

# Wetlands Advisory Task Force

## MINUTES

DECEMBER 19, 2011 1:00PM

701 NW 1 COURT  
2<sup>ND</sup> FLOOR TRAINING ROOM

<b>MEETING CALLED TO ORDER</b>	By Chair at 1:13pm		
<b>MEMBER ATTENDEES</b>	<b>Present:</b> Patricia Baloyra Jose K Fuentes Jose M. Gonzalez James F. Murley Alice Pena Stephen A Sauls	<b>Absent:</b> Manuel Echezarreta	<b>Present Non Voting:</b> Ray Scott, FDAC – Office of Agricultural Water Policy Ron Peekstok, SFWMD Jennifer Smith, FDEP SE District

### Agenda topics

#### WELCOME AND ANNOUNCEMENTS

LEE HEFTY, ASSISTANT DIRECTOR, PERA

<b>DISCUSSION</b>	<p>Chair recognized Lee Hefty for announcements and updates.</p> <p>Mr. Hefty advised members that packets have been prepared with information from this weeks meeting and handouts from the meeting of November 30, 2011. Mr. Hefty further advised the members that staff reached out to the Board of County Commission with regards to their request for an extension of time with no affirmative responses as of yet.</p> <p>Mr. Hefty deferred to address a question posed by Mr. Saul's with regards to assistance from the County Attorney's Office on relative to the 8.5 SMA, Mod Waters project and the impact that has on the Task Force actions and the County's wetlands regulations until his arrival.</p>
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#### AGENDA REVIEW

JAMES F. MURLEY – CHAIR – WATF

<b>DISCUSSION</b>	Chair James Murley opened discussion for changes or additions to the current agenda provided. Motion to set the agenda as made by Patricia Baloyra and seconded by Jose Fuentes. Motion passed with unanimous vote.
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#### APPROVAL OF MINUTES FROM NOVEMBER 30, 2011 MEETING

JAMES F. MURLEY – CHAIR – WATF

<b>DISCUSSION</b>	The Chair advised members that draft minutes where presented to them and are now open for corrections/approval. Hearing no amendments, motion was made to accept minutes by Jose Gonzalez and seconded by Patricia Baylora. The motion passed by unanimous vote.
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#### DISCUSSION: FALLOWING ISSUE

CHARLES LAPRADD, AGRICULTURAL MANAGER  
OFFICE OF THE MAYOR

<b>DISCUSSION</b>	<p>The Chair recognized Mr. Charles LaPradd to discuss the fallowing issue.</p> <p>Mr. LaPradd advised the Task Force members that the federal government recognizes 5 years fallowing or non farm period with regards to wetlands and we believe that this is an adequate starting point. He also stated that due to some conditions beyond the property owner's control that other options in addition to the 5 years should be looked into.</p> <p>Discussion with members</p>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>Recommendation to clarify policy of the fallowing period into a rule</li> </ul>

#### RESPONSE TO STEPHEN SAULS' REQUEST

TOM ROBERTSON, ASSISTANT COUNTY ATTORNEY

<b>DISCUSSION</b>	<p>The Chair recognized Mr. Hefty and the earlier request to defer the inquiry response made by Mr. Saul.</p> <p>Mr. Hefty introduced Mr. Tom Robertson, Assistant County Attorney to provide response to Mr. Sauls' inquiry regarding the issues related to federal regulations and how it may impact the Task Force and the 8.5 SMA.</p> <p>Mr. Robertson advised the Task Force members that the federal legislation does not affect what the Task Force is doing and has no affect on the County's regulations.</p> <p>Discussion with members</p>
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#### REVIEW OF WATF INITIAL RECOMMENDATIONS

