

8. OLD BUSINESS

b. Water Quality Issues

3. **RESOLUTION 06-060 OF THE CITY OF SANIBEL, FLORIDA, EXPRESSING SUPPORT FOR SENATE BILL 2586, WHICH PROPOSES THE ESTABLISHMENT OF A CALOOSAHATCHEE - ST. LUCIE RIVERS CORRIDOR ADVISORY COUNCIL; AND PROVIDING AN EFFECTIVE DATE (Council Member Jennings)**

**CITY OF SANIBEL
RESOLUTION 06-060**

A RESOLUTION OF THE CITY OF SANIBEL, FLORIDA, EXPRESSING SUPPORT FOR SENATE BILL 2586, WHICH PROPOSES THE ESTABLISHMENT OF A CALOOSAHATCHEE - ST. LUCIE RIVERS CORRIDOR ADVISORY COUNCIL; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Sanibel is a world class destination and the beaches of Sanibel are the economic engine for the entire Southwest Florida region; and

WHEREAS, the City of Sanibel is a municipality of over 6,000 residents, and is surrounded by estuaries that receive water from Lake Okeechobee through the Caloosahatchee River; and

WHEREAS, during periods of high rainfall, high rates of surface water discharge from Lake Okeechobee has significant adverse impacts on the receiving waters of the Caloosahatchee River and its estuaries; and

WHEREAS, high concentrations of nutrients and other pollutant-laden discharges from Lake Okeechobee significantly degrade receiving waters and have an adverse economic effect on the economy and quality of life of the residents of the City of Sanibel; and

WHEREAS, Senate Bill 2586, sponsored by Senator Michael Bennett, was filed in the Florida Legislature on March 3, 2006 and proposes the creation of an advisory council to study and recommend actions that should be taken to minimize the adverse effects of rainy season discharges from Lake Okeechobee into the Caloosahatchee River; and

WHEREAS, the City Council of the City of Sanibel, Florida, supports the passage of Senate Bill 2586 because it proposes the creation of an advisory council to review the operation and management of Lake Okeechobee and the associated discharges from the lake for the purpose of formulating specific recommendations relating to the mitigation of the impacts of high level discharges from Lake Okeechobee upon the receiving waters of the Caloosahatchee River and its estuaries; and

WHEREAS, for the foregoing reasons, the City Council urges the Florida Legislature to pass Senate Bill 2586; and

WHEREAS, the City of Sanibel finds that this Resolution should be forwarded to the Florida Legislature for its consideration as the merits of Senate Bill 2586 are debated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Florida:

SECTION 1. For the reasons stated above, the City Council of the City of Sanibel, Florida, declares its support of Senate Bill 2586 and urges the Florida Legislature to pass Senate Bill 2586.

SECTION 2. The Sanibel City Council hereby directs that this Resolution be forwarded immediately to both houses of the Florida Legislature.

SECTION 3. This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Sanibel, Florida, this 18th day of April, 2006.

AUTHENTICATION:

Carla Brooks Johnston, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM: *Kenneth B. Cuyler*
Kenneth B. Cuyler, City Attorney

4/6/06
Date

Vote of Council Members:

- Johnston _____
- Denham _____
- Brown _____
- Jennings _____
- Rothman _____

Date filed with City Clerk: _____

By Senator Bennett

21-1451-06

See HB

1 A bill to be entitled

2 An act relating to the Caloosahatchee-St. Lucie

3 Rivers Corridor Advisory Council; creating the

4 advisory council; providing a definition;

5 providing for appointment of members, per diem

6 and travel expenses, staff, and duties of the

7 advisory council; exempting staff from pt. II

8 of ch. 110, F.S., relating to the Career

9 Service System; requiring recommendations to

10 the Legislature; requiring a report to the

11 Legislature and Governor by a specific date;

12 providing for expiration of the advisory

13 council; providing an effective date.

14

15 WHEREAS, the hydrologic basins of the Caloosahatchee

16 River and its estuary and the St. Lucie River and its estuary,

17 including Lake Okeechobee, constitute a single, hydrologically

18 related system, and

19 WHEREAS, during climatic periods of high rainfall and

20 tropical storms occurring within this system, the high rates

21 of surface water discharge from Lake Okeechobee have

22 significant adverse impacts on the receiving waters of the

23 Caloosahatchee River and the St. Lucie River ecosystems and

24 their estuaries, and

25 WHEREAS, high concentrations of nutrients and other

26 pollutant-laden discharges that significantly degrade

27 receiving waters have a demonstrable economic effect on the

28 region's very substantial tourist and outdoor recreational

29 economies, as well as the quality of life of the residents of

30 Lee and Martin Counties, and

31

1 WHEREAS, while the Lake Okeechobee Protection Program
2 provides significant safeguards and strategies for protecting
3 and improving water quality discharges into Lake Okeechobee,
4 there is no comprehensive plan for the Caloosahatchee-St.
5 Lucie Rivers Corridor, NOW, THEREFORE,

6
7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Caloosahatchee-St. Lucie Rivers Corridor
10 Advisory Council; membership; meetings; staff.--

11 (1) For purposes of this act, the hydrologic basins of
12 the Caloosahatchee River and its estuary and the St. Lucie
13 River and its estuary, including Lake Okeechobee, shall be
14 known as the "Caloosahatchee-St. Lucie Rivers Corridor."

