

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MARCH 17, 2016 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **March 17, 2016** at the offices of the Southwest Florida Regional Planning Council - 1400 Colonial Boulevard, Suite #1 in Fort Myers, Florida. Chair McCormick called the meeting to order at **9:35 AM**. **Mayor Shaw** then led an invocation and the Pledge of Allegiance. Nichole Gwinnett conducted the roll call and noted that a quorum was present.

MEMBERS PRESENT

Charlotte County: Commissioner Ken Doherty, Commissioner Tricia Duffy, Mr. Don McCormick

Collier County: Commissioner Penny Taylor, Mr. Bob Mulhere

Glades County: Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Commissioner Don Davis, Commissioner Julie Wilkins

Lee County: Commissioner Frank Mann, Commissioner Cecil Pendergrass, Councilman Jim Burch, Councilman Forrest Banks, Vice-Mayor Mick Denham

Sarasota County: Commissioner Charles Hines, Mayor Rhonda DiFranco, Mayor Willie Shaw, Councilman Fred Fraize

Ex-Officio: Mr. Phil Flood - SFWMD, Mr. Jon Iglehart -FDEP, Ms. Derek Burr-FDOT, Ms. Tara Poulton - SWFWMD

MEMBERS ABSENT

Charlotte County: Councilman Gary Wein, Ms. Suzanne Graham

Collier County: Commissioner Tim Nance, Mr. Alan Reynolds

Glades County: Commissioner Weston Pryor, Councilwoman Pat Lucas, Commissioner Tim Stanley

Hendry County: Commissioner Sherida Ridgill, Mr. Mel Karau

Lee County: Mayor AnitaCereceda, Ms. Laura Holquist

Sarasota County: Commissioner Carolyn Mason, Mr. Felipe Colón

Ex-Officio: None

Chair McCormick stated that due to the lack of a quorum, Agenda Item #7(a) would be moved up to become the first item.

AGENDA ITEM #7(a)
Strategic Regional Transportation Corridor Presentation

The Director of the Lee County Metropolitan Planning Organization (MPO), Don Scott, gave a presentation on the Strategic Regional Transportation Corridor Study. He explained there was already a multi-modal corridor within the center of I-75 that has already been carved out to be two lanes for a bus way or rail. He went on to explain that the passenger options reviewed were commuter rail, light rail and bus rapid transit.

Councilman Burch asked Mr. Scott if at one time there were options of the corridor being used for rail or for recreation. Mr. Scott said he was correct. However, in the end it came to be more of a multi-modal share understanding since there was the lease that had to be taken into consideration.

Councilman Burch asked Mr. Scott if the city's position was to have DOT purchase the corridor. Mr. Scott explained that was one of the reasons for going through the amendment process. In the early 2000's, FDOT had shown some interest in the purchase of the corridor; but one of their questions was whether all of the jurisdictions that were involved were in favor of purchasing the corridor. He said that is what he was hoping to have come out of the comprehensive plan amendment process.

Vice-Mayor Denham asked Mr. Scott what FDOT would be purchasing. Mr. Scott explained it would be the right-of-way and land.

Commissioner Mann stated he had been through similar presentations on the subject and it is very complex and challenging. He then asked Mr. Scott about the length of the lease between CSX and Seminole Gulf. Mr. Scott said it was approximately a 30 year lease. He also said that in CSX's mind there is no end date for the lease. Commissioner Mann said to his knowledge, there hasn't been any direct communication with either CSX or Seminole Gulf Railway.

Commissioner Pendergrass asked if there had been any communication with the railroads. Mr. Scott said Seminole Gulf said they didn't want the CSX right-of-way bought; however, CSX is open to discussion.

Commissioner Mann noted a Seminole Gulf representative had attended an MPO meeting and he seemed to be confrontational. It appeared to him they didn't want to be there and had no intention of getting out of the rail business. Mr. Scott said they don't want to be in the rail/freight business, just the transportation business.

AGENDA ITEM #4
PUBLIC COMMENTS

No public comment was made at this time.

**AGENDA ITEM #5
AGENDA**

By general consensus the agenda was approved as presented.

