



**Loxahatchee Groves Town Council
Workshop on Drought and Impact Solutions
Monday, November 26, 2007
Loxahatchee Groves Elementary School Cafeteria
7:00 PM – 10:00 PM**

Council Members Present:

Dave Browning, Mayor
Dave Autrey, Council Member
Dennis C. Lipp, Council Member
Dr. J. William Louda, Council Member

Council Members Absent:

Marge Herzog, Vice Mayor

Others Attending:

David N. Tolces, Esq., Town Attorney
Michelle Kantor (NCS)
Matthew Lippman, Interim Town Clerk (NCS)
Dr. Irv Rosenbaum, Interim Town Manager (NCS)

Loxahatchee Groves Water Control District:

Claus Saunier-District Administrator & Engineer
Don Widing-Chairman
Robert Snowball-Vice Chairman
David DeMarois-Secretary-Treasurer
John Ryan-Deputy-Secretary-Treasurer
Ron Jarriel-Board Member

South Florida Water Management District

Fred Rapach-Service Center Manager, Palm Beach County
& Members of the Public

A joint meeting of the Loxahatchee Town Council; "Council" or "Committee" and the Loxahatchee Groves Water Control District was held at 7:00 p.m. on Monday, November 26, 2007 at Loxahatchee Groves Elementary School; 16020 Okeechobee Boulevard, Loxahatchee, FL. 33470

1. – 4. Call to Order/Roll Call/Pledge of Allegiance/Invocation

Mayor Dave Browning called the meeting to order at 7:04 p.m. He then requested the roll call by Town Clerk Lippman. Upon completion of the roll, the Mayor requested everyone stand for the Pledge of Allegiance and Invocation.

REGULAR AGENDA:

Town Clerk Lippman thanked everyone for coming and read the Agenda description below. He stated that the workshop was for discussing and trading ideas and participation from the Public would be welcomed.

We have a drought. We need to utilize the resources of the Town of Loxahatchee Groves, Loxahatchee Groves Water Control District and South Florida Water Management District to devise creative and effective solutions to deal with the immediate drought and to proactively plan for the future. It is vital that the SFWMD and the State of Florida know how the Groves is unique in their water usage (*residential wells, the amount of water needed to maintain nurseries and farms and using our canals for fire suppression*) and that we have to tap into all resources necessary to protect our water supply.

1. South Florida Water Management District:

a. Current status of the drought and an overall state of the state on water conditions

- Mayor Browning introduced Fred Rapach-Service Center Manager, Palm Beach County from the South Florida Water Management District.
- Mr. Rapach said the sole purpose of the workshop would be to hear from local residents and deal with local issues and problems. He said as of the latest information through November, Lake Okeechobee is lacking almost 38 inches in rain fall. He said we are looking at a 2 year rain deficit. He went back over the history month by month to see how we wound up where we are presently at. He started back with October 2006 when he said the indications of a water shortage started to occur with the levels at 12.68.

- Then in November 2006 the lake continued to go down with levels at 12.26 and a water shortage order with mandated 15% cutbacks was put into effect. Also at this time, there were warnings to the lower East Coast for voluntary reduction of water use, and water conservation efforts were stepped up. In December 2006 the levels were 12.23 and 14 temporary pumps were put in anticipating that the if the water level goes down so low the pumps can be used. A water order was also coordinated. In January 2007, the levels were 11.64 and extensive public communication to let people know the situation is not getting any better continued. He said they had learned from the drought in 2001 that they had to get out and make the public aware of what is going on. In February 2007, the levels were a little below 11 feet and as the lakes started to go lower they held public workshops with marinas and kept up the extensive public messaging. In March 2007, the Emergency Operations Center was initiated and over 300 individuals were assigned specific responsibilities relating to the situation. Also, there was an emergency order for St. Lucie areas and there were 30% cutbacks for irrigation to 3 days a week. A deviation request was sent to core to change the schedules. In April 2007, the lake was below 10 feet and Ag users were asked to cut back 45%. The coastal communities at risk were identified. There were emergency authorizations to give out permits to drill additional wells to go deeper. Citizen information lines were activated and people were placed on staff to answer calls that went into the thousands. In May 2007, the levels reached below 9 feet and restrictions to 1 day a week in Palm Beach and Broward County were mandated. Emergency state assistance was requested for communities to lower intake structure so they could withdraw water if it got below 7 feet. In June 2007, the levels were at a record low of 8.2 feet and some relief was obtained from the rain. In August 2007, the levels raised a little bit to 9.51 and the pumps were removed. With the cooperation of local municipalities warning notices and citations and civil fines were administered and the funds generated went to Tallahassee to be used for environmental

purposes. In September 2007 levels raised to 9.57 and ways to capture local storm water were researched. In October 2007, the levels raised again to a little over 10 feet so they were slowly creeping back up. There was still a deficit with rainfall conditions though. He also mentioned that since the Hurricane Season had been very inactive this year the lack of rains there contributed to the situation. In November and December 2007, they are trying to do whatever to conserve water in the whole regional system. They are looking to ensure the operations of pumps designed to be put in use if the levels fall under 7 feet. They are looking at environmental enhancements, such as, muck removal and planning a water conservation summit.