PERA STAFF

<b>DISCUSSION</b>	<p>The Chair recognized PERA Staff to review the WATF initial recommendations for discussion.</p> <p>Mr. Davis presented to the Task Force members a report based on the Task Force instructions with initial</p>
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	<p>recommendations for the WATF to review/discuss which included:</p> <ul style="list-style-type: none"> <li>• Recommendation: Proposed Code change to include a limited exemption for Ag</li> <li>• Recommendation: Proposed Code change for deferral of mitigation of Ag</li> <li>• Recommendation: Evaluate the option of offering reduced mitigation for Ag</li> <li>• Recommendation: Proposed Code change to add the definition of Fallowing</li> <li>• Recommendation: Consider one time resolution for unresolved mulched Hurricane Wilma debris cases</li> <li>• Recommendation: Support County's efforts to streamline the Wetlands permitting process</li> <li>• Recommendation: Urge the County to obtain delegation for State ERP permitting</li> </ul> <p>Discussion with members</p>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Summarize the categories plain and clear manner so that the members and general public can understand these</li> <li>• Organize the recommendations under the 4 categories of the Ordinance that the Task Force was charged with</li> <li>• Present various versions of a recommendation for the Task Force members to decide upon</li> <li>• Provide a better definition of "fill" related to farming operations</li> <li>• Make sure that the recommendations streamline operations of the Department as well as the public</li> </ul>

**PUBLIC COMMENT**

OPEN TO THE PUBLIC

<b>DISCUSSION</b>	<p>The Chair opened the forum for public comments.</p> <p><b>Ed Chapman</b>          "One of the things we have to have is a concise way of dealing with this stuff and by that I mean, for instance, there's four continuous properties together, a total of 17.5 acres owned by 4 people. Each of us got mulch from the same place, Barretta Trucking and Crowder Golf that went on all four properties. One property however, has been deemed in compliance with the rules and they didn't have to move theirs. Question was asked today of Mr. Skornick, what's the difference and why did you let them keep their mulch and not Mr. Chapman? And the reply was because its different mulch. So this puts a personal thing into it."</p> <p>Mr. Skornick replied to Mr. Chapman's statement with the following: That question was not asked of me today sir and the answer to the question was the other property did not contain wetlands under the jurisdictional rule. It did not meet the definition.</p> <p>"The next thing is the groundwater testing was done on the Mike Andrino? Property because Crowder Golf was told that it had to go to a landfill period. So they tested it on their own and they found out that it was not dangerous. It tested clean so they took it all to Lake Okeechobee and all of it went up there and it's growing vegetables right now. My property is behind is so it's the same thing. There's no difference in the groundwater, no difference in the mulch. All the stuff on all 4 properties are adjoining and it would be like a 17.5 acre place. Now I bought the property in 1980 and we had a wrap around mortgage and in 92 it became mine in total. I ended up with this mulch problem and the main thing that's involved here is that they started receiving mulch in our area in early 2005 after the storms in 2004 it started coming in. It went on until 2006, nobody ever stopped me, I actually had DERM people tell me you can't mound it up. What I was doing I was dumping it out of the trucks, getting 6 or 8 trucks in there and then moving it around with a bulldozer. He says no you got to do it right away, it's got to be level and I said ok and I did that. Then they came out and says well you can't do that either. It was a constant thing, you can do this, you cant do that. Now we went to court and it was testified that some of these trucks were stopped by the task force, the law enforcement task force that was designed to stop the trucks from coming in and they called into their head which turned out to be Guy Gilbert, anyway was told over the radio is it clean mulch and they said yes and they said let it go. So they did and for the next 8 1/2 months they had loads and loads, 5500 loads roughly, some of those were taken to vacant properties and it was 10, 12 feet high, now