**AGENDA ITEM #6
MINUTES OF THE JANUARY 21, 2016 & FEBRUARY 18, 2016 MEETINGS**

Ms. Wuerstle noted an amendment made to the January 21 meeting minutes, she explained that she had misquoted regarding the term of the lease. The lease is a 5-year lease and not a 3-year.

Commissioner Wilkins referred to page 11 under Council Members' Comments in the January minutes; she had already supplied the correct language to state that the migrant housing was already in operation.

A motion was made by Commissioner Mann to approve both the meeting minutes of the January 21, 2016 and February 18, 2016 meetings as amended. The motion was seconded by Councilman Burch and carried unanimously.

**AGENDA ITEM #7
DIRECTOR'S REPORT**

Ms. Wuerstle presented the report. She noted the audit had been completed and expected to have it presented to the Council at their April meeting. She then noted she would also be preparing budget amendments to be presented to the Council at their April meeting. She announced that \$388,934 in additional revenue had been brought in since the budget was adopted.

She explained the status of changing the Council's accounts over to FineMark Bank from Bank of America.

She announced there was an Educational Forum being held on April 5 in Naples regarding the water quality issues. Also, the Promise Zones application was submitted and the Council is 1 of 11 applications.

**AGENDA ITEM #11(j)
Water Quality & Water Resources Management**

Vice-Mayor Denham introduced City of Clewiston Mayor, Philip Roland, and City of Sanibel Mayor, Kevin Ruane, to give presentations on the current water quality issues.

Mayor Roland explained that the Kissimmee water basin covers approximately 5,600 square miles. In the late 1950s, the US Army Corps of Engineers (USACOE) was working on the Hardy Pine Canal and the Indian Prairie Canal where they tried to drain 5,600 square miles into a 700 square mile lake. The USACOE, ahead of their time, attempted to drain 5,600 square miles with 3 acre

feet of water into Lake Okeechobee. He said there is currently more water in the Everglades than when he was a kid.

He said that he felt the system was built backwards. The storage should've been built north of the lake, not south, because as it has been seen with all of the water flowing south of the lake the estuaries are being overrun with freshwater.

There is a cycle of rainfall: there are 3 years of average rainfall, then there will be 3 years of less than average rainfall, then 3 years of higher than average and that is when the estuaries are impacted. There is also a "wild card", which is what we are experiencing this year.

Mayor Roland explained that the SFWMD has the ability to back pump, but everything else comes from the north through the Kissimmee water basin and the Fisheating Creek Basin. The water flows into Lake Okeechobee at 8 billion gallons per day. The water can't be pushed south because of its quality and that is what is impacting both coasts. The St. Lucie River was built in the 1920s and the Caloosahatchee River was made into its current form during the 1960s. He said 99 percent of the water comes into Lake Okeechobee from the Kissimmee basin.

Chair McCormick asked Mayor Roland if there was some sort of action he would like the Council to consider. Mayor Roland said that the system needs to be fixed because he felt that the estuaries will be facing the same issue as it is currently today, and at least 3 times within a decade until the system is fixed.

Commissioner Wilkins asked if there were plans for water storage to the north as there is for the south of Lake Okeechobee. Mr. Flood said there are plans for water storage to the north, south, east, and west; however, the SFWMD is focusing on having more water storage to the north in the upcoming years. He announced that the FL Legislature had appropriated funds for the SFWMD to acquire the Duda property in Glades County for water storage. The Kissimmee Restoration Project is approximately two-thirds completed, which will capture and hold water up on the Kissimmee River, rather than having the water flow directly into the Lake.

Mayor Ruane thanked Mayor Roland for his presentation and comments. He said he felt it was imperative for the SFWMD to continue down their current path and really work with the integrated delivery schedule so the people are educated. Unfortunately this event is hitting during our tourist season, so it is hitting people/businesses in their pocket books, and it is the worst in 25 years. He then said there are 12 counties and over 100 municipalities being affected. He felt that the cities and counties have been empowered to educate the public on the issue so they can understand the solutions.

Mayor Roland said he felt there should've been and still can be another lake built above Lake Okeechobee within the Kissimmee Valley.

He said with over 8 billion gallons of water flowing into the Lake each day, the Lake could rise $\frac{3}{4}$ inch each day. In 2000, within a 30 day period, the Lake rose 3 feet due to water flowing into the Lake from the north. At that time, both the Everglades and the STAs weren't full so the water was able to flow south. But when the 10 inches of rain fell during January 28-29, 2016, it took the whole southern end of the State to put 10 inches of rain, which is very unusual.

