

**RESOLUTION NO. 16-06-35**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, IN SUPPORT OF EXPEDITING EVERGLADES RESTORATION PROJECTS THAT INCREASE WATER STORAGE IN THE EVERGLADES AGRICULTURAL AREA TO STOP DAMAGING DISCHARGES TO THE COASTAL ESTUARIES AND RESTORING CLEAN FRESHWATER DELIVERY NECESSARY TO PROTECT THE ECOLOGICAL HEALTH OF THE FLORIDA BAY, A CRITICAL PART OF THE EVERGLADES ECOSYSTEM; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the coastal waters of Islamorada, Village of Islands (the “Village”) encompasses Florida Bay, the Florida Keys National Marine Sanctuary (“FKNMS”) and Everglades National Park; and

**WHEREAS**, the coastal waters of the Village are connected to and dependent on the health of the Everglades ecosystem as the primary source of fresh water that serves as the foundation of the nearshore estuarine environment and Florida Bay and provides unique and critical habitat for many plants and animals, including several endangered species, such as the Florida Manatee, Smalltooth Sawfish and many others; and

**WHEREAS**, throughout the 20th century, the construction of water control structures and facilities within the Everglades has altered the natural hydrologic patterns of water in the region, and over time, has reduced the needed flow of freshwater into Everglades National Park through Shark River Slough and Taylor Slough into Florida Bay and harmed the ecosystems of the Bay and other connected coastal regions; and

**WHEREAS**, restoration of freshwater flows through the Everglades ecosystem and into Florida Bay is critical for the health of Florida’s estuarine ecosystems, recharge of the Biscayne aquifer with potable water, and sea level rise resiliency, including reducing the rate of salt water intrusion in the Biscayne aquifer and slowing land loss; and

**WHEREAS**, Florida Bay lies within the vitally important ecosystem located between the mainland and the Florida Keys with approximately 20% of Florida Bay lying within the boundaries of the FKNMS and approximately 80% of Florida Bay lying within the boundaries of Everglades National Park; and

**WHEREAS**, the ecological health of the coastal and marine resources of the Village is inextricably linked to that of Florida Bay and Everglades National Park; and

**WHEREAS**, the harmful discharges from the St. Lucie and Caloosahatchee Rivers are caused by an overabundance of freshwater being released to the east and west coast, while Florida Bay is being starved for freshwater; and

**WHEREAS**, the health of Florida Bay is vital to the multi-billion dollar fishing and ecotourism industry of South Florida, including commercial and recreational fishing, snorkeling, diving, boat and equipment rentals, hospitality and other related businesses; and

**WHEREAS**, Florida Bay comprises a significant portion of the coastal Everglades recreational fishing industry worth \$880 million annually and commercial shrimp and stone crab fisheries worth more than \$80 million annually; and

**WHEREAS**, the ecosystem of the Florida Keys, including Florida Bay, attracts over 4 million visitors and over \$4.5 billion in economic activity annually, generating \$200 million in sales tax revenue for the State of Florida each year; and

**WHEREAS**, the National Park Service has monitored Florida Bay since the 1987 sea grass die-off from hyper saline conditions which resulted in devastating algal blooms; this monitoring confirms that salinity and water flows are the primary drivers of ecological conditions within the Bay and that over the period from 1987 to 1990 approximately 67,000 acres of Florida Bay experienced some degree of seagrass died off<sup>1</sup>; and

**WHEREAS**, the entire 2015 seagrass die-off zone has not been entirely mapped, it is estimated that the current die-off area spans as much as 50,000 acres after less than 1 year and continues to expand; and

**WHEREAS**, similar to 1987-90, we are witnessing the beginnings of another ecosystem collapse in Florida Bay and the seagrass die-off beginning in the summer of 2015 is likely to result in harmful algal blooms in Florida Bay, thus further damaging the environment and economy and requiring multi-year recovery; and

**WHEREAS**, the dire situation in Florida Bay is a symptom of a larger need to restore the Everglades ecosystem by constructing projects for conveyance, treatment and storage of water as outlined in Comprehensive Everglades Restoration Plan (“CERP”), including water storage South of Lake Okeechobee in the Everglades Agricultural Area as outlined in CERP; and

**WHEREAS**, the Village Council of Islamorada, Village of Islands (the “Village Council”) supports and urges the expedited authorization of, appropriations for, and completion of CERP and other projects that will help restore flows to Florida Bay; specifically:

- C-111 South Dade Contracts 8 & 9
- C-111 Spreader Canal Western Project
- Modified Water Deliveries
- Central Everglades Planning Project (“CEPP”)
- Everglades Agricultural Area “EAA” Reservoir Project; and

**WHEREAS**, some of the above referenced projects have been postponed or delayed in the latest version of the CERP Integrated Delivery Schedule (“IDS”) and it is incumbent upon the Florida Legislature and Governor, U.S. Congress, U.S. Army Corps of Engineers and South Florida Water Management District to continue to partner in this concerted effort prioritizing the health of Florida Bay immediately; and

**WHEREAS**, increased storage in the EAA would benefit not only Florida Bay but all of south Florida by helping to reduce the devastating Caloosahatchee and St Lucie releases from Okeechobee; and

**WHEREAS**, the Village Council recommends combining the Lake Okeechobee Watershed CERP project and the EAA reservoir (as outlined as Component G in CERP) storage planning to more holistically evaluate water storage needs north and south of Lake Okeechobee; and