Mr. Rapach highlighted that the 3 most important things are:

1. We don't want to waste water.
2. We need to do whatever we can do to conserve and save water.
3. Future policy could go to 1 day a week watering district wide to help conserve the water we have.

He emphasized that the water we have is what we have.

2. Loxahatchee Groves Water Control District:

a. Introduction & Purpose

Clete Saunier-Administrator LGWCD- Mr. Saunier introduced himself and thanked the public for coming out to the meeting. He said the purpose of his presentation is to provide the residents, landowners, and elected officials of the Loxahatchee Groves community with an overview of the statutory responsibilities and obligations of the LGWCD. He said it would provide essential public information highlighting the District's abilities and limitations in the provision of effective and responsible water management service delivery. He emphasized the importance of the two District's forming an alliance to develop an effective drought management policy that will help address the immediate and future water supply needs of the Groves.

Mr. Saunier then went on to explain a little bit about the history of the Groves. He said the Groves was platted in the 1920's. The total area is 8000 acres with the average lot size being 5 to 10 acres. The land uses are nursery, small agricultural farms and residential. The ground elevation is 18.0 to 22.0 feet above sea level. He said that drainage, flood control, and irrigation are provided by a network of canals which discharge and recharge from the C-51 Canal. He said that the District's water control facilities consist of seven primary north-south canals (Canals A, B, C, D, E, F and Folsom canal), an east-west canal near the northern boundary (North Canal), another east-west canal near the southern boundary (Collecting Canal) and three water control structures.

b. Legislation & Governance

Mr. Saunier moved on to discuss the Legislation and Governance. He referred to Chapter 298, Florida Statutes, which says the legislation provides for the establishment of a water control district by a special act of the Legislature. This chapter grants the Board of Supervisors of a water control district full power and authority to construct, complete, operate, maintain, repair, and replace any and all works and improvements necessary to execute the district's water control plan. He also mentioned Chapter 2004-410, General Laws of Florida, which state the legislation describes and establishes the specific services, operations, and responsibilities provided by the LGWCD. The Water Control plan is the operational document that describes the activities and improvements to be conducted by a water control district. South Florida Water Management District regulates how much water the District can receive from and discharge to the C-51 Canal. The SFWMD regulates how much water the District can pump into its benefited areas by the conditions and restrictions listed in its SFWMD Surface Water Permit. This permit allows the District to discharge water into the C-51 Canal at a maximum rate of 151,000 GPM. He discussed a General-Purpose Government being the Town of Loxahatchee Groves whose

powers are limited when there is enacted legislation that specifically limits their power. He discussed Special-Purpose Government being the LGWCD and said they have limited powers granted to them by enacted legislation.

c. Water Management Operations

Mr. Saunier moved on to explain Water Management Operations. He highlighted the following points: The District's canal system maintains a water control elevation of 16 feet above sea level. The District's water management system is comprised of 30 miles of canals that drain south by gravity and flow through 3 gates into the C-51 Canal. He said SFWMD regulates the maximum rate of discharge into this canal. The District controls these 3 gates with an auto-mechanical control system. The gates open automatically at a preset high water elevation of 16.50 feet above sea level to let water out. The gates close automatically when a preset low water elevation of 15.50 feet above sea level to keep water in. This open/close cycle can repeat several times within a 24-hour period depending on the intensity and duration of a rainstorm event. The District's water management system is classified as a storm water (surface water) conveyance system and does not have the essential elements necessary for providing effective water conservation and storage during prolonged periods of drought. He explained that the District's total average daily water loss is conservatively estimated at 16 MG per day and that without rain the District must back pump water for 5.3 hours every day just to recover the water lost from underground seepage, evaporation, transportation, and ag/res water use.

d. Response to Projected Drought Conditions

Mr. Saunier said that there have been a number of water conservation suggestions made by concerned landowners for the District to consider in response to projected drought conditions. He went over 6 of them.

