

**SOUTH MIAMI DADE WATERSHED STUDY ADVISORY
COMMITTEE
Meeting Twenty-four**

August 24, 2004
8:30 a.m. – 5:00 p.m.

Report of Proceedings

WELCOME/CHAIR ANNOUNCEMENTS

The meeting was held at The Coral Gables War Memorial Youth Center in Coral Gables, Florida. Roger Carlton, Chair, thanked the City for the use of this facility and welcomed everyone.

Mr. Carlton had several announcements:

1. Members are asked to submit their comments on draft work products and not wait until the product is submitted for acceptance. Once members are asked to accept the Subtask, the work product is in nearly final form. When comments from members are initially solicited, the work product is in draft form. When comments are submitted late or during the acceptance process, the Consultants must do extensive rewrites which causes resource and schedule problems.
 - a. Members must be diligent about submitting comments on work product when they are in draft form;
 - b. The review process has ample time (over 30 days) built in for members to solicit comments from their constituent groups;
2. The Project Management Team (project managers and representatives of the consultant) has begun meeting individually with Committee members who have concerns or comments on draft final work products. The purpose of these meetings is limited to: fact finding or information clarification, understanding the issues, clarifying unresolved questions, to assist in framing issues for open discussion with the entire Committee. These meetings are not intended to develop solutions or to negotiate recommendations. If any member would like assistance from the PMT, they can contact Project Manager, John Hulseley and request a meeting or in the alternative, if the PMT sees many comments coming in from a member, they may contact that member to offer assistance.
 - a. One member voiced concern that these meetings would take the place of open discussion by the Committee. The Chair assured the member that the purpose of the meetings was clarification only; all issues and concerns will still come before the Committee for full and open discussion and resolution.
3. The next set of public meetings sponsored by the consultant will be held on September 30, 2004 at the FIU main campus and October 7, 2004 at the Miami Dade College Homestead campus. For more information see the website at: www.southmiamidadewatershed.com.
4. The next meeting of the Committee will be held on September 23, 2004, Robert Meyers, Esq. of the Ethics Commission will attend to discuss Conflict of Interest disclosure requirements and Jose Galan of the Budget Office will present on the General Obligation Bond.

It was noted that a waiver of the Conflict of Interest Ordinance is in the process of being obtained for the Committee.

Members Present:

Roger Carlton, Chair
Ivonne Alexander, Miami-Dade Agricouncil
Richard Alger, South Florida Potato Growers Exchange
Subrata Basu, Miami-Dade Planning and Zoning
Linda Canzanelli, Biscayne National Park
Gerald Case, Florida Lime & Avocado Committees (unconfirmed)
Amy Condon, Trust for Public Land
Carlos Espinosa, Miami Dade DERM
Jeffrey Flanagan, Chamber South
John Fredrick, Dade County Farm Bureau
Dick Frost, Tropical Audubon Society
April Gromnicki, National Audubon Society
John Hall, Florida Engineering Society
Louise King, Redland Citizens' Association
William Losner, Greater Homestead/Florida City Chamber of Commerce
Bennie Lovett, Florida City
Blanca Mesa, Sierra Club
Carter McDowell, Building Industry Representative
Reed Olszack, Miami-Dade Agricultural Practices Board
Lawrence Percival, Kendall Federation of Homeowner Associations
Jane Spurling, Florida Nurserymen and Grower's Association
Charles Thibos, Tropical Everglades Visitor Association
Julia Trevarthen, South Florida Regional Planning Council

AGENDA REVIEW/GUIDELINES

Ms. Fleischer reviewed the day's Agenda (**Exhibit A**), and reminded everyone to turn off cellphones and beepers and keep side conversations to a minimum.

All Reports of Proceedings of the Committee, Discussion Guidelines and Committee related information, can be found on the SFRPC website at www.sfrpc.com/institute/watershed.htm.

PUBLIC COMMENT

Public comment was invited prior to the Committee deliberating on the remaining sections of Subtask 1.8 to reach acceptance. There were no comments.

Note: Public comment is not recorded. If anyone from the public desires to have his/her comments appear in the Report of Proceedings, they can submit their comments in writing on the comment cards provided at each meeting.

SUB-TASK 1.8-PARAMETERS AND THRESHOLDS: COMMITTEE ACCEPTANCE

At the last meeting of the Committee held on July 22, 2004, the Committee began the acceptance process of Subtask 1.8 and accepted the water resources section as noted in the July 22, 2004 meeting proceedings. Following the established procedure, the Committee was asked to accept the remaining sections of Subtask 1.8, taking one section at a time. The remaining sections were:

Natural Communities
Land use/Community character
Economic conditions
Infrastructure

Committee Procedure: the Committee is asked to accept the selected section by consensus (See Consensus Rules on the Institute website: www.sfrpc.com/institute/watershed.htm). If consensus is not reached in the first ranking, discussion follows to attempt to get all concerns addressed and resolved. A second ranking is then taken. If consensus is still not reached, the Committee goes to vote according to Committee procedures. Once tasks are accepted, the Committee does not go back again to review those tasks.

