

From: Gerald Smelt [<mailto:gerry@tbrpc.org>]

Sent: Tuesday, September 23, 2003 8:12 AM

To: Hassan Halabi

Subject: CPA 04-07 comments

The Council would like to thank the Planning Commission for the opportunity to provide preliminary comments on the proposed wellhead and surface water protection update amendments. The proposed amendment would be found to be regionally significant since it involves natural resources and facilities identified as being Regionally significant.

After reviewing the proposed text amendment, the Council offers the following comments:

1. Conservation and Aquifer Recharge Element: Policy 3.11 a – Identify a date certain for the establishment of a comprehensive surface water protection program.
2. Future Land Use Element - Policy A-6.9a - Is vehicular petroleum the only petroleum product stored in underground storage tanks? If not, then delete "vehicular" from the amendment so as to ensure that all potential underground petroleum storage tanks are covered.

If you have any questions regarding these comments, my number is 727/570-5151 x288.

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Governmental Services Coordinator

Response to Question #1: At your request we can identify a date certain of December 31, 2004. We expect the Land Development Code amendments to be adopted by then.

Response to Question #2: All underground storage tanks are regulated within the Zone 2 Groundwater Protection Area, which is based on a ten year travel time plus a buffer. However, vehicular petroleum underground storage tanks have to be treated differently in the Plan policies because vehicular petroleum is regulated by a mandatory FDEP maximum setback of 500 feet. The Plan Amendment text must call out this State regulation distance of 500 feet for vehicular petroleum underground storage tanks. The BOCC is in the process of petitioning the FDEP to allow vehicular petroleum underground storage tanks to be regulated like all other underground storage tanks. For now, we have to follow the State law of 500 feet for vehicular petroleum tanks.

UPDATE October 27, 2003: We have received a letter from FDEP that treats all underground storage tanks as facilities which may require greater setback distances than 500 feet for purposes of wellhead protection. Attached is a copy of the letter on this. We are retaining the 1000 foot setback in the original plan text at this time.