

Lake Belt Mitigation Committee

Meeting Summary

South Florida Water Management District
West Palm Beach, Florida

May 10, 2002

The following committee members were in attendance: **Terrie Bates**, South Florida Water Management District (SFWMD); **Bob Barron**, (USACE); **Jean Evoy** (alt.), Miami-Dade County Department of Environmental Resources Management (DERM); **Veronica Fasselt**, U.S. Environmental Protection Agency (USEPA); **Janet Llewellyn**, Florida Department of Environmental Protection (FDEP); **Jeff Rosenfeld**, (non-voting member), mining industry.

Others in attendance or participating by teleconference: John Adornato, Frank Bernardino; Howard Hayes; Jim Jackson; Blair Littlejohn; Tom McCracken; Majorie Moore; Frank Bartolone; Anita Bain; and Alan Whitehouse.

Call to Order

Janet Llewellyn called the teleconferenced meeting to order at 9:05 a.m.

Approval of Minutes

Minutes of the 3/22/02 meeting were unanimously approved.

Status of Rock Mining Permits- FDEP, USACE, MD-DERM

Ms. Llewellyn said that FDEP has not yet issued the Continental permit.

Bob Barron, USACE, said that no legal challenges had been filed to the COE permits. Rinker, White Rock and Sawgrass have signed permits.

Jean Evoy reported that MD-DERM is beginning water quality monitoring. The permit challenge to White Rock has been withdrawn.

Mitigation on Publicly Owned Lands

The committee discussed general principles for considering mitigation on publicly owned lands: 1) Mining mitigation money should not be used to supplant CERP funding; and 2) Mining mitigation money should be used for wetland areas – not reservoirs or areas designed for water management purposes (e.g. flood attenuation). Will need to review on a case by case basis, but primary purpose should be wetland protection, restoration and enhancement.

Terrie Bates, SFWMD to prepare list of potential non-rock mining mitigation needs either in-house or expected (e.g. pending DRI). SFWMD to further evaluate using lands already purchased with other funds (e.g. noting such lands as mitigation and reimbursing land acquisition fund).

Alternative Mitigation Locations

Marjorie Moore, SFWMD presented map & memos on status of restoration activities in Pennsuco and potential alternative locations.

Jean Evoy, MD-DERM discussed the following four mitigation priorities:

- 1) enhancements to Dade-Broward levee;
- 2) old Pennsuco canal east of Pennsuco
- 3) old remnant slough, approx. 1 mile west of the "H" lake; and
- 4) lands in Section 21 – "Capaletti lake", now owned by Florida Rock

Jean will further develop concepts.

Jim Jackson briefed the committee on the status of moving L-31N and acquiring lands near it (e.g. Royal Miami Polo site).

Janet Llewellyn, DEP has communicated with state lands staff regarding the potential of using state-owned lands for land swaps.

Bob Barron, COE, will follow-up on the status of COE lands in Pennsuco (former Florida Rock lands) – 1) does CERP want the land for potential mitigation; and 2) how much will it cost (e.g. cost basis).

Next Meeting

Janet Llewellyn, DEP – state ownership & land swap status

Bob Barron, COE – availability of COE-owned lands for mitigation

Jean Evoy, MD-DERM – alternative locations for mitigation

Paul Dumars – bonding considerations

Blair Littlejohn – status of offer in Pennsuco

Terrie Bates – existing non-rockmining mitigation obligations in Pennsuco

Decision Point for Next Meeting

- 1) Decide when to start spending funds
- 2) Guidance to SFWMD on land acquisition priorities

Meeting scheduled for July 12, 2002 at 10:30 a.m. (or 9:00 a.m.???)

Will consider future in-person meeting – suggested date October 2, 2002 in conjunction with Water Management Conference in Miami.

Meeting Adjourned

Status of Acquisition of Pennsuco Wetlands

Blair Littlejohn, SFWMD, explained the status of City National. He said that after July 2002, either side in the City National case can request mediation. After July 2003, the case will go to trial.

Littlejohn stated that there are 188 non-rock mining landowners in the Pennsuco and offers to purchase the lands have been made through The Nature Conservancy (TNC). Because most offers have been rejected, Littlejohn has asked TNC to revisit the landowners and determine how much money they would accept. He also said that he is trying to meet with the Miccosukees regarding their intentions for their 3 tracts of land at the south end of the Pennsuco.

The committee discussed the use of mitigation funds for management of parcels previously acquired.

Bonding of Mitigation Fee Revenue

Bonding was discussed as a revenue source for land purchases. Frank Bartolone, SFWMD, said that as per statute, funds held by the District may be bonded and used for Lake Belt mitigation purposes. He stated that because the revenue source has never been bonded, it may not be easy to sell in the market place.

Paul Dumars said that bonding mitigation monies would have no significant impact on the District's financial status due to the dedicated source of revenue, but that bonding would have to be approved by the SFWMD Governing Board and count as part of the District's total indebtedness. Dumars said District staff would analyze the costs of bonding \$50,000,000 and report back to the committee.

Next Steps: Committee Actions for 2002

Terrie Bates- prepare scenarios for mitigation on lands currently in public ownership

Majorie Moore and Jean Evoy- compile information on alternative locations for mitigation

Janet Llewellyn- report on land leases

Paul Dumas- report on bonding

Ms. Llewellyn asked that the above information be distributed to the committee by the end of April.

Next Meeting

The next meeting is scheduled for May 10 at 9:00am.

Public Comments

There was no public comment.

Adjourn

The meeting was adjourned at 10:45 am.