Vice Mayor Denham asked Mayor Roland for his opinion on having a flow-way south? Mayor Roland said a flow-way south will blow out Florida Bay. To be able to place water into the Everglades the water needs to be purer than rain water; so those regulations may need to be raised a little bit in order to be able to push water through.

Mayor Roland said the SFWMD has more than 15,000 acres that can be used/built for storage. Mr. Flood noted the EAA Reservoir (south of South Bay) is operational with 60,000 feet of storage available.

Mr. Flood explained the status of the various water storage projects. The Integrated Delivery Schedule (IDS) Plan was adopted by the State of Florida and the federal government and was based upon extensive public involvement and participation. The Plan lists out to the Year 2030, the projects that are in various stages of construction. Last year, the University of Florida came out with a study that basically stated that the projects needed to be completed and to continue to be funded to be able to move those projects forward. Approximately 100,000 acres of land have been acquired for projects that are in various stages of development; some are under construction and some are still in the planning stages. They are the Everglades Restoration projects, the Everglades Restoration Strategy projects, and the large scale projects that are being built.

Councilman Burch stated the IDS had been in-place for some time and part of the problem, as it has always been, is that the WMD's budgets have been cut over the years. Until everyone comes to the table and works together, the political force will never work because everyone has their own ideas of what is right and wrong and none of which is entirely true. He then said he felt there was no better board in the area than the Council because it has the regional significance and regional representation.

Mayor Roland said the Everglades used to begin at Lake Kissimmee and "If you kill the heart, it kills the system!" He said 99.3% of the water coming into the Lake comes from the north. The only water that is back-pumped into the Lake is the same water from Fort Myers and North Fort Myers. There is also a lot of water coming from Moore Haven to Fort Myers.

A lot of damage has been done to the Lake over the years from the cow manure that had been flowing into the Lake; soberms and islands were built throughout the Lake, in order to attempt to relieve the flow of cow manure. Also, the runoff from the parking lots in Disney World ends up in Lake Okeechobee and eventually the estuaries.

Councilman Banks asked Mr. Flood for a list of projects that are scheduled for the next 3 years. Mr. Flood explained the following projects:

- Modified Water Deliveries in Miami-Dade Counties
- Improvements to the Herbert Hoover Dike
- Kissimmee River Restoration
- Tamiami Trail Bridges
- Palm Beach County Storage Areas

- Indian River Lagoon
- C-44 Reservoir
- C-43 Reservoir
- Boma Water Quality Project
- Planning effort for storage north of Lake Okeechobee
- Planning effort for storage south of Lake Okeechobee
- Improvement projects north of Lake Okeechobee
- Central Everglades Planning Project

Councilman Banks asked Mr. Flood the schedule on the C-43 Reservoir. Mr. Flood explained the SFWMD broke ground on the C-43 Reservoir in 2015. The first cell will give 90,000 acre feet of storage. The SFWMD received appropriation from the legislature to move forward; two weeks ago the second construction contract was awarded. Year 2020 is when half of C-43 Reservoir will be completed with 90,000 acre feet of storage.

Commissioner Turner said one of the hindrances of sending more water south is how it will affect the environment and its wildlife. He also stated that after being up in Washington and speaking with Florida's delegates, he felt Congress will take action on this issue in Florida.

Commissioner Turner said that the Lake Okeechobee Regional Economic Alliance (LORES) schedule currently doesn't allow government agencies, USACOE, to take immediate action. He said there needs to be some type of action taken to be able to amend the schedule as needed and not have to wait until 2020 when the schedule is revisited.

Mr. Perry referred to the IDS that was approved in 2015, and said there is currently 20 projects being worked on in 2016. All of the projects help to regulate the levels of the lake with both heavy rainfall and drought conditions. He suggested the Council support the proposed project list from the SFWMD and assist in any way in getting the plan implemented.

Commissioner Doherty asked Mr. Flood to provide the costs of the 20+ projects within the IDS. Also, what projects are "shovel ready." Mr. Flood explained the SFWMD was awarded \$1.5 billion for the projects and most of that has been allocated over the next five years.

