

RESOLUTION NO. 13 – 2174

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) SUPPORTING THE BISCAYNE BAY COALITION OF ITS PROTECTION FOR THE HEALTH AND WELLBEING OF MIAMI-DADE COUNTY RESIDENTS AND THE IMPROVEMENT OF OUR TOURISM ECONOMY; SUPPORTING STATE RULE ADOPTION; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission recognizes that Biscayne Bay is a part of the Greater Everglades Ecosystem; and

**WHEREAS**, the Everglades Coalition is creating awareness through correspondence of allying agencies of the pending water reservation rulemaking and Everglades Restoration (Exhibit “A”); and

**WHEREAS**, Biscayne Bay is protected as a national park and protects 172,000 acres of submerged lands; and

**WHEREAS**, Biscayne Bay is protected as an aquatic preserve and protects 70,000 acres of submerged lands; and

**WHEREAS**, Biscayne Bay spans the entire coast of Miami-Dade County and is an iconic part of the view-scape of Miami and the Beaches; and

**WHEREAS**, Biscayne Bay supports the economy of Miami-Dade County and surrounding areas through tourism and the Port of Miami for business; and

**WHEREAS**, the Biscayne Bay Aquatic Preserve and Biscayne National Park are the nursery grounds for commercial and recreational fisheries vital to Miami-Dade’s economy; and

**WHEREAS**, the water quality of Biscayne Bay is essential for human health and safety and the health of the environment; and

**WHEREAS**, natural fresh water flows into Biscayne Bay have been severely diminished due to impacts from sprawl and alterations to historic Everglades flow patterns; and

**WHEREAS**, Biscayne Bay is a natural estuary in need of ongoing monitoring and restoration; and

**WHEREAS**, Biscayne Bay supports endangered and threatened species; and

**WHEREAS**, Biscayne Bay and its coastal wetlands play a vital role in the Atlantic flyway serving as a migratory pathway for wildlife and is globally important; and

**WHEREAS**, the wildlife support from the Tropical Audubon Society (TAS) has expressed the need for the Towns assistance in this matter (Exhibit “B”); and

**WHEREAS**, it is in the best interest of the Town to support the Biscayne Bay Restoration Project for the wellbeing of residents and the improvement of our tourism.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Recommendations by the Town of Surfside Town Commission.**  
The Town Commission recommends the support of the restoration of Biscayne Bay as part of the Greater Everglades with the completion of the Biscayne Bay Coastal Wetlands (BBCW) Project under Comprehensive Everglades Restoration Project (CERP). Also, supporting the efforts of the Environmentally Endangered Lands Program (EEL) and the Florida Forever Program to purchase adjacent coastal wetlands needed for the BBCW Project and recharge of Miami-Dade aquifer.

**Section 3. Adoption.** The Town Commission supports the adoption of a state rule to protect the current flow of surface and ground water into Biscayne Bay.

**Section 4. Authorization and Approval.** The Town Commission approves and authorizes the Town Manager and/or his designee to take all actions necessary to complete the CERP.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 16<sup>th</sup> day of July 2013.  
Motion by ~~Commissioner~~ Vice Mayor Karukin, second by Commissioner Kligman.

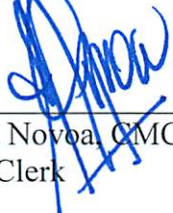
**FINAL VOTE ON ADOPTION**

Commissioner Joseph Graubart  
Commissioner Michelle Kligman  
Commissioner Marta Olchyk  
Vice Mayor Michael Karukin  
Mayor Daniel Dietch


yes  
yes  
Absent  
yes  
yes

  
\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

  
\_\_\_\_\_  
Linda Miller, Interim Town Attorney

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RECEIVED

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Handwritten signature or name at the bottom left.

Handwritten signature or name at the bottom right.

Printed text at the bottom right, possibly a title or reference.

Printed text at the bottom right, possibly a date or location.