an interesting aside to this is the very same mulch that is all over out there was on a property on 202 near 136. SFWMD came in with hazmat suits, tractors, full snorkel suits and everything removed hundreds of loads of the mulch that was in there, took it out into the SFWMD pond that's going to revitalize the water going down into the Everglades National Park and they buried it there. It's suppose to be hazardous material, they buried it, covered it and its still there. So they design different things for different people. I went to see after they gave me my notice of violation, incidentally, they didn't stop me. I'm not dumb, had they stopped me in the very beginning, and said this stuff is illegal, I would have gone to find out why. But they didn't I was told it was legal. The truck driver said so, I talked to a DERM guy that said so. The whole thing here is, it went on and on for months and months and months and months and they didn't cite me until it was done. So therefore, they had me over a barrel, I couldn't do anything. So I went into to see them and I was told there's no place to go for an appeal, there's no place to carry this any further. The only thing you can do is sign a consent agreement or your done. You lose your property. Well, so I signed the consent decree. It turns out according to some of the stuff that was on the power point a few weeks ago that there are other avenues to appeal that and get it look at and so on. The other thing is mulch is mulch. I have DERM stuff talking about mulch. I have other paperwork, Carmel Caffero got me 1600 emails about the mulch in the 8.5 SMA. 1600 emails and I've got them and I'm going through them one at a time. Some of them are quite frank in the fact that they can't tell if its illegal or if they should suspend operations. Others it says well maybe we just address it at the end of the year when its all over. Well they did address it alright, they're fining us and they've got us all in court and their taking properties and that's the way they've handled this."</p> <p>"This other property right next to me which I use to own before Andrew and I sold it because I couldn't afford to keep it then, they're much much lower than the property I have now and they brought 10, 15 loads of fill every month, every week, dumped it out next to the road take it in and at one end of the property they are now higher than my</p>
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property. On the other end, they are still very low but you can see the loads. So these are the things we have to contend with. There are no hard fast rule for each individual. Mark Pettit himself told me don't worry about it, three years from now you'll be gone. You're not going to be here. I mean these are the things we've been subjected to the whole time and it's not the right way to handle procedures. They were never on my property doing any soil work. They drove by it a couple of times taking helicopter pictures then they said oh but we stood in an adjacent property and at the edge of his was brushy bloom grass. Well, Caffey's was full of it. So this is a place that they used their own discretion and there's no place for discretion here it's gotta be either a hard dry evidence that this is the way it is for everybody or nobody. I've been to court and I've got the paperwork here to that, I've got paperwork where part of my property is grandfathered, but not where the mulch is. But when they say solid waste, that's just the differentiation, because some of the emails don't differentiate at all. One of the says no, mulch is what you buy at Home Depot. However, I've got stuff from the County and from the Soil Water and Conservation District and they're offering mulch in hundred cubic yard containers if you take it at \$4 a yard, even now, they were just a few months ago. So all these things come into and you don't know where the hell to go or what to do. I was told simply, I mean I would've of stopped and gone through all this and gone through what I went through if they stopped me in the beginning, but they didn't and they came out by the hundreds of loads and there were DERM cars out there because I talked to them all the time. To give you an example, they were..... sum up. If we are going to have it, have hard and fast rules that we can all live by, the ones that I feel like we were taken advantage of so we need to get passed that and gives us a way to live out our lives."