Commissioner Doherty explained to Mr. Flood that it would be helpful for him to know what the SFWMD needs for funding, land acquisition estimates, etc. Then collectively the local governments would be able to assist. Mr. Flood stated he would send the document.

Mayor Ruane suggested educating the Council on the IDS. During tourist season is the perfect opportunity to educate people. When you talk about "price tags" go from Sarasota to Monroe and then up to Indian River, go onto www.myflorida.com and take the real estate values of 12 counties and it would total \$1.5 trillion. So when people want to talk about the cost, 10% of \$1.5 trillion is \$15 million.

Mr. Flood explained the Council had adopted a "white paper" which listed the strategies and the components of the IDS.

Vice-Mayor Denham explained that at the Council's February meeting he had made a passionate plea to have the Council have a water quality and quantity discussion item placed on its agenda each month.

Chair McCormick said "thank you" to Mayor Ruane and Vice-Mayor Denham for getting all of the mayors together to discuss the issue.

Commissioner Turner stated it was essential these discussions continue throughout, not just when there is an extreme wet season or even a drought situation. He then went on to state he felt an analysis needed to be performed showing how many dollars the SFWMD needs to bring "X" number of projects to fruition. He would also like to know how many projects have been brought on line within the last 4-6 years and when those projects began and were completed. Also have the same analysis performed for the USACOE projects. Both agencies have a tremendous suite of projects and a tremendous line of funds. He said he would like to know the reverse on some of the projects which the USACOE is directly responsible for; and more emphasis and concern needs to be placed on our federal partners to step up to the plate and assist with the projects which they allocated financially that are not being done. This used to be a "hands across the State" movement.

Commissioner Mann stated that many of us have said the same thing. All of these discussions began with 12" of rain, which we have never seen before, since recordkeeping began. There isn't a coordinated plan of what we want to do. There are environmental groups against each other and of course, there are political groups against each other. He then said that less than a year ago he was on the banks of the Caloosahatchee with a number of environmental groups having a press conference stating that the water needs to be moved south; because if it goes south it won't come west. Within the last month, the discussion levels have increased, he is now ambivalent on the water south issue because of three major issues discussed earlier.

1. Conveyance with the Indians;
2. Environmental with the sparrows and other environmental issues all the way down to Florida Bay; and
3. Political disagreements between the cities and counties

Commissioner Mann stated that the Lee County BCC held an hour workshop on this issue. The workshop ended up going 2 ½ hours and still wasn't done, but what was agreed upon was the need for funding. When a united front can be presented, the funds will flow faster.

He then said at the workshop it was calculated that Lee County had committed upwards of \$100 million. The SFWMD has also done a lot of good. He referred to Councilman Burch's comment on having the Council set the opportunity for more dialog and better understanding. There is an opportunity to pull us together politically, and then we march arm-in-arm through the mine fields to Washington, Tallahassee, and our own local governments.

He said that he was profoundly grateful as a lifelong resident for the Council's obvious concern and for everything that has been done through the mayors. This is home and he would like to be able to leave it in better shape than when he received it.

Chair McCormick stated it seemed the Council was in agreement that the issue wasn't going away and it isn't going to be solved today, but we should find the resources. He then suggested hosting a symposium of a "Water Day" where we come together to have presentations given on the issue so we can come down to creating an "elevator" speech that could be given in Washington and/or Tallahassee.

Mayor Ruane directed his comments to Commissioner Mann and said the conversation of land came from our congressmen and the White Paper that was put together with Lee County. The White Paper talks about all of the pieces, Item #4 talked about some land south. He then explained he believed that what would be helpful, was when we have the IDS we have the pieces to the puzzle and can clearly state that we want east, west, and south. He doesn't have the "play book" or all of the answers and that is why he is advocating on having the IDS so we can go out and educate everyone. It is a complicated subject, so getting it all down on one piece of paper would be a great challenge.

Commissioner Mann agreed with Chair McCormick's suggestion about holding a "Water Day" Symposium.

Chair McCormick suggested extending the invitation to all local elected officials within the affected areas. Commissioner Mann suggested inviting all elected officials throughout the region.