# Everglades Coalition

1000 Friends of Florida  
 Arthur R. Marshall Foundation  
 Audubon of Florida  
 Audubon Society of the Everglades  
 Audubon of Southwest Florida  
 Caloosahatchee River Citizens  
 Association/Riverwatch  
 Clean Water Action  
 Clean Water Network  
 Collier County Audubon Society  
 Conservancy of Southwest Florida  
 Defenders of Wildlife  
 Ding Darling Wildlife Society  
 Earthjustice  
 Environment Florida  
 The Environmental Coalition  
 Everglades Coordinating Council  
 Everglades Foundation  
 Everglades Law Center  
 Florida Defenders of the  
 Environment  
 Florida Keys Environmental Fund  
 Florida Native Plant Society  
 Florida Oceanographic Society  
 Florida Wildlife Federation  
 Friends of the Arthur R. Marshall  
 Loxahatchee NWR  
 Friends of the Everglades  
 Hendry Glades Audubon Society  
 Izaak Walton League Florida  
 Division  
 Izaak Walton League Florida Keys  
 Chapter  
 Izaak Walton League Mangrove  
 Chapter  
 Izaak Walton League of America  
 Last Stand  
 League of Women Voters of Florida  
 Loxahatchee River Coalition  
 Martin County Conservation  
 Alliance  
 National Audubon Society  
 National Parks Conservation  
 Association  
 National Wildlife Federation  
 National Wildlife Refuge  
 Association  
 Natural Resources Defense Council  
 The Ocean Conservancy  
 The Pegasus Foundation  
 Sanibel-Captiva  
 Conservation Foundation  
 Save It Now, Glades!  
 Sierra Club  
 Sierra Club Broward Group  
 Sierra Club Calusa Group  
 Sierra Club Central Florida Group  
 Sierra Club Florida Chapter  
 Sierra Club Loxahatchee Group  
 Sierra Club Miami Group  
 South Florida Audubon Society  
 Tropical Audubon Society  
 The Urban Environment League  
 World Wildlife Fund

August 4, 2011

Melissa Meeker  
 Executive Director  
 South Florida Water Management District  
 3301 Gun Club Road  
 West Palm Beach, FL 33146

South Florida Water Management District Governing Board  
 Joe Collins, Chair  
 3301 Gun Club Road  
 West Palm Beach, FL 33146

## RE: Pending Water Reservation Rulemaking and Everglades Restoration

Dear Executive Director Meeker and Governing Board Members:

The Everglades Coalition is an alliance of 54 local, state and national conservation organizations working together to assure America's Everglades are protected and restored for future generations. It has come to our attention that in the upcoming months the Governing Board will be considering the future of rulemaking to protect the Caloosahatchee estuary, Kissimmee River, and Biscayne Bay. We write to highlight the importance of the development and implementation of these rules for Everglades restoration projects and ask for written clarification of a rulemaking timeline.

These rules are required for the South Florida Water Management District's (SFWMD) cost share agreements with the federal partner, the United States Army Corps of Engineers (ACOE) to legally commit to fund and construct restoration projects. For Comprehensive Everglades Restoration Plan (CERP) projects to move forward, the SFWMD is required to set aside or "reserve" the new water produced to meet restoration needs. This protection of water ensures that taxpayer money is not wasted building a project that produces and delivers insufficient water. The water reservation must occur prior to the SFWMD executing an agreement to construct these projects with the ACOE, consistent with 373.470 (3)(c), Florida Statutes.

[www.evergladescoalition.org](http://www.evergladescoalition.org)

Ph: 954-961-1280 ♦ Fax: 954-985-5047 ♦ 450 N. Park Rd, #301, Hollywood FL 33021

The proposed Caloosahatchee Water Reservation and Biscayne Bay Restricted Area Allocation Rule<sup>1</sup> are linked to the C-43 Reservoir project and the Biscayne Bay Coastal Wetlands project, respectively. These two projects were specifically listed in the SFWMD FY 2012 Budget draft to move forward. The proposed Kissimmee Water Reservation reserves water for Kissimmee River restoration, a project that has the similar authorization process as CERP and has been progressing for some time.