- 1) Raise the maintained canal water elevation to recharge and maintain a higher groundwater table. This has been suggested for the entire District or limited to just the

north half of the District through the installation of weirs (control structures) at every canal crossing along Okeechobee Boulevard.

- 2) Increase the amount of time water from storm events remains on private property by reducing the currently allowable discharge rate from the property into the District's canal system.
- 3) Retain water within the District's canal system in advance of storm events unless absolutely certain that a large rain event is eminent.
- 4) Discharge water from the District's water control system into the C-51 Canal at a slower rate after a storm event to keep the groundwater table from undergoing drastic elevation changes.
- 5) Use the District's storm water management system of canals as a water conservation "storage" system.
- 6) Construct a system of water shortage impoundments (ponds and lakes) that could store water from the wet season to be used during periods of drought.

He then went on to discuss the response to these suggestions and why none of them were feasible. He also mentioned some alternatives for consideration, such as, praying for rain, district/town cooperation and other partnerships. One alternative for consideration that everyone seemed to agree on was for fire protection. Mr. Saunier said the District's pump station can temporarily raise the canal water surface to a 'higher than groundwater table' elevation and provide a viable water source for fighting wildfire. To be effective, the Town and District should jointly petition SFWMD to authorize DAILY water withdrawals during the dry season.

e. Discussion

Ron Jarriel-LGWCD- Mr. Jarriel followed Mr. Rapach's presentation with a few comments and questions. He said that he believes we could have back pumped and brought the lake levels back up. He said he has heard that they don't want to back pump due to pollution and worry of the dike breaking.

Don Widing-LGWCD- In response to Mr. Rapach's presentation, Mr. Widing said that public education should be continued and he encouraged FWCMD to do that. He said his tax \$ should be invested and put into education.

John Ryan-LGWCD- In response to Mr. Rapach's presentation, Mr. Ryan said he wanted to compliment SFWMD on their website and the tremendous amount of information on there. He mentioned he wanted the Groves to be more than an afterthought when it comes to water. He said that Lake Okeechobee is our back up reservoir whether we like it or not. He said that the Groves depends on the water of C-51 Canal in different ways than other cities do.

David DeMarios-LGWCD- In response to Mr. Rapach's presentation, Mr. DeMarios asked if we have reached a point of our water needs outpacing our growth.

Councilman Dennis Lipp- In response to Mr. Rapach's presentation, Mr. Lipp said he had a few questions. The first was with the Comprehensive Plan issue is it really up to the Town on how we are going to supply water. He suggested that Staff talk with other local municipalities who are also 100% wells. He also asked about the FPL final hearing this week at BCC and stated that their requirement for water is huge. His third question was that some counties have gone to re-using water, does SFWMD have anything like that to get that started. He also asked that if the rock pit Rinker is putting in is for water storage.

Councilman David Autrey- In response to Mr. Rapach's presentation, Mr. Autrey said that from his conversations with Mr. Saunier that he understands our surrounding areas are a lot lower in the Groves. He asked if that is taken into consideration when we ask for withdrawals, and if the Groves is looked upon as a water source given the amount of seepage we have and our limited capacity to store water. Mr. Autrey asked if there is an appeal process with SFWMD.

Councilman Louda- In response to Mr. Rapach's presentation, Mr. Louda commented that it has always bothered him how much coastal water goes out. He says cisterns should be used and water cannons should be outlawed. He asked about the reservoir mining that had been brought up. He said potable water is the big thing. He also said testing seepage is a great idea.

Mayor Browning- In response to Mr. Rapach's presentation, the Mayor said he has never seen the canals this dry. He said one of his concerns was with the water restriction violation fines. He said that property owners won't be concerned with the \$ amount of the fines until they start to see bigger numbers like those for traffic violations. He said the Groves depends on the canals for the nurseries and the wells for Ag. He said we have to have water out here. It is the only way to fight fires.

Public Comments

Bill Gurney- Mr. Gurney stated that we are lucky in the Groves that we are on our own septic tanks because we are closed off to your system with all the back pumping going on.

Roy Parks- Mr. Parks said he noticed a lot of water is going down the Loxahatchee River.

Bruce Pierson- Mr. Pierson said he just moved to the Groves from Boynton Beach and asked if any safeguard has been put into place to make sure this never happens again. He asked if they realized what this has done to agriculture. He said he owns 2 nurseries and his sales are down 65%. He also asked if SFWCM had a horticulturist on staff.

Steve Dober- Mr. Dober asked if anyone knows if you have a body of water that if the lake drops it would create heat sync where the weather patterns would change around the lake as well. He asked if the temperature of the lake even at its lowest was remaining constant.