15 (2) There is created the Caloosahatchee-St. Lucie
16 Rivers Corridor Advisory Council under the Department of
17 Environmental Protection consisting of 17 members who shall be
18 appointed as follows:

19 (a) The Governor shall appoint:

- 20 1. One consumer member.
21 2. One member with hydrologic experience within the
22 Caloosahatchee-St. Lucie Rivers Corridor and expertise in
23 environmental engineering.
24 3. One member from the agriculture industry.
25 4. One member from an environmental group.
26 5. One member from the business or tourism community
27 in Okeechobee County, Martin County, or Palm Beach County.

28 (b) The President of the Senate shall appoint:

- 29 1. One member representing local government in Lee
30 County.

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- 1 2. One member with hydrologic experience within the
2 Caloosahatchee-St. Lucie Rivers Corridor and expertise in
3 hydrology.
- 4 3. One member from the agriculture industry.
5 4. One member from an environmental group.
6 5. One member from the business or tourism community
7 in Lee County or Charlotte County.
- 8 6. One member from the Senate.
- 9 (c) The Speaker of the House of Representatives shall
10 appoint:
- 11 1. One member representing local government in Martin
12 County.
- 13 2. One member with hydrologic experience within the
14 Caloosahatchee-St. Lucie Rivers Corridor and expertise in
15 biology.
- 16 3. One member from the agriculture industry.
17 4. One member from an environmental group.
18 5. One member from the business or tourism community
19 in Hendry County or Glades County.
- 20 6. One member from the House of Representatives.
- 21 (d) The Governor shall appoint the chair of the
22 advisory council from among its members.
- 23 (e) Appointments to the advisory council shall be made
24 no later than 30 days after the effective date of this act.
- 25 (f) Each member of the advisory council may receive
26 per diem and travel expenses as provided in s. 112.061,
27 Florida Statutes, while carrying out the business of the
28 advisory council.
- 29 (g) The first meeting of the advisory council shall be
30 held no later than 60 days after the effective date of this
31 act.

1 (h) The records and meetings of the advisory council
2 are subject to the provisions of chapter 119 and s. 286.011,
3 Florida Statutes.

4 (i) The advisory council shall be staffed by an
5 executive director and other personnel selected and hired by
6 the Department of Environmental Protection who shall be exempt
7 from part II of chapter 110, Florida Statutes, relating to the
8 Career Service System. The Department of Environmental
9 Protection may employ staff and consultants as necessary to
10 assist the advisory council in fulfilling its
11 responsibilities. The South Florida Water Management District
12 and the Department of Environmental Protection shall each
13 appoint a liaison for the respective agency to work directly
14 with the executive director of the advisory council and to
15 provide expertise and assistance to the advisory council.

16 (3) The duties of the Caloosahatchee-St. Lucie Rivers
17 Corridor Advisory Council are to:

18 (a) Meet at least five times after August 1, 2006.

19 (b) Hold a minimum of five public hearings within the
20 Caloosahatchee-St. Lucie Rivers Corridor for the purpose of
21 receiving public comments and information.

22 (c) Review the operation and management of Lake
23 Okeechobee and the associated discharges from the lake for the
24 purpose of formulating specific recommendations relating to,
25 but not limited to:

26 1. Scientifically viable, economically feasible
27 projects, programs, and regulations that address or mitigate
28 the impacts of high level discharges from Lake Okeechobee upon
29 the receiving waters of the Caloosahatchee River and the St.
30 Lucie Canal and St. Lucie River and their respective
31 estuaries.

- 1 2. Ongoing projects and plans authorized pursuant to
2 the Lake Okeechobee Protection Program and the Comprehensive
3 Everglades Restoration Plan under s. 373.4592, Florida
4 Statutes.
- 5 3. Environmentally and economically feasible projects
6 to remove accumulated sedimentation from Lake Okeechobee.
- 7 4. Alternative treatment strategies, projects, best
8 management practices, and funding sources to manage more
9 effectively the hydrology of the corridor to minimize adverse
10 ecological effects upon the receiving waters from Lake
11 Okeechobee discharge.
- 12 5. Long-term funding for implementation of the
13 projects and programs identified in the report.
- 14 (4) The advisory council shall prepare and submit a
15 report and recommendations to the President of the Senate and
16 the Speaker of the House of Representatives prior to the 2007
17 Regular Session of the Legislature for implementation of
18 projects and strategies to mitigate the present effects of
19 high discharges from Lake Okeechobee upon the described
20 basins.
- 21 (5) The advisory council shall submit to the Governor,
22 the President of the Senate, and the Speaker of the House of
23 Representatives by March 1, 2007, a report with specific
24 recommendations for implementation by the Legislature and the
25 Governor which will mitigate ecological effects upon the
26 Caloosahatchee-St. Lucie Rivers Corridor and stabilize the
27 effect of high discharges from Lake Okeechobee upon the
28 tourist economy of Southwest and Southeast Florida.
- 29 (6) The advisory council shall expire on April 1,
30 2007.
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1 Section 2. This act shall take effect upon becoming a
2 law.
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