At this point, the Facilitator led the Committee through the acceptance process. The first section to be considered was

Sub-Task 1.8 – Parameters and Thresholds

Natural Communities (Primary)-Initial Consensus Ranking, Pages 24-31

Initial Ranking

5	4	3	2	1
1	8	7	2	1

Concerns of those members ranking a “1” or “2” were discussed:

First Issue – Buffers

- Pg. 30 – Buffer around natural forest communities – property owners do not want buffers
- If you establish or suggest buffers, pay the owners for them
- Natural forests are the most imperiled resource in the watershed – buffers are used to sustain remnant natural forests
- Buffer size is not set now – could be a minimum of 500 feet

Resolution: Language will be added:

If a buffer is designated or considered around a natural forest community, the property owner is afforded all his/her rights to the use of that property until the owner is compensated in accordance with the law.

Note: Compensation includes, but is not limited to, land swaps, money and other forms of compensation.

Second Issue – Wetlands

- Definition of jurisdictional wetlands that is being used is a concern
- Make sure this plan is not inconsistent with CERP – in this light with coastal wetlands

Resolution:

Make a note in the evaluation of natural communities section for wetlands to identify the amount of coastal wetlands still available for restoration. Add property rights compensation language from buffers above.

Natural Communities – 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
2	7	11	0	0

Consensus was achieved on the Natural Communities (Primary) section of Subtask 1.8.

Land Use/Community Character (Primary)- Initial consensus ranking, Pages 32-38

General comments prior to ranking:

- What does “utility service” include? Water & sewer, not electric?

Initial Ranking

5	4	3	2	1
0	4	9	7	0

First Issue – Definitions/simpler words

- Definitions of urban, suburban, ex-urban and rural, also need to use simpler words (ex. Prototypical)

Resolution: Definitions will be added and/or simpler wording will be used

Second Issue -Page 35- Economics and Agriculture

- Delineate the existing rural lands into agricultural land/open land – needs mention of economics if agriculture is not viable
- Evaluation sentence #2 changed to: “delineate existing rural land into agricultural land and open land”

Resolution: Reference EE-1

Third Issue – Pg. 33 “Rural” community character only or all community characters

- Present results and potential to rural community character

Resolution: the word “rural” will be taken out

Fourth Issue – Pg. 37, Parks

- What is the definition of a park and what is ¼ mile distance – need to include private parks
 - **Resolution:** definitions of parks will be included and private parks are part of that
- Need definitions of all types of parks and that parks serve many purposes (park land-gap analysis)
- There exists legally delineated park percentages – level of services established, but not for parks, it is a transportation level of service
- Need to look at this from more than just the technical viewpoint – need to be more broad in view
- The current standard of the amount of parks can not be maintained anyway
- Need to consider land-locked areas as well – include facilities as well as acreage
- How do we deal with individual municipalities and their individual requirements

Suggested resolution: “within a reasonable distance of recreational facilities” (not used)

- Dog parks should be considered/included
- “Parks” definitions are now very broad compared to historical definitions
- Evaluation needs to be of current law then recommendations should be based on possibly changing current law
- Trust for Public Land (TPL) offered to do a park analysis
- Have parks serve several purposes; more than just recreational activities, they can serve as water reservoirs or for quality purposes
- Consider a regional park (Homestead Air Force Base as regional park)

Resolutions:

- Definitions of parks will be included
- Private parks will be included
- Language change: "Inside the UDB, the minimum threshold is 2.75 acres of local recreational open space per 1000 permanent residents and no more than 3.5 miles away from a park of greater than 5 acres in size."
- Pg. 33 – add a letter "i" = distance to parks (by consultants)

Note on conformity of resolution: Pg. 38 – conform language to Pg. 37

Fifth Issue – If area is designated agricultural and then agricultural is not economically viable what will happen to it? Who maintains the property?

This will come up under Economics & Recommendations, not appropriate for Parameters & Thresholds

Remember to consider costs

Sixth Issue – Pg. 33 – Utility Service – what does it encompass

Resolution: It should include water, sewer & electric

Seventh Issue – LU3 – definition of "premium" transit (Pg. 36)

Resolution: definition in Subtask 2.1 – page 22 of Subtask 2.1 report will be cross-referenced

Eighth Issue – LU1 & LU2 – need a discount factor on densities in land use scenarios because very few (if any) maximum permitted densities are ever approved

Scenario 1 is "current practice" not based on books

- Now land is at premium which may change historical approval of densities
- We may need to help get current densities implemented
- Process problem of getting densities approved should be a recommendation

Resolution: Very important, this is not appropriate to resolve here – belongs in recommendations and in draft scenarios when brought to the Committee by the Project Management Team and Consultant – discount or some other method

Land Use/Community Character -2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
1	9	12	0	0

Consensus was achieved on the Land Use/Community Character (Primary) section of Subtask 1.8.