**Nancy Lee representing the Urban Environment League at 1000 NW North River Drive Suite 114 Miami, FL:**

**Statement of Nancy Lee as submitted via email on 12/19/11 for accuracy:**

"Wetlands belong to the public. Making changes to accommodate a few is not smart. i.e. The man who stated during public comment that he and his neighbor have solid waste on their land (also referred to as tainted mulch) is anomaly, you don't make/change policy to help/hinder a small group. Much of this meeting is about making changes to enforcement to accommodate a few. Many of the changes requested by Ed Swakon also would benefit few people, i.e. one example, Engineers letter of Certification changes would benefit him. Some of the other changes he proposes, I would think would benefit his client. If you consider changes, I think that ALL the people requesting them/supporting them should have full disclosure. There are people on the committee itself that have clients that would benefit from the changes being proposed."

"I worry about who is going to police and enforce wetland protection now that the county is cutting budgets. Apparently there is policing/enforcement problems in the 8 1/2 square mile area. Perhaps that should be addressed not by changing the public policy. The goal of wetland protection is ensuring we have clean water. Our water source is the shallow Biscayne aquifer. We need to protect our drinking water for all of the people in Miami Dade County. As the pink water experiment of a few years back proves, the aquifer is like a river. It moves, we don't need pollution to our drinking water. The Everglades, I was told by a South Florida Water Management Scientist, has the highest concentration of methyl mercury in the world. The fish are not safe to eat because that is the bio-accumulative form of mercury. Our wetlands not only serve to replenish our drinking water. They also absorb the harmful chemicals we produce. I think if there are problems in the 8 1/2 square mile area they should be addressed on a case by case basis, not changing an entire policy to benefit a few people and rock miners. An example: to adopt a 5 year statute of limitations on violations as Ed Swakon is recommending. Is this to benefit a particular client of his?"

"Because of rock mining we already have had to move our wellfields inland from the coast to the Western area of Miami Dade County. We have salt water intrusion along the coast."

"Finally I am also very concerned with the Agriculture designation. I see over and over, that Agriculture can be changed to other uses more readily. We have such a case in the Ferro property that was just sent to the DCA for review. The applicant is trying to change agriculture to office uses."

As it says on the NRRRD website:

"The division's programs reduce impacts to tidal waters and forest, wetland and coastal resources through permitting, plan reviews and compliance monitoring. The permitting process also establishes and enhances these natural resources which in turn protects water quality."

And:

"Wetlands are protected for their inherent ability of directly re-charging and purifying our community's drinking water, providing flood management in low lying areas, and providing important wildlife habitat. Since, 1999, more than 13,000 acres of wetlands impacts have been authorized; however permitting has resulted in more than 21,000 acres being established or enhanced to compensate for this. This demonstrates that with appropriate oversight, smart development can coexist with important preservation goals."

**Statement of the Urban Environment League as submitted by Nancy Lee via email on 12/19/11 for accuracy:**

"Bad ideas should not be considered by this Wetland's Task Force:

1. Proposals to exempt agriculture from wetlands permit requirements is a bad idea. Freshwater wetlands rules are about the protection of our water supply and aquifer. Conversion of wetlands (whether high quality or not, that is there should be no distinction just because there are melaleuca or other exotic species) to agriculture is the beginning of conversion to other uses. Wetlands that have been invaded are still wetlands. In the Everglades they reclaim many acres from exotic species. If we continue to discount wetlands with exotics on it, we will lose. It will be much easier to move the UDB to accommodate conversion of agriculture to other uses, than it is to move the UDB to convert wetlands to other uses. The same could

be said for lands inside the UDB. Once the wetlands are gone, it is much easier to convert to other uses.

2. Consolidation of freshwater and coastal wetlands permitting is a bad idea. Coastal permitting is about protecting vulnerable coastal wetlands. The problem is, that there may or may not have a clear tidal link with wetlands. If there is vegetation that grow in salty conditions (signifies there is coastal wetlands) than it should protected through a coastal permitting process, not a generic wetland process. Coastal permitting protects Biscayne Bay and Biscayne National Park. It can also lessen salt water intrusion that has already begun along the coast of Miami Dade County. Freshwater wetlands should not be lumped in with freshwater wetlands because they are not the same.
3. Defining Coastal wetlands by some arbitrary 'tidal' line is a bad idea. The current wetland designation is by vegetation. If salty vegetation is present, it is coastal. That is how it should stay. Changing the policy will benefit a few at a cost to the many.
4. Deferral of mitigation requirements is a bad idea. This is an easy way to allow conversion of wetlands without proper mitigation. This is a sure way to ensure loss of wetlands. If an applicant proposes to eliminate some wetland function, they should have to make up that function somewhere. Again, this helps the few at the expense of the many.
5. Any 'statute of limitations' on violations is a bad idea. This will promote illegal activity and legitimize wetland impacts that may not be allowed.
6. Waiver of fees for private projects is a bad idea. Environmental reviews and permits, which protect wetlands for the public's water supply, costs money to do. Permit and application fees should be paid by the applicants.
7. Elimination of Miami Dade permits because there are similar state or local permits is a bad idea. Federal, state and local reviews are similar but have different considerations. Miami-Dade County is unique. We have the Biscayne Aquifer - our drinking water source. No other County in the State has an our aquifer as a sole source of water. Our Aquifer is very close to the surface. We also have sensitive resources (2 national parks) that require protections that aren't needed in the rest of the state. The County has a right to institute its own protections to our unique aquifer. Just as we have our own Charter that no other county in the State has, our water supply is unique. Individuals do not have an intrinsic right to destroy public resources. The cost to the many by the actions of the few.
8. Reduced mitigation for agriculture or allowing grandfathering (based on the length of time something has been fallow) is also a bad idea. We have to be consistent. People try to get around the rules, and if mitigation is reduced for agriculture, guess what, everyone will go that route.
9. It is a bad idea to try to fix what is not broken. We at the UEL think that drinking water protection of our fragile aquifer that serves millions of people is the number one concern. Any changes that lessen this protection, the UEL could not support. We feel this effort is designed to help a few at the expense of the many and that is A BAD IDEA."