We understand that it has been trying for everyone to watch the budget reduction process at the SFWMD with the necessity to re-prioritize fundamental water management responsibilities. We hope you will understand our urgent request that you make rulemaking for water reservations a top priority. The Everglades system cannot afford delay. The success of the Kissimmee River restoration and the efforts put into the planning and land acquisitions needed for the C-43 reservoir and Biscayne Bay Coastal Wetlands projects are providing a sense of momentum that is long overdue for restoration progress. Timely action by the SFWMD to complete water reservation rulemaking will add impetus to Congressional action to fund construction that will then allow the SFWMD to claim the credits it has accrued with the ACOE and recoup its expenditures.

Could you please supply us with a written clarification of the timeline for the rulemaking process for these three crucial rules? Thank you for your attention to this matter. Please don't hesitate to contact us or any of our member organizations on this vital issue.

Sincerely,



Julie Hill-Gabriel  
State Co-Chair  
305-371-6399 x136  
[Jhill-gabriel@audubon.org](mailto:Jhill-gabriel@audubon.org)



Dawn Shirreffs  
National Co-Chair  
954-961-1280 x 205  
[dshirreffs@npca.org](mailto:dshirreffs@npca.org)

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<sup>1</sup> A Biscayne Bay Water Reservation rule could more comprehensively protect the Bay's freshwater resources and should also be further explored.

**President**

Jose Francisco Barros,  
D.D.S.

**Honorary Director**

Roger Hammer

**Board of Directors**

Alan Steinberg

Dennis Olle, Esq.

Brian Rapoza

Lewis Milledge, Esq.

Gary Hunt

Rafael Galvez

Elizabeth Smith

David Pearson

Richard Cohen

Katy Sorenson

Pilar Rodriguez

Jaime Raich, Esq.

Sara Conde

**Student Director**

Michael Thicksten

**Advisory Board**

Dick Townsend  
Dr. Thomas E. Lodge  
George Gann

**Executive Director**

Laura Reynolds

May 15, 2013

RE: Support of Biscayne Bay Restoration

Dear Mayor Dietch:

I am following up on The Miami-Dade County League of Cities presentation given by Laura Reynolds, Executive Director of Tropical Audubon Society a few weeks ago. Tropical Audubon Society is launching its campaign to bring together a coalition of partners with a vested interest in supporting the protection of Biscayne Bay for the health and benefit of Miami-Dade County residents and for our tourism economy.

Biscayne Bay is threatened on a number of fronts including water quality and diminished fresh water inputs. It is important to the health of Biscayne Bay that its restoration and maintenance be supported by the community to ensure proper water quality and quantity be delivered to this natural estuary.

Attached is a draft Resolution for your municipality to join the Biscayne Bay Coalition so that we may work together to maintain a healthy Biscayne Bay, a healthy economy, and healthy lifestyle for our residents and visitors alike.

The South Florida Water Management District (SFWMD) is meeting Thursday June 13, 2013 at 9:00am in the Council Chamber of the Village of Key Biscayne, Florida. They will consider water reservation issues that directly impact freshwater flow into Biscayne Bay. The agenda will be posted seven days prior to the meeting (June 6<sup>th</sup>) at: [Home](#) >> [About Us](#) >> [Organization](#) >> [Governing Board](#) >> **GOVERNING BOARD AGENDAS, MINUTES, PRESENTATIONS AND MORE.** A large public attendance at the meeting will demonstrate to the SFWMD that the citizens of Miami-Dade County take the health of Biscayne Bay seriously. I urge you to attend this meeting.

Should you have any questions please feel free to email or call me. I will contact you again regarding the adoption of the Resolution and attendance at the SFWMD meeting June 13.

Thank you in advance for your consideration of these important matters.

Sincerely,

*Susan N. Shapiro*

Susan N. Shapiro  
Marketing and Development  
[development@tropicalaudubon.org](mailto:development@tropicalaudubon.org)  
305-793-4763

Attachments sent by email