Economic Conditions (Primary)- Initial consensus ranking, Pages 39-43

Initial Ranking

5	4	3	2	1
0	4	13	3	1

First Issue – Tourism is not on the base industry list

Resolution: will be added

Second Issue – Distinguish between agricultural and open space – they are different

Resolution: Pg. 39 – Goal #5 needs to have the complete sentence

Economic Conditions (Primary)- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
0	9	11	0	0

Consensus was achieved on the Economic Conditions (Primary) section of Subtask 1.8.

Infrastructure (Primary)- Initial consensus ranking, Pages 43-60

5	4	3	2	1
0	2	15	4	0

First Issue – Schools

- Consider having a mega-school with a regional park; use HAFB for schools
- Use the proper level of service (LOS) for build out under various conditions

Resolution: none necessary, this will be done – no change necessary now

Second Issue- level of service for schools

- There is no LOS for schools adopted

Resolution: Clarify under threshold (Pg. 48 top) and add the following phrase: “although there is no absolute standard, 115%...”

Third Issue – School system conditions

Resolution:

- Some statement of improving the condition of schools could be a possible recommendation
- Pg. 48 – the same number of students will be used for each scenario (suggested by Technical Review Committee)

Infrastructure (Primary)- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
0	2	12	0	0

Consensus was achieved on the Infrastructure (Primary) section of Subtask 1.8

Economic Conditions (Secondary)- Initial consensus ranking, Pg. 49-53

5	4	3	2	1
0	4	15	2	0

First Issue – actual achieved density is important in housing costs

Resolution: no change necessary

Second Issue – housing for agricultural workers

- If low cost housing is restricted, it has a negative impact on agriculture

Resolution: Add under threshold justification “also to address transitional and other agricultural worker housing” - Evaluated using EC-2 and EC-3 together

Economic Conditions (Secondary)- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
0	7	15	0	0

Consensus was achieved on the Economic Conditions (Secondary) section of Subtask 1.8

Infrastructure (Secondary)- Initial consensus ranking, Pg. 54-59

5	4	3	2	1
0	2	19	1	0

General comments prior to second ranking:

- Need to take into account the currently planned and funded infrastructure (being done)
- Need to take into account that injection wells current plan may be struck down by the courts because being challenged as contaminating aquifer
- Add Homestead and Florida City water treatment plants to list (will be done)

First Issue – What effect increased charges for water would have on water usage

Resolution: Consider for recommendations: use of gray water for yard sprinkling and toilets

Infrastructure (Secondary)- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
0	3	19	0	0

Consensus was achieved on the Infrastructure (Secondary) section of Subtask 1.8

Remainder of Subtask 1.8 Document- Initial consensus ranking, (Pg. 1-12, 60-end)

This includes: Executive Summary, Section 1.0-Introduction; Section 2.0-Methodology, and Section 5.0-Conclusion

5	4	3	2	1
0	10	9	1	0

First Issue – Pg. 6 – Include Recreation & Open Space definition

Resolution: will be done

Remainder of Subtask 1.8 Document- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
0	10	10	0	0

Consensus was achieved on the Remainder of the Document section of Subtask 1.8

PUBLIC COMMENT

Public comment was invited prior to the Committee deliberating on Subtask 2.1. Several members of the public commented.

Note: Public comment is not recorded. If anyone from the public desires to have his/her comments appear in the Report of Proceedings, they can submit their comments in writing on the comment cards provided at each meeting.

SUB-TASK 2.1-OPPORTUNITIES AND CONSTRAINTS: COMMITTEE ACCEPTANCE

Development Opportunities- Initial Ranking – Section 3.0 – (Pg. 4-45)

5	4	3	2	1
2	3	14	1	0

Issue – Pg. 24, Infrastructure service area

- Why is this an opportunity? More expensive to upgrade than to bring in new infrastructure

Resolution: the Consultant will address this

Development Opportunities- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
4	8	8	0	0

Consensus was achieved on the Development Opportunities section of Subtask 2.1

Development Constraints- Initial Ranking – Section 4.0 – (Pg. 46-66)

5	4	3	2	1
1	5	11	2	1

Suggestions from Committee members:

- Would like Chapman Field Agricultural Research Station (USDA Property) included in constraints on development
- Issue of development within wellfield protection areas – we need to look at this Committee’s recommended safeguards for wellfield protection areas
- Pg. 56, Fig. 17 – City of Homestead and Florida City parks are not listed (TPL to provide to consultants), only lists county and federal parks
- CERP requirements not done – How can we go forward without CERP being finished?