Open Discussion

Deb from PBC Division of Forestry- She said that grey water cannot be used on residences.

Bill Gurney- Mr. Gurney said that some of the negative responses on the suggestions that were made show that we will not be able to provide any answers or solutions. He said he believes we need a hydrology study instead of depending on data from years and years ago. He said in response to Mr. Saunier, that praying is good-we should all pray, but I was taught that God helps only those who help themselves. SFWCM told us we should be looking for other sources of water other than from them. We need to apply for grants and see what we can do to look into those additional sources.

Dan- He asked what LGWCD has done to stop the same thing from happening that happened last tri season to keep our canals from drying up. He said that they came here tonight for answers and all we have seen are the negatives. He asked if it was a matter of \$.

Mayor Browning announced that the Public has a commitment from both boards and the Town Council. He then asked for LGWCB and Town Council discussion.

John Ryan said what we are trying to do tonight is to bring the community together and communicate our needs as clearly and responsibly as we can so our voice is heard. A positive solution is during the dry season we are able to back pump to fight fires. We are a flood controlled district, not a water supply district.

Clete Saunier told Mr. Rapach that the Groves could get by with 15 feet instead of the minimum to maintain which is currently 16 feet in canals. He said that he submitted a variance form and Mr. Rapach told him to resubmit the form as a starting point and to stay in touch and he will see where it goes from here.

Ron Jarriel said that the Groves canals are higher now than they have ever been in the past. He said as long as water management allows us to keep doing that, it is not costing us any &. He asked the Public how many of them would be willing to put out \$2300 out of pocket to build a reservoir.

Bill Gurney said that there are grants available and that would have to be considered before coming up with an amount for the residents to pay.

Ron Jarriel said that grants would give the Town 40% and asked the Public if they were willing to pay the other 40%.

Bill Gurney said he believed the District and the Town would have the ability to postpone payment over a long period of time.

Ron Jarriel said that hopefully we will come up with a certain amount but the biggest thing would be if you are willing to pay it.

Dan asked why we are having the meeting in December and not 6 months ago.

Ron Jarriel responded that this is the first opportunity we could get together since we have become a Town.

Don Widing said that he is encouraged by the meeting and that the Town and the District are working together. He said he is glad that Mr. Rapach is going to take back some information to SFWMD. The point of the matter is we are doing something now. He said in regards to fire protection that the water main system along our northern border will provide the best protection. He mentioned that fire is a real threat.

Councilman Louda thanked Mr. Rapach and urged the Public to stay involved.

John Ryan said that he would encourage everyone to go to SFWMD's website and check out the water control plans and how they are being implemented.

The Mayor asked for Public discussion.

Frank Schiola: Said that when we had a large rain a few weeks back it worked as an adverse effect. He said we need to do an update the study. There is no quick fix here, even if SFWCM says we can pump all the time, FPL says we can't pump during peak hours. The question I have is if we want to store water under Chapter 298, do we need to change to a different Chapter to be able to do that. He also suggested that we start working on obtaining grants and mentioned it could take 5 years or more to get the \$ together.

Jeff- asked how much \$ could be saved by not watering the roads.

John Johnson asked if he could clarify that Clete's comments and opinions are the same as the Boards. He said he has a concern, that if we raise elevations that the mentality is basically fear based and outdated. He said we need to re think it now. He said that Mr. Saunier went over all the suggestions but that he doesn't live in the Groves, yet he is dictating the lifestyle here.

Bill Gurney said that he did the study because he feels it is something we should look at. He said the Town has 18 months to provide a Comprehensive Plan to include water issues such as fire prevention. He said the Town Council has a lot of responsibility in the community for its citizens and a lot of what they are responsible for is the drainage system.

Mr. Saunier apologized for coming across so negative. He explained that those suggestions were looked at with some authority and that we as a special district have special limits. He said we need to form partnerships with those with the authority to respond to address regional water and state government issues.

Mayor Browning thanked everyone for coming.

f. **Adjournment**

There being no objections or further business to discuss and no additional public comment, Mayor Browning adjourned the meeting at 9:51 p.m.

Dave Browning
MAYOR DAVE BROWNING

ATTEST:

Matthew Lippman
Matthew Lippman, Town Clerk

1/8/08
Date/Approved

STATE OF FLORIDA
COUNTY OF Palmetto

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of:
Minutes
as recorded in the Office of the Town Clerk.

WITNESS my hand and official seal this 8th day of January, A.D. 2008

TOWN OF Loxahatchee Groves
BY: Matthew Lippman