

5F-1

Agenda Item #:

MM/GW 7-0

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

R-2019-0379

Meeting Date: March 12, 2019

☐ Consent
☐ Ordinance

☒ Regular
☐ Public Hearing

Department: Administration

Submitted By: Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution related to the re-evaluation of Lake Okeechobee operations by the U.S. Army Corps of Engineers (Corps).

Summary: In January 2019, The Corps initiated the development of a new Lake Okeechobee System Operating Manual (LOSOM), which will include a re-evaluation of Lake Okeechobee operations and is expected to result in revised water level and discharge operations. On February 26, 2019, the Palm Beach County Board of County Commissioners directed staff to develop a resolution outlining concerns regarding the potential impacts of drastically lowering Lake Okeechobee, communicating priorities and providing recommendations on how Lake Okeechobee operations should be implemented and evaluated by the U.S. Army Corps of Engineers. Countywide (MJ)

Background and Policy Issues: Lake Okeechobee is essential and interconnected to communities, businesses, public water supply utilities and ecosystems throughout Palm Beach County and is critical to meeting the environmental restoration and water supply needs of South Florida. The Lake Okeechobee Regulation Schedule of 2008 (LORS08), currently in place, was implemented as an interim measure to protect the public from the risk of catastrophic failure of the Herbert Hoover Dike. For several months, much discussion has focused on drastically lowering Lake Okeechobee to assist in reducing damaging discharges to the coastal estuaries. However, lowering Lake Okeechobee has the potential to negatively affect public water utilities, businesses and communities throughout Palm Beach County. Examples of potential impacts include more frequent water shortages, water use restrictions on public utilities and agricultural irrigation, damage to public water supply wellfields due to increased saltwater intrusion, and additional undesirable discharges to the Lake Worth Lagoon.

Attachment:

1. Resolution

Recommended by:


Water Resources Manager

Date

3-1-2019

Approved By:


County Administrator

Date

3/1/19

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years					
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT					
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget? Yes No
 Does this item include the use of federal funds? Yes No

Budget Account No:

Fund Dept Unit

B. Recommended Sources of Funds/Summary of Fiscal Impact:

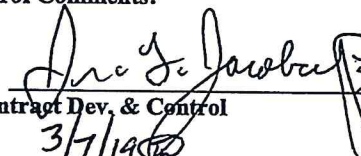
No fiscal impact

C. Departmental Fiscal Review:

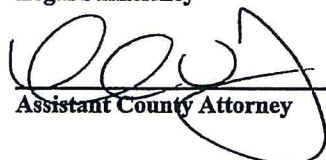
III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 3/5/19
 OFMB 3/4 3/4

 3/7/19
 Contract Dev. & Control

B. Legal Sufficiency

 3/8/19
 Assistant County Attorney

C. Other Department Review

 Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, ON THE RE-EVALUATION OF
LAKE OKEECHOBEE OPERATIONS BY THE U.S. ARMY CORPS OF
ENGINEERS PURSUANT TO THE NATIONAL ENVIRONMENTAL
POLICY ACT ASSESSMENT FOR THE LAKE OKEECHOBEE SYSTEM
OPERATING MANUAL**

WHEREAS, Lake Okeechobee is the liquid heart of an integrated regional water management system and is essential and interconnected to communities, businesses, public water supply utilities and ecosystems throughout Palm Beach County; and

WHEREAS, Lake Okeechobee is an integral component of the Comprehensive Everglades Restoration Plan (CERP) and is critical to meeting the environmental restoration and water supply needs of South Florida; and

WHEREAS, Lake Okeechobee is essential to protecting the region's water supply infrastructure from saltwater intrusion by providing a source of freshwater to prevent the migration of saltwater into coastal wellfields; and

WHEREAS, Lake Okeechobee's authorized project purposes include flood control, water supply, recreation, navigation, environmental effects to fish and wildlife, and cultural and recreational resources; and

WHEREAS, Section 1106 of the 2018 Water Resources Development Act (WRDA) directs the Secretary of the Army to expedite completion of the Lake Okeechobee regulation schedule to coincide with completion of the Herbert Hoover Dike project, and may include all relevant aspects of the CERP; and