Councilman Burch stated that the piece of the puzzle that has been left behind over the years is the SFWMD; but now we are going back and saying the projects are being built and they are our mechanism to try to get them built. Now we are at least saying that we should start listening to the SFWMD a little bit and also work with them. Whatever we do, the SFWMD needs to play a big role in this and bring these things to the attention of the Council.

Mayor Roland stated that both he and Commissioner Mann go back a long way and they were having the same discussion in 1970. In 1970, they were talking about the amount of water that was being discharged at that time. In 1958, saltwater intrusion was coming through Ft. Lauderdale due to a drought. But until Orland decides that they should be also involved within the discussions they are eventually going to run out of water.

Chair McCormick stated to Ms. Poulton of the SWFWMD that he wanted her to attend the Council meetings and be part of the discussions.

Chair McCormick directed Ms. Wuerstle to start the process of holding the symposium, including obtaining a location.

AGENDA ITEM #8 STAFF SUMMARIES

This item was for information purposes only.

AGENDA ITEM #9 CONSENT AGENDA

A motion was made by Commissioner Doherty to approve the consent agenda as presented. The motion was seconded by Mr. Perry and passed unanimously.

**AGENDA ITEM #10
REGIONAL IMPACT**

Both Mr. David Crawford and Mr. Dan Trescott presented the following items.

**AGENDA ITEM #10(a)
Lee County Comprehensive Plan Amendment (DEO 16-1ESR)**

Mr. Crawford presented the item.

A motion was made by Mr. Mulhere to approve staff's recommendation as presented. The motion was seconded by Commissioner Doherty and passed unanimously.

**AGENDA ITEM #10(b)
Hendry County Comprehensive Plan Amendment (DEO 16-1ESR)**

Mr. Trescott presented the item.

A motion was made by Commissioner Davis to approve staff's recommendation as presented. The motion was seconded by Commissioner Wilkins and passed unanimously.

**AGENDA ITEM #10(c)
SCIBC NOPC**

Mr. Trescott presented the item.

A motion was made by Mr. Mulhere to approve staff's recommendation as presented. The motion was seconded by Councilman Banks and passed unanimously.

**AGENDA ITEM #10(d)
Alico Interchange Park of Commerce NOPC**

Mr. Trescott presented the item.

A motion was made by Commissioner Mann to approve staff's recommendation as presented. The motion was seconded by Commissioner Doherty and passed unanimously.

**AGENDA ITEM #11
COMMITTEE REPORTS**

**AGENDA ITEM #11(a)
Budget & Finance Committee**

Ms. Wuerstle gave the report.

A motion was made by Mr. Perry to approve the financial statement as presented. The motion was seconded by Mayor Shaw and passed unanimously.

**AGENDA ITEM #11(b)
Economic Development Committee**

No report was given at this time.

**AGENDA ITEM #11(c)
Energy & Climate Committee**

No report was given at this time.

**AGENDA ITEM #11(d)
Estero Bay Agency on Bay Management (EBABM) Committee**

No report was given at this time.

**AGENDA ITEM #11(e)
Executive Committee**

Chair McCormick gave the report.

A motion was made by Commissioner Mann to approve the 3% rate increase for the Executive Director. The motion was seconded by Commissioner Doherty and passed unanimously.

**AGENDA ITEM #11(f)
Legislative Affairs Committee**

No report was given at this time.

**AGENDA ITEM #11(g)
Quality of Life & Safety Committee**

No report was given at this time.

Councilman Banks announced that both he and Mayor Shaw will be meeting with Senator Benaquisto to discuss the HighPoint Program in order to see if there would be any funding for such a program.

**AGENDA ITEM #11(h)
Regional Transportation Committee**

No report was given at this time.

AGENDA ITEM #11(i)
Interlocal Agreement/Future of the SWFRPC Committee

Councilman Burch gave the report.

AGENDA ITEM #11(j) Cont'd
Water Quality & Water Resources Management

Vice-Mayor Denham stated he would be presenting the strategic plan for water quantity and quality. He also explained that he has been sharing some best management practices (BMPs) on water quality with the local municipalities within Lee County. He said he would like to share it with the region, one of the BMPs is on golf course management.

AGENDA ITEM #12
NEW BUSINESS

AGENDA ITEM #12(a)
Fracking Presentation

Councilman Fraize gave a verbal presentation on the issue of fracking. He emphasized on the importance of getting people involved and having them understand the negative aspects of fracking.