**Steve Carney, President Carney Environmental Consulting 6435 SW 85 Street**

"The question I have, I guess I'm asking for Alice, because legislative intent of Chapter 24 describes DERM's oversight of Chapter 33B, is Chapter 33B before the Board now for potential revision, redaction or other sort of modification?" Can we answer that now or?" Chair deferred question to Staff for a future answer.

"Ok because it's the 8.5 SMA that's talked about 90% of the time so it seems to me that it's a hotbed and since we do have that nexus at the front of Chapter 24, represents I guess an opportunity to address those issues."

*Staff advised that they would pose the question to the County Attorney's Office to render an opinion on the question.*

"Also, there is talk about getting definitions for clean fill, farming and so forth. The state recognizes for agricultural exemptions, farm ponds, farm roads, fences those sorts of things?"

**Ed Swakon President of EAS Engineering Coral Gables Florida**

"First of all I'm not quite sure how Nancy Lee was able to retort or that group was able to rebut everything I said because I sent that to you guys at 8pm last night and she wasn't on the mailing list. A lot of what you spent your time today talking about is the problem that the public has with the implementation of a lot of the DERM code. A lot of the DERM code is in policy and one of the things that I think would help the public tremendously is if those policies could get reduced to writing, work shopped and then some how published, then a lot of this would go away. I think if we are going to adopt this state criteria, we ought to adopt this state exemption, end it. Just make it there so we don't have all this subjectivity about what qualifies, what doesn't qualify. You need a bright line. The definition of clean fill, if you trace the definition of clean fill, solid waste resource recovery, C & D material and other things, its so convoluted and twisted, you can't follow it. It doesn't make sense. All of that needs to be revised. I gave you all a list of proposals. I guarantee you that if you adopt these proposals, it will streamline the permitting process, it will save the County money and life in general in the wetland community won't be affected. I don't think that I need to go through anyone of them in particular, I would be glad to answer questions people have, particular questions about anyone of

them. I am not a fan of delegating the state program to the County. I think the County program ought to not permit those things that are already being permitted by the state. We can eliminate that duplication, we don't need to delegate it locally if the state is already doing it. You have my list, I'd be glad to answer any questions."

Discussion by members

**Kerri Barsh**

"I don't want to jump on the bandwagon, I am here today on behalf of Miami Dade Limestone Association. I just want to say, we've long been opposed to the delegation. The reason being is that we feel that the state with its bureau mind has its own expertise. I don't think its any surprise to the folks at DERM in that regard, because when they initially proposed.....*staff asked for clarification as to delegation in general or the lakebelt.....* "I'm only here to talk about delegation as it relates to the lakebelt. So we are opposed to that because we feel that the state needs to weigh in on those issues and just to be on record, as we have consistently, we oppose delegation as it relates to the rockmining permitting in the lakebelt area. We have been consistent for years, I think they know that so, I just need to put on the record in that regard."

"I also support some of the things that Ed has on his sheet and will be, I guess when we have more time, will also perhaps be coming with something more specific with regards to those items. Thank you."