WHEREAS, in January 2019, the County received notice from the U.S. Army Corps of Engineers (Corps) that, in accordance with Section 1106 of the 2018 WRDA, the Corps is beginning preparation of a National Environmental Policy Act (NEPA) assessment for the Lake Okeechobee System Operations Manual (LOSOM), which is to re-evaluate and define operations for the Lake Okeechobee regulation schedule that takes into account nearly complete additional infrastructure which will soon be operational components of the water management system; and

WHEREAS, rehabilitation activities on Lake Okeechobee's Herbert Hoover Dike by the Corps began in 2001 and are expected to be complete by 2022; and

WHEREAS, the Lake Okeechobee Regulation Schedule of 2008 (LORS08) was implemented as an interim measure to protect the public from the risk of catastrophic failure of the Herbert Hoover Dike; and

WHEREAS, Palm Beach County, in partnership with state and local partners, has invested over \$500 million in the acquisition, restoration and management of approximately 32,000 acres of natural areas and invested approximately \$88 million to restore the Lake Worth Lagoon; and

WHEREAS, Palm Beach County wishes to provide direction as to which measures that Palm Beach County supports and opposes in the Lake Okeechobee operations re-evaluation process and the resultant LOSOM.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the Board hereby *supports* the following as it relates to the re-evaluation of Lake Okeechobee operations by the Corps:

1. A science-based evaluation that is transparent and acknowledges and balances all congressionally-authorized purposes of Lake Okeechobee operations; and
2. Performance measures that appropriately and accurately characterize impacts to all communities as it relates to water supply, the environment, and the economy; and
3. The incorporation of data and methods to ensure proposed operations improve lake ecology, protect water supplies and are robust and resilient to expected climatic variability; and

4. The implementation of water storage and water quality treatment projects in Lake Okeechobee tributary basins north of the Lake; and
5. Lake Okeechobee operations that reduce flood risk and flood insurance premiums for residents and businesses in the Glades communities located southeast of Lake Okeechobee; and
6. Lake Okeechobee operations that assist in achieving restoration flows and other key ecosystem goals, including performance measures developed by CERP's Restoration Coordination & Verification (RECOVER) program; and
7. The avoidance and/or minimization of Lake Okeechobee discharges to the Lake Worth Lagoon and the Loxahatchee River; and
8. Reductions in water use restrictions and cutbacks on public water utilities and existing permitted users, as compared to those which occur under LORS08.

AND BE IT FURTHER RESOLVED that the Board *opposes* the following as it relates to the re-evaluation of Lake Okeechobee operations by the Corps:

1. Drastically lowering Lake Okeechobee to levels not supported by sound science (e.g. 10.5 feet) which would induce drought conditions, impact the ability to deliver water to critical ecosystems, and result in significant environmental damage; and
2. Lake Okeechobee operations that result in increased risk of saltwater intrusion into coastal wellfields which would cause irreversible damage to freshwater supplies, affect the health and safety of residents, and result in the need for massive alternative water supply infrastructure investments; and
3. Lake Okeechobee operations that result in restrictions on recreational and commercial fishing, which would impact small businesses such as marinas, fishing guide services and the hospitality industry.

This Resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by Commissioner McKinlay, who moved its adoption. The motion was seconded by Commissioner Weiss, and upon being put to a vote, the vote was as follows:

MACK BERNARD, Mayor	-	Aye
DAVID KERNER, Vice Mayor	-	Aye
COMMISSIONER HAL R. VALECHE	-	Aye
COMMISSIONER GREGG K. WEISS	-	Aye
COMMISSIONER ROBERT S. WEINROTH	-	Aye
COMMISSIONER MARY LOU BERGER	-	Aye
COMMISSIONER MELISSA MCKINLAY	-	Aye

The Mayor thereupon declared the resolution duly passed and adopted on this 12th day of March, 2019.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: 

Michael W. Jones
Senior Assistant County Attorney

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK, CLERK

BY: 

Deputy Clerk

