



South Florida Water Management District

Public Meeting to Discuss Regulatory Matters

June 20, 2012

10:00 a.m.

South Florida Water Management District - B-1 Auditorium
3301 Gun Club Road, West Palm Beach, FL 33406

MEETING MINUTES

Staff Present:

Anita Bain, Bureau Chief, Environmental Resource Permitting
Pamela Wade, Bureau Chief, Everglades Regulation
Karin Smith, Section Leader, Water Use
Barbara Conmy, Section Leader, Environmental Resource Permitting
Carlos de Rojas, Section Leader, Environmental Resource Permitting
Ricardo Valera, Regulatory Administrator, Lower West Coast Service Center
Mark Daron, Supervisor, Orlando Service Center

1. Call to Order

The meeting was called to order by Environmental Resource Permitting Bureau Chief, Anita Bain at 10:03 a.m. Ms. Bain reviewed the purpose of the meeting, several procedural items and introduced staff at the service centers. There were three members of the public at District Headquarters in West Palm Beach who participated by phone and one member of the public present at the Lower West Coast Service Center; there were no members of the public present at the Orlando Service Center.

Ms. Bain introduced Pam Wade, Chief of the Everglades Regulation Bureau who provided an explanation regarding Everglades Agricultural Area (EAA) permits. These permits are related to the phosphorus control program overseen by Ms. Wade's Bureau. These five year permits authorize pollution controls using best management practices for phosphorus. These permits can include several permittees, therefore covering larger acreages.

2. Applications of Heightened Public Concern Pending Final Action

There were no public comments regarding this item.

3. Applications of Heightened Public Concern Not Complete

There were no public comments regarding this item.

4. Public Comment on other Pending Permit Applications

Application 120521-12 Tiger XL Ranch

Public Comment: Alex Larson inquired regarding Water Quality Exemption permits.

Ms. Bain responded that this is a federal program in the Northern Everglades for water quality elements.

Application 120525-10 Firestone Stables

Public Comment: Alex Larson inquired regarding the water source on this application which is identified as aquifer unspecified.

Ms. Smith responded that staff sent a request for addition information (RAI) and the information in the database will be updated once the response is received.

Application 120402-3 Palm Beach Aggregates

Public Comment: Alex Larson inquired regarding this application requested clarification regarding the West Palm Beach Canal.

Ms. Wade responded that this is a Works of the District application in the Everglades Agricultural Area. This application is for best management practices for phosphorus control previously explained. Ms. Wade also clarified that the West Palm Beach Canal is the C-51 Canal.

Application 120312-5 Emerald Dunes Golf Course / Vista Center of Palm Beach Unit 5

Public Comment: Alex Larson inquired regarding the water source which is identified as unspecified aquifer.

Ms. Smith responded that all information will be available once the staff report has been completed.

Application 120402-10 Shawano Water Control District

Public Comment: Alex Larson inquired regarding the acreage amount for this application.

Ms. Wade responded that this application is for the drainage district which includes all of the landowners within the Shawano Water Control District therefore it is a much broader boundary.

Application 120531-13 Appolonia Farms

Public Comment: Rosa Durando inquired regarding the site location.

Application 111230-8 West Palm Beach Commerce Park

Public Comment: Rosa Durando inquired regarding the site location.

Staff responded that this site is east of the water catchment area and west of Haverhill Road.

5. Public Comment on General Regulatory Issues

Permit 50-00365-W Seacoast Utility Authority

Public Comment: Rosa Durando expressed concern regarding this permit as it relates to the Scripps Briger Tract.

Staff responded that this permit is for a renewal for an existing water use permit for public water supply.

Public Comment: Alex Larson inquired regarding any increase in allocation approved under this application since this permit was previously approved in 1970.

Staff responded that during the review of this renewal application, staff evaluated the population projections and the amount of water needed and there was an increase with the latest permit.

Public Comment: Drew Martin inquired regarding past wetland impacts caused by this permit.

Staff responded that any issues regarding past wetland impacts are being addressed separately.

Public Comment: Rosa Durando inquired if there is a limit on the amount of Mercury allowed in water discharge.

Staff responded that there is a phosphorus analysis requirement for a water management system and any water discharged into wetlands will be treated.

Public Comment: Alex Larson inquired regarding permit 50-09578-W for Palm Beach International Aviaries; more specifically her concerns were regarding the amount of water use allocated.

Staff responded that this is a residential site that includes a business; the size of the lot is 5 acres of which 2 acres will be irrigated, this application also allocates water for animal care.

Public Comment: Brad Cornell representing the Audubon of Florida inquired regarding a meeting that the Executive Director will hold to discuss Mitigation Banking.

Public Comment: Drew Martin representing the Sierra Club inquired regarding Best Management Practice standards.

Public Comment: Drew Martin commented on discussions held at a Lower East Coast Water Supply Plan meeting regarding the ASR program and the possibility of pumping untreated water into the surficial aquifer.

Staff responded that the ASR program is the responsibility of the Department of Environmental Protection.

Public Comment: Drew Martin inquired regarding a newspaper article that discussed utilizing dry land for mitigating wetlands and how does the District determine the quality of the land used for mitigation. Mr. Martin also inquired if the District looks at any potential loss of wildlife during mitigation and how would any loss of wildlife be recovered.

Staff responded that the District does look at the quality of the land utilized for mitigation of wetlands. Also wetland dependent species are evaluated as part of the UMAM for scoring, in cases where there is an individual species recovery plan we defer to the U.S. Fish and Wildlife Service.

Public Comment: Drew Martin expressed concern regarding the L-8 Reservoir. Mr. Martin inquired regarding restoration requirements after rock mining.

Staff responded that if a permit is issued through the Department of Environmental Protection and has recovery plan, any wetland impacts would be mitigated through their permit.

Public Comment: Drew Martin inquired how the District determines if an area is a viable agricultural operation.

Staff responded that there is a new statute for Agricultural exemptions which the District uses to evaluate these applications. The Florida Department of Agriculture and Consumer Services assists in making these determinations.

6. Adjourn

The meeting was adjourned at 11:11 a.m.