**Alina Rameriz**

"I just want to make a comment as to what Ed had stated before regarding the fill and the conversation we had Evan. Basically, I had asked that Ed always claimed that the fill next to his property was the same that was placed on his property. Basically, the comment was regarding, we even talked about the water and the fact that Ed has a well and that it could be contaminated if it had particles that were of nauseas aspects. So the answer was, you might have said something about the wetlands, but you also said that Ed's fill was a problem or mulch was a problem, but the neighbors was not. Maybe I misunderstood you .....

Discussion with staff

"I guess my main concern is with Alice. I haven't heard too much from you. I don't know if you're satisfied as to what is going on here, because basically you are the community and I am basically a friend of your community only because I feel that when rights are trampled, property rights are trampled, anybody's property rights are trampled, mine will be next. With regards to Mr. Sauls' comment as to that he wanted to be careful not to lose additional wetlands or valuable wetlands, the fact is you can mitigate those wetlands away anyway. So what it is that a person owns a piece of land, there are plenty of agencies in the state, the county and the fed level that can monitor whether there is anyone particular owner is doing on his property that will affect the main concern is the aquifers and whether in fact a community of animals, fauna and flora are being affected. But basically, at this point in time and the reason this task force was formed was because there were many concerns from private owners that their rights were violated and they could not figure a way out. Because after all, we are not talking about big monopolies, we are not talking about big business in many instances in the 8.5 SMA and so these people felt that they were cornered and other than signing a consent there was very little room for them to go. So, at this juncture, I don't know if those issues are addressed."

Discussion with members

"I guess my comment is this is the reason we are here. There is no other purpose for this task force. Basically, my end comment is the core issues, in other words, the philosophy, nothing that you will do subsequent to that is going to do much and certainly not heal the community."

**Jose Fernandez**

"I am here to speak on behalf of my wife, Aida Fernandez. I want to keep this on record any paper that is here can be verified in court of law. All the persecution all the things, then I will speak to you. I want everyone to have a copy."

"From my understanding, this is a public meeting right? So the people in our community should be here. But I wonder why they are not here. I wonder why you only see like 10 people. You know what you are doing? You are asking to a Cuban exile to go to the "Spanish word?" to public meeting. No matter how much money you will pay to our community, who is suffering a lot, they will never get close to this building. Because this building to them is evil, so we can fix that. We can still have one more meeting right? I am not blaming nobody for scheduling it this way, but this to me is a scam. Because here there would be like 150 people if we were not in this building. But we can figure a way out to the next meeting make it at the University of Agriculture at 288 and 187 from 6pm to 10pm. Because that's another thing. We work for a living, the people that you are deciding their lives on, unless another people, they have to work. Besides the fear, there is no way they can make it here from 1pm to 5pm. So that way the only thing you are doing is listening to DERM. Ok so if you all could bear with me and find a way to make the other meeting in the University like we did for DERM, like Commissioner Belle did it, so that everybody is allowed and you don't have that fear to come here. You have cops and you have to give your license and the whole building, it looks terrible. We are going to stop this, even if a federal thing has to come, we are going to stop this. There has been abuse and its against our constitution. So I beg of you if you can plan the last meeting there so that you the task force for once can hear we the people, not that department, because what you've done is get the same criminal and changed the name, but they are with the same rules and I have somebody here who was in trial last week. He will explain to you how a judge already gave DERM the power to extricate his land. When the time comes, he'll speak and this was last week. DERM refused, but already a judge gave the government the power to extricate land because its got \$6 million fine. But that he will explain to you. Please bear with me and lets make the other meeting where people can see you. When you have people, when you are not a fear to us, because I don't fear none of you. I don't fear the government you destroyed my life, you destroyed my family and you destroyed my business. So I don't have nothing else to lose. Now it's time for you to fear. Thank you."

