there was also a bad piece of legislation passed that restricts mandating affordable housing. Mr. Lanahan noted that it is included in HB 7103 and states that there can be no mandate unless incentives are offered that have an equal or greater value than the requirement. Commissioner Valeche stated there is also language that developers can recover unspecified damages, but there is no formula for assessing the loss of profits. He noted in Palm Beach County they have done extensive work on their workforce housing program.

Mr. Lowe indicated that Indian River State College was awarded the Aspen Award, which designates it as the number one college, out of 1,117 colleges, in the United States.

Councilmember Bournique, Gubernatorial Appointee from Indian River County, stated that our state is more delicate and fragile than we thought 30-40 years ago. He said we never thought about things like what happened when we flush our toilets or when the oil from our cars ends up in a canal. He stated we are all connected throughout the state and need to be more aware that everything we do, from flushing our toilets to throwing fertilizer in our backyards or growing citrus, affects the environment.

Jennifer Davis from the Florida Department of Environmental Protection noted that earlier in the month they held Emergency Responders Networking Conferences in Broward and St. Lucie counties. She noted that Kate Boer of Council staff presented at the conference and did a fabulous job. Ms. Davis stated that next year they will be holding the symposium in a more central location.

Mayor Tyson from the City of Fellsmere noted that Jason Nunemaker, the City's manager for the last 14 years, has left his position. He stated that during Jason's time at the City they went from one square mile to 57 square miles, with 10 miles of I-95 running through the City. He noted that the Boys and Girls Club is building a \$2 million dollar standalone building out in Fellsmere and

the City Council has finished the permitting process for the Tractor Supply Company to build a new store near I-95. He indicated they are using the Florida City and County Management Association's Senior Advisors Group to help with the search for a new City manager. He also asked for everyone to pray for Vice Mayor Sara Savage, who has been ill.

Councilman Hmara from the Village of Royal Palm Beach indicated they have a new development coming out of the ground that follows the notion of a mixed use, more dense development, and walkable city. He stated this will give them a first-hand feel for the benefits, and perhaps some disadvantages, of doing this type of development. He noted one of the things often missed with this type of development is that it provides social, economic, and environmental benefits.

**Agenda Item 12: Public Comment**

Mr. Martin asked that if Council is opposed to HB 7103 that a letter be written to the Governor to indicate that. He stated that in the past challenges made by some of the environmental groups have actually helped to assist local government in developing a better plan. He said if this passes, everyone will be reluctant to do anything because of the risk of having to pay legal fees. With respect to plastic straws, he indicated that we should not just be giving out the straws, especially at beach venues. He stated people do not need to use a straw to drink a glass of water, but have been conditioned to believe they do. He stated the cities do not need to do a ban, but encourage the practice that a straw is not given to someone unless they ask for it.

**Agenda Item 13: Staff Comment**

Mr. Lanahan stated that if Council chooses to weigh in on HB 7103, there is nothing that prohibits that. He noted that since a vote could not be taken, if there was consensus among those Council members present that a letter should be sent to Governor DeSantis expressing concerns about HB 7103, that would be appropriate. Councilman Hmara stated he would like to get more information on the bill, but would be interested in taking up the possibility of a letter. Commissioner O'Bryan stated he has no problem with sending a letter. Commissioner Jenkins from Martin County stated he would support sending a letter, noting Martin County has already done so. Chair Adams asked if any Council members present do not support sending the letter. No one objected.

**Agenda Item 14: Adjournment**

There being no further business, Chair Adams adjourned the meeting at 10:46 a.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 May 17, 2019 meeting of the Treasure Coast Regional Planning Council.

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Date

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Signature