

SUMMARY MINUTES

Broward County Local Rule Review Committee

Meeting

Friday August 13, 2010

10:00AM

Secret Woods Nature Center

Voting Members:

County Staff:

Lisa Baumbach – Absent
Allan Burrows – Present
George Cavros – Present
Gordon Connell – Present
Mark Ercolin – Present
Gary Hecker – Present
Ed Keith – Present
Karl Roeder – Present
Barry Webber – Present
Daniel Yaffe – Absent

Ryan Goldman, BCNRPMD
Judi Kladerman, BCNRPMD
John Fiore, BC Parks and Rec.

Scott Calleson, FWC

The meeting was called to order at 10:02am by LRRRC Interim Chair, Ed Keith. A sign in sheet was circulated. Roll was called and noted for the record. Minutes for the August 5th meeting were reviewed. A motion to approve the minutes was made by Barry Webber. Karl Roeder provided the second and motion was approved.

Dr. Keith introduced Winifred Perkins and Jodie Gless from Florida Power (FPL) and Light. Ms. Perkins briefed the committee on the Lauderdale Power Plant and that FPL is not supportive of allowing access (F1, FWC proposal) into the cooling ponds citing access, safety, and emergency response issues. It was noted by Dr. Keith that if F1 was approved, there layers of protection would still exist. Boat access could still be required in the ponds by FPL if maintenance is required in the area. Discussion followed of the system functioning as a cooling canal/pond system and multiple levels of approval would be needed to dredge (e.g. remove peninsulas). Scott Calleson provided information that is currently no public requests to enter the cooling ponds besides the owner of the area's mineral rights. It was noted that not changing the zone would be cost effective as signs would not need to be changed. Discussion continued on turbidity monitoring and dredging permit expiration dates. When asked, Ms. Perkins stated there were few manatees in the ponds during the warm season.

Discussion shifted to the FPL Port Everglades Power Plant (D1) and a request to mention in the Rule an exception for launching a boat in that area for emergency maintenance. Mr. Calleson stated they would be in touch with FPL regarding the issue.

A straw poll vote was suggested. Allan Burrows requested the expiration date on the dredging permit before a vote. The question was raised if that would change an opinion. Mr. Burrows agreed to the straw vote. The FWC F1 proposal was rejected 6 to 2.

Although final votes were to begin at this meeting, it was noted that LRRC Chair Dan Yaffe was unable to attend the meeting and requested that all final voting take place on August 20th, when he would be in attendance. Ms. Perkins said an FPL representative would be present at the next meeting.

Gary Hecker suggested dealing with the non-controversial proposal items and not delay the voting. Dr. Keith requested the opinion in the form of a motion. Mr. Hecker made the motion and George Cavros seconded the motion. Mr. Webber stated that that voting would take place quickly and there was no benefit to vote now. Mr. Cavros stated that opinions should have been made last week and summarized the short time frame with the remaining meetings. After further discussion, Dr. Keith called for a vote. The motion failed, 1 to 7.

Dr. Keith raised the C4 proposal. Discussion followed on boat traffic on weekends as compared to weekdays and it was acknowledged that traffic is heavier on the weekends. At the request of Gordon Connell, Mr. Calleson reviewed the way FWC calculates risk to manatees.

Mr. Roeder states he uses this area regularly and it takes only about 4 vessels to create a situation similar to 4-6' seas. This proposal would add 10 minutes to his transit time to the inlet and the change is a minor inconvenience to the public while adding manatee protection.

Mr. Connell stated adding 10 minutes to the transit repeatedly impacts boaters. Discussion continued on weekdays vs. weekends and a comparison was made with manatee zones to school zones.

Mr. Calleson brought up the issue of whether the southern boundary of C4 would extend to Atlantic Blvd. or Commercial Blvd. Mr. Roeder stated that a Commercial Blvd. boundary would impact boaters more severely as winter requires boats to be run at full throttle. Officer Quentin Waters (Ft. Lauderdale Marine Unit) stated the Atlantic-Commercial area is a problem area with many non-compliant boaters.

Dr. Keith called for a straw vote on the C4 proposal. Results were 6 to 2 in favor of the FWC proposal in general. A straw vote on the southern boundary was called and results were 5 to 3 in favor of Atlantic Blvd as the southern extent of the zone.

Mr. Hecker said he would write an opinion on C4 and submit it for the final report.

Dr. Keith raised the G proposals (Other Rule Issues) and suggested the members read the proposals and appendices for the next meeting. Mr. Webber noted a straw vote was held on 7/29 for G2 and it passed unanimously.

Dr. Keith then raised G3, but Mr. Calleson stated no vote was needed as FWC is intent on simplifying zone descriptions.

Dr. Keith asked what the issue with the holidays was and it was noted this stands for state-recognized holidays. Mr. Connell asked Officer Waters if there is good compliance on holidays and Officer Waters stated there is good compliance with simple signs.

Dr. Keith addressed a letter from John Fiore and Mr. Fiore explained the letter which requests a change in the south Port Everglades and eastern most Dania Cutoff Canal areas. There are currently no safe-boating zones in this area. Mr. Burrows made a motion to adopt Mr. Fiore's recommendations and Mr. Roeder seconded the motion. Mr. Hecker questioned why the recommendation was made so late in the process. Mr. Burrow amended his motion to the warm

season only. Mr. Connell asked FWC's position and Mr. Calleson stated FWC would not likely support the recommendations as the areas are less than a mile from Port Everglades and there are zone complexity and seagrass issues as well.

Dr. Keith called for a vote on the Fiore recommendations during the warm season. The straw vote results were 5 to 3 in favor.

Dr. Keith asked if there were any other issues to be discussed. Mr. Webber stated he would not be able to attend the meeting of the 27th and John Fiore reviewed the tele-voting protocol as provided by the County Attorney's Office.

Mr. Calleson said he would be calling in for the remaining meetings. Dr. Keith then reviewed the remaining meeting dates of 8/20, 8/23, and 8/27, with the meeting starting at 10:00 at Secret Woods Nature Center. Final votes will be on 8/20. A draft report will be reviewed on 8/23 and comments made.

With there being no further business, a motion was made by Dr. Keith and seconded by Mr. Connell to adjourn meeting.

Prepared by Pat Quinn

Review and approved by **EK** **Date** **8/20/10**