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# South Florida Water Management District

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## Public Meeting to Discuss Regulatory Matters

October 16, 2013

10:00 a.m.

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

## MEETING MINUTES

### Staff Present:

Lennart Lindahl, Assistant Executive Director  
Sharon M. Trost, Director, Regulation Division  
Anthony Waterhouse, Assistant Director, Regulation Division  
Anita Bain, Bureau Chief, Environmental Resource Permitting  
Charles Walter, Regulatory Administrator, Orlando Service Center  
Melissa Roberts, Section Leader, Lower West Coast Service Center  
Ricardo Valera, Chief, Environmental Resource Compliance  
Stan Orlowski, Section Administrator, Regulatory Support  
Kellie Cranford, Section Leader, Agricultural Water Programs  
Tom Colios, Section Leader, Water Use Bureau  
Susan Martin, SR Spec Attorney, Office of Counsel

### 1. Call to Order

The meeting was called to order by Len Lindahl at 10:02 a.m. Mr. Lindahl reviewed the purpose and requested all comments be regarding regulatory issues and introduced staff at headquarters and the service centers. There were four members of the public present at the District Headquarters. There were no members of the public present at the Orlando or Okeechobee Service Centers.

### 2. Applications of Heightened Public Concern Pending Final Action

There were no public comments.

### 3. Applications of Heightened Public Concern Not Complete

#### Application 130108-17 Biscayne Landing

Public Comment: Alex Larson commented on plausible deniability and expressed concern regarding this application.

Public Comment: Drew Martin representing the Sierra Club inquired regarding this application and expressed concerns regarding wetland impacts.

Staff responded that this application is to add an additional phase to an existing development.

#### **130910-9 Long Key Townhouse Dock Revision**

Public Comment: Drew Martin inquired regarding possible impacts to sea grass.

Staff responded that the applicant's current proposal will impact sea grass but this application is in the early review phase.

#### **Application 120706-6 Lake Worth/Lyons Residential Property**

Public Comment: Drew Martin inquired regarding the status of this application.

Staff responded that the applicant has purchased additional land and is still planning to preserve the wetland on this property.

#### **Application 090107-1 Crosstown Parkway Extension (Bridge over North Fork)**

Public Comment: Drew Martin expressed concern with this application.

### **4. Public Comment on other Pending Permit Applications**

Public Comment: Alex Larson commented regarding cumulative impacts on pending permit applications.

#### **Application 090219-21 Graham and Couse Farms**

Public Comment: Alex Larson inquired regarding this application.

Staff responded that this application is to renew an existing agricultural permit.

#### **Application 090226-34 Myrtle Slough Canal Group**

Public Comment: Alex Larson inquired regarding this application.

Staff responded that this is to renew an existing permit for diversion and impoundment; this permit provides water supply to other farms in the area.

#### **Application 130918-14 South Port Ranch Mitigation Bank**

Public Comment: Alex Larson inquired regarding the use of Reedy Creek as the receiving body for this application.

#### **Application 130918-10 Highland Dunes**

Public Comment: Alex Larson commented on this application. Ms. Larson requested that this application be added to list of applications of heightened public concern.

**Application 130923-5 Mount Bethel Baptist Church**

Public Comment: Alex Larson expressed concern regarding the receiving body of this application.

**Application 130924-2 Wetland Wildlife Hazard Mitigation**

Public Comment: Alex Larson commented regarding this application.

**Application 061026-21 I-95 Farm**

Public Comment: Alex Larson inquired regarding the status of this application and the timeframe this application has been in house.

Staff commented that some permit applications have been in house for longer periods for many different reasons, some applicants confront financial difficulties or in some cases reasonable assurances have been not been meet and staff is working with the applicant.

**130410-6 Beck / Overstreet PD**

Public Comment: Alex Larson inquired regarding this application.

Staff responded that this application is for a residential development, the receiving body for this permit would be the Reedy Creek Improvement District.

**131003-9 East Bonita Active Adult Lake Community**

Public Comment: Alex Larson inquired regarding this application.

Staff responded that this application is for a permit ownership change.

**130906-20 Peruvian Avenue Restoration Project**

Public Comment: Rosa Durando inquired regarding the monthly and annual allocation for this application.

Staff responded that this application is for short term dewatering; the permit duration would be less than a month.

**130906-3 Boca Raton Heights Infrastructure Improvements**

Public Comment: Rosa Durando expressed concern with potential contamination in the area.

Staff responded that if during the dewatering operation contamination is noticed the permittee is required to maintain the contamination on-site and report it to the Department of Environmental Protection.

### **130516-11 Site One Impoundment Continuation**

Public Comment: Rosa Durando commented on regarding water quality and any potential impacts to the Hillsboro Canal.

Staff responded that this application is a water use application is for industrial use for a soil/cement and dust control plant. Also water use permits do not discharge therefore there would not be any potential discharge impacts.

### **Application 130924-4 Winners Church**

Public comment Alex Larson inquired regarding the allocation issued for this application.

Staff responded that this application is for dewatering for construction, the water will be held on site in a dry detention area.

## **5. Public Comment on General Regulatory Issues**

Public Comment: Drew Martin expressed concerns regarding wetland impacts and applications impacted by sea level rise.

Public Comment: Alex Larson commented on the Indian Street Improvement District; more specifically regarding water discharge.

Public Comment: Rosa Durando commented regarding Permit 50-00548-S-203 World Dressage. Ms. Durando inquired regarding Best Management Practice (BMP) requirement and monitoring and impacts to C-51 canal.

Staff responded that the Village of Wellington has ordinances regarding animal waste. This District has worked with other government agencies regarding water quality and Best Management Practices (BMP's).

Public Comment: Rosa Durando requested clarification on the definition for various water use aquifers.

Staff responded that the surficial aquifer is a system, the Biscayne aquifer is limited to Broward and Miami-Dade and a portion of Palm Beach County.

Public Comment: Alex Larson commented on the STA land acquisition. Ms. Larson also requested that any permitting application submitted for this land be placed on the application list for heighten public concern.

Public Comment: Drew Martin commented regarding beach water quality.

Staff commented that Department of Environmental Protection is developing a science task force to review this.

Public Comment: Rosa Durando commented on the authority for land use changes. Ms. Durando also commented regarding authority between government agencies regarding drainage and land use.

Staff commented that at a future regulatory meeting staff will offer a permitting 101 to discuss permit types and what authorities are delegated to the District.

#### **6. Public Comment on Noticing of Applications**

Susan Martin, Senior Attorney gave a presentation regarding the proposed rule development for notice of receipt of permit applications.

Public Comment: Jane Graham representing the Audubon of Florida expressed her support and provided suggested language and logistics for the proposed noticing.

#### **7. Public Comment on Definition of Heightened Public Concern**

Sharon Trost discussed the current definition of heightened public concern and presented additional criteria for consideration.

Public Comment: Drew Martin commented regarding the report for heightened public concern report and requested the amount of application on the list as well as the definition be expanded.

Public Comment: Jane Graham commented regarding the suggested criteria for heightened public concern and provided other suggestions.

#### **8. Adjourn**

The meeting was adjourned at 12:29 p.m.