Commissioner Wilkins asked Councilman Fraize if there were any statistics showing the effects of fracking. Councilman Fraize explained that statistical studies take decades, such as the length of time it took to find out that cigarette smoke is bad for human beings. There is an issue with the level of trust with federal agencies, i.e., BP Horizon incident. No one knows when those issues will be resolved. A lot of times it falls back on the taxpayers because the companies file Chapter 11 and leave. He referred to a news article from May 12, 2014 with a headline "Taxpayers Inherited Piney Point in 2001" when the Mulberry Phosphate Corporation abandoned a fertilizer plant. This will cost the taxpayers a lot of money for the cleanup.

Councilman Fraize emphasized on educating the Florida Legislature so they understand the impacts of fracking.

Councilman Burch said that he agrees with Councilman Fraize that fracking is a very important issue, along with the water quantity and quality issues. He then asked "where does the Council go with these topics"? Some of these issues may require "different" attention than what the Council could provide. He suggested having the Council discuss fracking.

Commissioner Mann asked during the Council's legislative discussions, if fracking was part of the legislative agenda discussion. Councilman Burch said he believed the Council chose not to proceed with fracking due to some very specific reasons. However, he agrees there should be a discussion with the full Council and have specific information presented.

Vice-Mayor Denham stated it has been his experience, being associated with the Council for 10 years, the subjects that receive the most attention are those subjects which individuals members of the Council do the leg work and preparation to get the information out to the targeted audience.

Commissioner Wilkins stated that logic tells her when we start cutting crossways out of the framework out of the layers there will eventually be a collapse. There cannot be anything but a problem when anyone cuts/drills into the soil. She said she felt fracking is an issue that should be discussed.

Councilman Banks expressed his concerns with the Council supporting an issue, such as fracking, when there isn't enough information on its impacts. However, the Council does know about water quality and that is the issue which the Council should pursue, but if you throw in fracking there will be an issue with those individuals who are supporting the Council on the water quality issue. The other issue is, currently, the Council is trying to survive and the Florida Legislature feels that they are the ones who should be dealing with fracking and it wouldn't be a good idea to "stir the pot".

Councilman Fraize said he understood Councilman Banks' position; however, within the material there is a water quality issue and it is called the Al Burton Loop.

Vice-Mayor Denham said the Council should always give their members the opportunity to bring up an issue which they feel is important and has regional significance. The Council then can decide whether or not to pursue the issue.

Councilman Burch suggested to Ms. Wuerstle to have the Council's discussion on fracking brought before them. Ms. Wuerstle confirmed the Council had the discussion during its legislative priorities discussions.

AGENDA ITEM #13 STATE AGENCIES COMMENTS/REPORTS

FDEP - Mr. Iglehart said he had no report at this time.

FDOT -Ms. Burr stated she would look into FDOT's position on the railroad issue.

SFWMD - Mr. Flood announced the SFWMD will be notifying local governments of their cooperative funding program opportunities.

SWFWMD - Ms. Poulton said she had no report at this time.

AGENDA ITEM #14 COUNCIL ATTORNEY'S COMMENTS

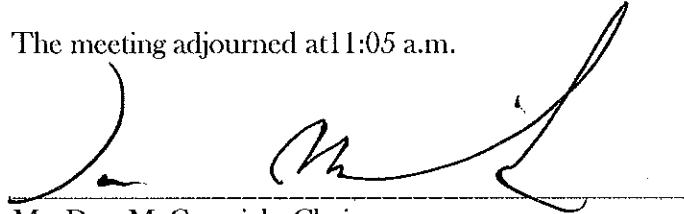
No report was given at this time.

AGENDA ITEM #15 COUNCIL MEMBER'S COMMENTS

Commissioner Doherty announced that he will be in Washington from April 19-22 and would be happy to bring any issues from the Council.

**AGENDA ITEM #16
ADJOURNMENT**

The meeting adjourned at 11:05 a.m.

A handwritten signature in black ink, appearing to read 'Don McCormick', is written over a horizontal line.

Mr. Don McCormick, Chair

The meeting was duly advertised in the March 7, 2016 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 42, Number 45.