



South Florida Water Management District

Peer Review Forum

Regulatory Peer Review Forum

December 5, 2014

9:00 am – 11:00 am

South Florida Water Management District

Richard Rogers Conference Room

3301 Gun Club Road, West Palm Beach, FL 33406

Summary

Attendees:

Sharon Trost
Ken Todd
Paul Whalen
Cecile Piverotto
Dick Tomasello
Tony Waterhouse

Jesse Markle
Maria Clemente
Steve Sarley
Anita Bain
Ken Roundtree
Kyle Grandusky

1. Opening Remarks – Sharon Trost

2. Rule Development to Revise Works of the District, Chapter 40E-61

- Sharon Trost briefly explained the purpose of the rule and noted that it has been removed from the Governing Board Agenda. Once the “B Map” is adopted by the FDEP, the item will be put back on the Agenda, possibly January or February 2015. Pam Wade will give a detailed presentation at a future Regulatory Peer Group forum.

3. Status Report on Interagency Meeting, December 2nd and 3rd between DEP and WMDs

- Sharon Trost explained that the Interagency Meeting is an opportunity for FDEP and the Water Management Districts to discuss ongoing rulemaking and other issues.
- Anita Bain reviewed a few of the topics discussed:
 - Possible changes to Chapters 18-21 and 18-20. Some of the ideas being discussed included: eliminating the need for appraisals for

private easement and using a fee system instead; expanding the delegation to larger projects and no slip limit; over-water dining structures; and, removing the CE requirement for multi-family docks.

- They are still working on UMAM – no rule language at this time.
- SWERP II – work on the glitch rule continues.
- Mitigation banking – updating a 20-year old rule – probably won't happen anytime soon.
- There was also some discussion on consistency with compliance and enforcement amongst FDEP and the Water Management Districts.
- No major decisions were made.

4. Other Comments

- Sharon announced that the local FDEP office has moved from the Congress Avenue location to the South Florida Water Management District B-2 Building, 3rd Floor.
- Western C-51 Rule – Tony Waterhouse stated the rule should be wrapped up over the next couple of months. Jesse Markle provided a brief update. Ken Todd mentioned that Jesse Markle and his team's work on the Western C-51 Rule have been very helpful in working with FEMA to update the flood maps.
- Ken Todd provided a brief history on the FEMA maps and the revision process which started in 1999. The public meetings have been held with publication planned for December 26, 2014 and January 2, 2015, at which time the 90-day appeal process begins. Ken cautioned that scientific documentation will be required in order to appeal.
- The Flood Insurance Program meeting in the Glades was poorly attended. South Bay, Belle Glade and Pahokee were represented.
- Sharon mentioned a wetter dry season is expected – releases will begin this week to the Caloosahatchee.
- Ken Todd discussed concerns over the impact of the upcoming WOTUS rule which identifies waters of the US under federal jurisdiction under the Clean Water Act. Ken Todd and Chris Pettit addressed their concerns in a joint letter submitted to the EPA. Comments were due in November. The rule is set to be finalized in April. Ken Todd agreed to send a copy of the PowerPoint to the attendees of the Peer Review group.

5. Next meeting date/other topics/adjourment

- The next meeting will be held Friday, March 6th at 9:00 am in the Richard Rogers Conference Room