Agenda Item #: 5A-2

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date: December 3, 2019	[ ] Consent [ ] Ordinance	[x] [ ]	Regular Public Hearing
Department: Administration			
Submitted By: Administration			

#### I. EXECUTIVE BRIEF

**Motion and Title: Staff requests motion to authorize:** the Mayor's signature on a letter to the South Florida Water Management District (SFWMD) recommending that SFWMD communicate their support of the Loxahatchee River Watershed Restoration Project (Project) to the U.S. Army Corps of Engineers (USACE) and requesting SFWMD to collaborate with the County on alternative water resources solutions.

Summary: In addition to supporting efforts by SFWMD and USACE to restore the Loxahatchee River watershed, the letter formally requests that SFWMD collaborate with the County to pursue alternative water resources solutions that: 1) address County and stakeholder concerns with a single element of the Project, the proposed Mecca reservoir; 2) achieve ecosystem restoration goals that are not being addressed by the Project; and 3) are compatible with other SFWMD efforts to achieve state-mandated water quality initiatives within the County. The letter also requests that SFWMD's letter of support to USACE and/or the accompanying resolution for the Project include language that: 1) recognizes the County's concerns with the Mecca reservoir; 2) communicates SFWMD's support of a joint SFWMD-County effort to evaluate the feasibility of complementary water resources projects as described above; and 3) requests that USACE coordinate with SFWMD and the County during future Project-related activities such as the development of project partnership agreements, sequencing plans and design activities. The SFWMD Governing Board is considering the transmittal of a letter of support to USACE for the Project at their December 12, 2019 meeting. Countywide (MJ)

Background and Policy Issues: A plan to restore the Loxahatchee River watershed was approved in 2000 by Congress as part of Everglades Restoration. Joint SFWMD/USACE project planning began in 2003, was put on hold in 2011 and re-started in 2016. In March 2019, USACE released a Draft Integrated Project Implementation Report and Environmental Impact Statement for the Project for public review. On April 30, 2019, the Board of County Commissioners approved a motion to continue to support state and federal efforts to restore the Loxahatchee River watershed, communicate key concerns with the Project and express interest in collaborating with USACE and SFWMD to reconsider the Mecca reservoir to be more compatible with adjacent lands. On July 2, 2019, the BCC approved initiating a study to evaluate the feasibility of additional alternatives that address County and stakeholder concerns and enable future collaboration. However, there does not appear to be an opportunity within the USACE process that allows incorporation of additional information from the County's feasibility study. The USACE is expected to complete a Chief of Engineers report, which is typically the basis for Congressional authorization, in March 2020. Congressional authorization is being targeted for 2020; appropriation of funds by Congress would then be needed to proceed with design and construction activities.

Attachments: 1) Letter to SFWMD		
Recommended by: _	County Water Resources Manager	10-30-2019 Date
Approved By:	Po	10/301/9

**Assistant County Administrator** 

**Date** 

## II. FISCAL IMPACT ANALYSIS

# A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital					
Expenditures					
<b>Operating Costs</b>					
External					
Revenues					
Program					
Income(County)					
In-Kind					
Match(County					
NET FISCAL					
IMPACT					
#ADDITIONAL					
FTE					
POSITIONS					
(CUMULATIVE					

Revenues						
Program				-		
Income(County)						
In-Kind						
Match(County						
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**Department Director** 

# Draft, Subject to Change

December 4, 2019

Drew Bartlett
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Dear Mr. Bartlett,

Subject: Loxahatchee River Watershed Restoration Project

Letter of Support and Commitment to Future Collaboration on Alternative Water Resources

**Solutions** 

Palm Beach County (County) supports efforts by the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (USACE) to restore the Loxahatchee River watershed. The County also recommends that the SFWMD Governing Board communicate their support of the Loxahatchee River Watershed Restoration Project (Project) to USACE to enable authorization by Congress in 2020.

The County has been a leader in restoration efforts in the Loxahatchee River watershed, aggressively acquiring almost 28,000 acres of land and restoring wetlands for the benefit of the ecosystem. County staff has also been engaged in every iteration of Loxahatchee River restoration, including when it was identified as the North Palm Beach County Project.

As you know, there is a lack of stakeholder support for a single element of the Project, the proposed above-ground water storage reservoir on the Mecca site. County and stakeholder concerns with the Mecca reservoir include the 20-foot embankment heights and perceived flood risks and public safety issues, high costs and its incompatibility with adjacent lands, including existing and proposed natural areas. In July 2019, the County, in an effort to address County and stakeholder concerns, initiated a feasibility study to optimize and/or refine the Project alternatives previously evaluated by USACE.

The County believes that there are other more cost-effective solutions that would provide significant benefits to the Loxahatchee River watershed, increase flood control and water supply benefits, and improve conditions in the Lake Worth Lagoon, all of which would garner broad stakeholder support.

### Draft, Subject to Change

Unfortunately, there does not appear to be an opportunity within the USACE process that allows incorporation of additional information from the County's feasibility study. As such, the County is interested in collaborating with SFWMD to pursue alternative water resources solutions that: 1) address County and stakeholder concerns with the proposed Mecca reservoir; 2) achieve ecosystem restoration goals that are not being addressed by the Project; and 3) are compatible with other SFWMD efforts to achieve state-mandated water quality initiatives within the County.

Additionally, this letter formally requests that language be included in SFWMD's letter of support to USACE and/or accompanying resolution for the Project that: 1) recognizes the County's concern with one element of the Project, the Mecca reservoir; 2) communicates SFWMD's support of a joint SFWMD-County effort to evaluate the feasibility of complementary water resources projects as described above; and 3) requests that USACE coordinate with SFWMD and the County during future project-related activities such as the development of project partnership agreements, sequencing plans and design activities.

The County looks forward to continuing to work with SFWMD and is committed to providing technical, stakeholder coordination and legislative support.

Sincerely,

Mayor, Palm Beach County

cc: Members, Palm Beach County Board of County Commissioners Verdenia C. Baker, County Administrator, Palm Beach County Jeremy McBryan, Water Resources Manager, Palm Beach County Colonel Andrew Kelly, U.S. Army Corps of Engineers Lt. Colonel Todd Polk, U.S. Army Corps of Engineers