

LAKE BELT MITIGATION COMMITTEE

Meeting Summary

South Florida Water Management District

3301 Gun Club Road, (B-1 2nd Floor East End)

West Palm Beach, Florida 33406

This meeting will be conducted as a teleconference

Meet-me number (850)-410-8045; Suncom: 210-8045

Friday January 27, 2006

1. Call to Order by Janet Llewellyn
 - a) Meeting began at 9:00 AM.
2. Opening Comments / Attendees
 - a) Committee Members
 1. Janet Llewellyn, DEP, Committee Chair (Teleconference)
 2. Terrie Bates, SFWMD, Committee Vice Chair
 3. Matt Davis, Miami-Dade DERM (Teleconference)
 4. Veronica Fasselt, U.S. E.P.A
 5. John Studt, USCOE (Teleconference)
 6. Leah Oberlin, Alternate COE
 7. Jeff Rosenfeld, MFL
 - b) Other meeting attendees
 1. Maura Merkal, SFWMD CERP
 2. Marjorie Moore, SFWMD
 3. Beth McArdle, SFWMD
 4. Maxine Cheesman, SFWMD
 5. Barbara Katz, SFWMD
 6. Nilda Lutter, SFWMD
 - c) Teleconference attendees
 1. Mike Spinelli, Miami-Dade DERM
 2. Donna Fries, Miami-Dade Water & Sewer
 3. Alan Whitehouse, DEP
 4. Charles Scott III, SFWMD – Miami Dade Svc Ctr (teleconference)

3. Review and Approve minutes from 11/18/05 meeting – Janet Llewellyn

Minutes were reviewed and no changes were made. Terrie made a motion to amend the minutes to include a final copy of the approved Resolution.

4. Pennsuco Land Acquisitions & New Letters – Barbara Katz, SFWMD Real Estate

a) Barbara opened the discussion by indicating that the SFWMD and Nature Conservancy are working together on the Pennsuco acquisitions. A willing sellers program will start in March. All remaining private landowners (167 landowners with approximately 2000 acres remaining - excluding mining companies) will be contacted via a letter.

b) The land acquisition strategy was discussed and the Committee agreed that the SFWMD Real Estate group should take the lead on the letters and any negotiations. SFWMD will report back to the committee later this year on the status of any land acquisitions.

5. Mitigation Committee Annual Report.

a. Jeff Rosenfeld reviewed the draft Annual Report and discussed the Financial Report which is included as Appendix C.

b. Terrie requested that the reimbursement to the Division of State Lands for the Tarmac land swap be shown as an encumbrance, rather than an expenditure.

c. Marjorie asked that the Committee approval of the updated enhancement/long-term management costs (\$1630 per acre) be noted in the Annual Report.

d. Marjorie also asked that the footnote to Table 2 be changed to more clearly explain the Committee's mitigation approvals in 2002-2003.

e. The committee discussed adding information regarding 1) renewed initiatives for land acquisition, 2) approval of the updated enhancement/long-term management costs, and 3) changes in mitigation credits for land acquisition vs. enhancement/long-term management. This information will be summarized in a new subsection in Section 5.

f. Jeff indicated that the values in Table 3 have been revised slightly from last year's report to better reflect previously permitted vs. new permit areas. The different agencies had different permitted areas in the pre-Lake Belt permits and for consistency; the Corps permit maps are being used.

g. Janet asked about schedule for the annual report. Jeff will make the suggested changes and submit them to Lee for finalization and routing. Beth will get the report on the March Governing Board Consent Agenda. If there are additional comments, they should be sent to Beth who will forward them to Lee and Jeff.

6. Motions Approved

a. Motion #1 – Terrie made a motion to amend the minutes to include a copy of the signed November 18 resolution on the mitigation fees, and it was 2nd by Veronica Fasselt. Motion passed.

b. Motion #2 – Terrie made a motion to approve the annual report with the revisions as discussed, and it was 2nd by Veronica. Motion passed. Jeff will make the revisions.

7. Reimbursement to District.

Janet asked if the District was willing to wait for reimbursement. Terrie said that it would be best to wait for results of the willing seller process, and that the request for reimbursement could be revisited at future meetings.

8. Proposed Legislative Changes

a. Senator Garcia has filed Senate Bill 1306 and a companion House bill will be filed by Rep Garcia. Janet discussed the proposed changes in the draft House bill and indicated that the Senate bill would be conformed to the House bill.

b. The bill proposes to add some properties to the Lake Belt. These properties were in the Lake Belt during the original planning process, but had been removed in the initial legislation because of property owner concerns at that time.

c. Matt Davis discussed certain properties, where the County is pursuing violations due to disposal of hurricane debris. Matt wanted to make sure that inclusion in the Lake Belt would not affect the County's ability to require mitigation. Terrie and Janet agreed that the legislation only affected mining mitigation and would not affect non-mining activities being evaluated by the County.

d. Janet discussed the fee increases. They are consistent with the resolution with one exception: our resolution has new fees starting in January 1, 2007; they have been moved up to October 1, 2006.

e. Janet mentioned that one other change had been discussed with her that was not yet in the legislation – the addition of the east half of Section 13 (south of Tamiami Trail). In the original Phase I Lake Belt map, adopted by the Legislature, the east half of Section 13 was identified as rockmining allowable to the extent consistent with CERP, while the western half was identified as potential mitigation. Janet's position was that she was okay with the change since it was consistent with the Phase I map, as long as the District did not have any CERP concerns. Maura Merkal said the CERP group was looking at the entire area as part of the L-31N seepage management project. Terrie said she would discuss the proposed addition of the eastern half of Section 13 with the CERP group and the District would provide feedback to Janet on the proposed legislative changes.

9. Action Items

1. Barbara Katz will check on the invoice from DEP that was going to be paid from the Lake Belt fund (\$864,000 already approved for payment by the LBMC).
2. Terrie Bates will discuss the proposed addition of the eastern half of Section 13 with the CERP group and the District will provide feedback to Janet on the proposed legislative changes.

10. Public comment – None.

11. Next Meeting

An interim meeting was scheduled for February 24, 9:00 at SFWMD for any further discussion of the proposed legislation and the proposed revisions to the 2005 LBMC Annual Report before submitting it to the SFWMD Governing Board. Any comments/materials should be forwarded to Beth McArdle at SFWMD for inclusion in the February 24th meeting agenda.

12. Meeting Adjourned