**WHEREAS**, the Village Council supports and recommends that the State of Florida, SFWMD and the Federal government expedite the acquisition of land South of Lake Okeechobee in the Everglades Agricultural Area as outlined in CERP Component G; and

**WHEREAS**, the Village Council supports and urges congressional authorization and appropriation of the Central Everglades Planning Project (“CEPP”) through the passage of a Water Resources Development Act bill or other federal legislation as soon as possible; and

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<sup>1</sup> Robblee, M.R., T.R. Barber, P.R. Carlson, Jr., M.J. Durako, J.W. Fourqurean, L.K. Muehlstein, D. Porter, L.A. Yarbro, R.T. Zieman, and J.C. Zieman. 1991. Mass mortality of the tropical seagrass *Thalassia testudinum* in Florida Bay (USA). *Marine Ecology Progress Series*. 71:297-299.

**WHEREAS**, the SFWMD established Minimum Flow and Levels (“MFL”) to protect the Bay’s water quality and its resources from significant harm and yet with only three exceedances and one violation, Florida Bay suffered a significant seagrass die-off and ecosystem collapse; and

**WHEREAS**, since the MFL’s are not sufficiently protective to prevent significant harm, the Village Council therefore requests that SFWMD continue to comply with the MFLs in Florida Bay, develop and expedite a recovery strategy as required by law (Section 373.0421, F.S.), and given the likelihood of another large algal bloom, outline a contingency plan to protect Florida Bay and avoid collapse of the system or threat to human health; and

**WHEREAS**, the SFWMD held “South Dade Investigation” workshops that evaluated flooding and measures to minimize flooding on South Dade agricultural lands and recommendations from those workshops must be evaluated to optimize restoration opportunities for Florida Bay; and

**WHEREAS**, the Village urges federal and state agencies, along with technical experts in the environmental community, to convene workshops aimed at identifying short-term measures to benefit the Florida Bay ecosystem, including specific conveyances to deliver freshwater to Florida Bay in drought periods when it is dry and under circumstances like those that occurred in the late 1980s and the summer of 2015.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

**Section 1.**      **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.**      **Supporting Everglades Restoration Projects.** The Village Council of Islamorada, Village of Islands strongly urges the Federal Government, the State of Florida Legislature and the Governor of the State of Florida to begin the process of planning water storage south of Lake Okeechobee that once completed, will provide the framework for implementation of the EAA Storage Reservoir, as referenced in CERP Component G, for storage, treatment and conveyance of water South through the Everglades ecosystem.

**Section 3.**      **Advocating for Purchase of Land in the EAA.** The Village Council hereby directs its governmental lobbyists to advocate for the purchase of land south of Lake Okeechobee in the EAA, as allowed for in the Florida Water and Land Legacy Amendment and referenced in the above paragraph, and other measures set forth in this Resolution that will restore the flow of freshwater into Florida Bay immediately.

**Section 4.**      **Transmittal.** The Village Clerk is directed to furnish copies of this Resolution to:

- U.S. Senator Bill Nelson
- U.S. Senator Marco Rubio
- U.S. Representative Carlos Curbelo, District 26
- U.S. Representative Curt Clawson, District 19
- U.S. Army Assistant Secretary for Civil Works, Jo-Ellen Darcy
- U.S. Army Corps of Engineers, Jacksonville District Commander Col. Jason Kirk
- U.S. Secretary of the Interior Sally Jewell
- Florida Governor Rick Scott
- Florida Senate President Andy Gardiner
- Florida Senate President - designate Joe Negron, District 32
- Florida House Speaker Richard Corcoran, District 37
- Florida House Speaker – designate Steve Crisafulli, District 51
- Florida Senator Anitere Flores, District 37
- Florida Senator Dwight Bullard, District 39

- Florida Senator Lizbeth Benacquisto, District 30
- Florida Senator Jack Latvala, District 20
- Florida Senator Charles S. Dean, Sr. District 5
- Florida Representative Holly Raschein, District 120
- Florida Representative Dane Eagle, District 77
- Florida Representative Heather Fitzenhagen, District 78
- Florida Representative Gayle Harrell, District 83
- Florida Representative Ben Albritton, District 56
- Chair, South Florida Water Management District Governing Board, Daniel O'Keefe
- Executive Director, South Florida Water Management District Peter Antonacci
- Secretary, Florida Department of Environmental Protection, Jon Steverson
- Monroe County Board of County Commissioners
- City of Key Colony Beach
- City of Key West
- City of Layton
- City of Marathon
- Town of Cutler Bay
- Village of Palmetto Bay

**Section 5.**      **Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED ON THIS 30<sup>th</sup> DAY OF JUNE, 2016.**

Motion to adopt by Councilman Mike Forster, second by Mayor Deb Gillis.

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| Mayor Deb Gillis        | YES |
| Vice Mayor Jim Mooney   | YES |
| Councilman Mike Forster | YES |
| Councilman Chris Sante  | YES |
| Councilman Dennis Ward  | YES |

  
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 DEB GILLIS, MAYOR

ATTEST:

  
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 KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
 FOR THE USE AND BENEFIT OF ISLAMORADA,  
 VILLAGE OF ISLANDS ONLY

  
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 ROGET V. BRYAN, VILLAGE ATTORNEY