	<p>Discussion with Members to continue meeting past the noticed time of 4pm. Motion passed</p> <p><b>Pam Evans</b>          "Thank you, I think you have made some progress if you get this implemented. The ag exemption, I'm sorry that Mr. Scott left. One thing I did want to say is I think its extremely important when Patricia brought up about the amnesty and I do have some paperwork that I am going to hand out that shows some of the interdepartmental emails about the mulch that was dropped on these properties. It was kind of like a huge turmoil after Wilma when no one really knew what to do and they let it go. They knew it was mistake as you can see from these memos and I will hand them out to all of you, that they even made a deal with one of the truckers to go and remove the mulch from one of the properties and Mr. Chapman was one of the ones that was suppose to have the mulch removed, but some how once the trucking people got there, they thought it was too much. Mark was involved, there's a bunch of different names that you'll see that they knew this was going on. What they knew after the fact is irrelevant, they knew it was wrong with Monroe County, even parks said SFWMD had requested that there's so much mulch that they please needed to put it somewhere. It wasn't just 8.5 it was also in the C-9 basin and some of that mulch is still there. Obviously if its 10 foot high, you know we all know that's a little high, but if it's 26 inches instead of 2 foot and this is still going on, this is ridiculous. Like I've said previously, Mr. Fernandez is extremely upset because he has lost his life. I know that all the task force members, if you read your emails, got something from Rubin Moncio? Did anyone receive that? I got it and all of you were cc'd, that he had a basil farm and when he bought his farm he didn't know there were any problems. Then he found out and he couldn't even afford to get a permit. This is the kind of thing that some of the things you have discussed is excellent, but I still don't see when someone is going to buy a piece of property, until they bought it how are they going to know there is a problem? Then they have to pay the extra money. Where is that going to be resolved? How is that going to be address? You might want to think about that. When someone buys the piece of property is there going to be a big red circle on the website saying this is possibly wetlands or do they have to wait until after they buy it and then pay a penalty? That isn't right, you know, you buy property, it's your property. You should know everything before hand. But that's not the way it's being handled here. I don't know how you are going to remedy that. It needs to have an answer."</p> <p>Discussion with members</p> <p>"What if I don't buy land in the 8.5sma what if I buy over in Hialeah and I want to do rock crushing? What am I going to do? How do I know until after I buy it? That's ridiculous. There has to be some way to remedy that."</p> <p>"I am going to pass out these papers. I have a lot more emails about that whole time period. About the mulch. I also want to say I also saw a bunch of emails, this was from the freedom of information act, about the wetlands exemption and DERM was really against it. They really didn't want to have the ag exemption in Miami Dade County, that's why they are fighting so hard now, because when it didn't pass, I think it was in 2006 or 07 they were thrilled that it didn't pass. So now we are having them accept these ag exemptions now that the state passed it because they really didn't want this to happen. Anyway, that's it."</p> <p>Discussion by members</p>
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**GENERAL DISCUSSION**

TASK FORCE MEMBERS

<b>DISCUSSION</b>	<p>Chair recognized the task force members for general discussions.</p> <p>Alice Pena submitted a summary regarding Chapter 33B to address along with Chapter 24.</p>
<b>ACTION ITEMS</b>	<ul style="list-style-type: none"> <li>Contact the County Attorney's Office regarding the Task Force making changes to Chapter 33B</li> </ul>

**SET AGENDA/POLL MEMBERS FOR NEXT MEETING**

TASK FORCE MEMBERS

<b>DISCUSSION</b>	<p>Chair set, after unanimous vote from members present, the next meeting for Wednesday, January 11, 2011 @ 1-4 with the possibility of extending time at the present location.</p>
<b>ACTION ITEMS</b>	<ul style="list-style-type: none"> <li>Chair will continue on behalf of the Task Force members seek an extension of time from the Commission</li> <li>Chair requested that Staff provide to the Task Force members that they have the draft recommendations by January 6<sup>th</sup> by close of business with the members returning edits or new items by January 9<sup>th</sup> with distribution to the members on the January 10<sup>th</sup> prior to the meeting on January 11<sup>th</sup>.</li> </ul>

<b>MEETING ADJOURNED</b>	4:28pm
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