First Issue – Pg. 46, description

- see sentence “no threat” – this standard is too high

Resolution – Consultant will look at legislative language (wellfield ordinance) “de minimis”, the word “no” will be removed

Second Issue – Pg. 47 – map is not accurate

Resolution: Map is being updated and will be brought back up to Committee

Third Issue – Pg. 58-59 – FEMA maps

- Flood protection and other two data sources don’t match up; not sure how it relates to FEMA elevations – “land uses away from ...”
- This map is not helpful (Pg. 60).
- Remove as constraint, really economic...
- Concern about weakening flood constraint – keep development from flood-prone areas

Resolution – land uses will be evaluated or considered against the areas substantially below FEMA map low elevations.

Fourth Issue – Maps on Pg. 60

- Is it based on historic data and is there a measure of flood protection
- We have designated wetlands, we should be able to develop lowlands
- The entire area is lowlands, we should be able to develop and just raise the pad and pay for flood insurance
- This should be an economic market controlled constraint.
- Land elevations should not be the criteria in the UDB.

Resolution: Language will be added: To the extent practicable, development should be steered away from the most flood-prone areas.

Additional comment:

- Concern with what level of constraints these represent – level of priority of constraint – would like to see relative values of constraints used in developing scenarios

Development Constraints- 2nd Consensus Ranking after Resolutions (indicated in red)

5	4	3	2	1
0	7	12	0	0

Consensus was achieved on the Development Constraints section of Subtask 2.1

Remainder of Subtask 2.1 Document- Initial consensus ranking, (Pg. 1.0, 2.0 and 5.0-pages 1-3, 67, and Appendix)

This includes Section 1.0, Introduction; Section 2.0, Methodology, and Section 5.0, Conclusion)

5	4	3	2	1
1	8	10	0	0

Consensus was achieved on the Remainder of the Document for Subtask 2.1

PROJECT MANAGER'S REPORT

Liz Abbott, Project Manager for the South Florida Water Management District, delivered the Project Manager's Report for John Hulsey who was out of town. The Project Manager's Report is included as Exhibit B.

MEMBER FORUM

- After the Consultant's public meetings, have one member report to Committee for those who could not attend
- Economic Short Course would be offered by the Ag Center (Reed Olszack coordinating the effort if enough interest is expressed) on the economic aspects of farming (Janice will forward an e-mail – Friday 11/19 to see if there is an interest)

Next meeting will be on September 23, 2004 (no meeting on September 9, 2004)

ADJOURN

The meeting was then adjourned.

MEMBER COMMENT CARDS:

"The CERP constraint, Pages 48-51, may be an issue. The constraint (Page 50) says "future land use scenarios assume that CERP projects are already built and operational". For most areas, CERP is still a conceptual plan with very few details having been approved so far, and it may be many years before anything specific is approved. My question is "How can we realistically proceed with the Watershed without knowledge of what CERP requirements will be?"

-Bill Losner

“Subtask 2.1-page 48- paragraph 1- last sentence-Biscayne Bay is an estuarine system. Water to tide is GOOD. Water is “lost to tide” in the northern part of the Everglades Ecosystem. Language should be changed to reflect the differences between the northern and southern systems.

Paragraph 4-first sentence-It should be made clear that these are the priorities of the SFWMD and not a result of any consensus process, nor has it been “blessed” by DOI, the Working Group or Task Force. (this comment also applies to the map on page 51)

Page 56-paragraph 2-sentences 1 and 2- In 1968, Biscayne was added as a unit of the National Park System (as a National Monument). It wasn't made a National Park until 1980, Bisc is not largest marine park. It has the highest percentage of water (vs. land) of any National Park Service area. Biscayne Bay is designated as an Outstanding Florida Water (not the park) Two-thirds of the Bay is in the park, which is how these two items fit together.”

-Linda Canzanelli

OBSERVER COMMENT CARDS

“I see new faces at the table apparently they are farm interests without voting. I am concerned now with the makeup of this group. There are no real stakeholders from the public. There are today 24 people at the table, there is one African-American, and one Hispanic from the public-Blanca Mesa. When over 50% of the county is Hispanic, I would assume there are more Hispanic stakeholders than one. I think the public is a stakeholder and Hispanics are over 50% of the public, where are they?”

-Nancy Lee, Aventura, Florida

“Referring to Page 30: “Buffers”- are not the preferred device to natural forest communities. Do not prescribe a specific solution which may or may not protect the natural forest community, but rather adopt language stating that land uses be examined with consideration to potential adverse impacts and potential means of avoidance or mitigation of these impacts.”

-Matthew Kaskel, matthewkaskel@kaskelfarms.com

IDEA PARKING LOT

No comments