

**Leigh Robinson Kerr
& Associates, Inc.**

Member, American Institute of Certified Planners

August 6, 2018

Henry A. Sniezek, Director
Broward County Environmental Protection & Growth Management
115 S. Andrews Avenue
Fort Lauderdale, FL 33301

Re: Cliff Berry Property (CBI Plat) - LAPC No. 93 Amendment

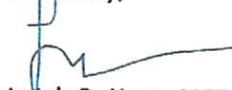
Dear Mr. Sniezek,

Pursuant to correspondence from Broward County Environmental Engineering and Protection Division, we are respectfully requesting an amendment to the Comprehensive Plan for the above referenced Local Area of Particular Concern (see attached).

It is our understanding that because the amendment to the Comprehensive Plan is not a land use amendment, it must be initiated by the Broward County Commission. Accordingly, we are requesting that the Broward County Commission initiate an amendment for consideration by the review agencies to amend the Natural Resource Map Series – Environmentally Sensitive Lands Map: Local Area of Particular Concern for the property depicted on the attached aerial photograph. At the appropriate time, we would be happy to supply additional information as may be necessary for the County's review and consideration of this matter.

We appreciate your attention to this matter and we look forward to the scheduling of this item on an available Broward County Commission meeting.

Sincerely,



Leigh R. Kerr, AICP
President

Cc: Tyler Chappell, The Chappell Group

• Planning • Zoning • Land Use • Expert Testimony •
808 East Las Olas Boulevard, Suite 104, Fort Lauderdale, Florida 33301
Phone (954) 467-6308 Fax (954) 467-6309
lkerr808@bellsouth.net • www.LeighRobinsonKerr.com

Established 1985



Environmental Protection and Growth Management Department
ENVIRONMENTAL ENGINEERING and PERMITTING DIVISION
Surface Water Management Program
1 North University Drive, Mailbox 201 • Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

February 2, 2018 (Revised)

Flynn Engineering Services, P.A.
Attention: Dennis R. Shultz, P.E.
241 Commercial Blvd
Lauderdale by the Sea, FL 33308

Subject: CBI Fort Lauderdale S23/T50S/R42E
Surface Water Management License Application No. L2015-008
Environmental Resource License Application No. DF15-1007
SFWMD Application No. Pending

Dear Mr. Shultz:

Pursuant to your written correspondence dated August 10th, 2017, you have waived the request for additional information limitations set forth in 125.022 F.S. The staff has completed a review of the subject project, based on the materials received January 17, 2018. In accordance with Section 5.5.3.1 of the Environmental Resource Permit Applicant's Handbook Volume I (AH I), adopted by reference in Section 62.330.010(4)(a), Florida Administrative Code (F.A.C.) and Section 27-200(b)(3), satisfactory answers to the following comments/questions must be provided to complete the application and provide reasonable assurances for permit issuance.

1. On page 2 of the drainage report, the proposed total acreage is 8.12 acres, while the existing total acreage is 7.95 acres. The pre-development and post development calculations need to be consistent in the drainage report.
 - a. Since the pre-development area does not match the post-development area, how is the post-development meeting the pre-development with respect to water quantity for the 25-year, 3-day and 100-year, 3-day peak storm events?
 - b. It appears that the original SWM2002-028-0 license included property that has not been modeled in the post development near SE 9th Avenue. Please submit pre-development and post-development calculations for the 25-year, 3-day and 100-year, 3-day peak storm events for the entire site including the wetland area and area being modeled by SE 9th Avenue. In addition, there are paved areas within or adjacent to SE 9th Avenue that were not approved in the original license, or any other license. Please address.
2. Please provide the status of the renewal of license No. SWM2002-028-2. The uploaded Notice of Operation was submitted for SWM2002-028-0 not SWM2002-028-2.
3. The dry retention area being replaced with proposed exfiltration trench appears to be wet and not functioning as originally designed. Please provide documentation justifying the wet season water table is 0.50' NAVD or revise the calculations as appropriate.

4. On the C. B. I. Plat No. 2, there is a designated "Mangrove Preservation Area". Prior to any impacts to that area, the Plat must be amended and approved by the County Commissioners to remove this designation. Please contact Thuy Turner of the Planning and Development Management Division at tturner@broward.org or (954) 357-6623 for additional information regarding this process.

5. There is also a designation of a "Local Area of Particular Concern" (LAPC No. 93) which includes a portion of the C.B. I. Plat 2 and a portion of the proposed project area. Any impacts to the LAPC must be approved by the Board of County Commissioners with the revision of the LAPC boundary. Please contact Peter Schwarz of the Broward County Planning Council at Pschwarz@broward.org or 954-357-6688 for additional information regarding this process.

Please submit responses to this letter electronically on the County's ePermits website (<https://webapps.broward.org/EPermits/>) to expedite administrative processing of the application and to save paper. Please note that an electronic response may be submitted even if the original application was submitted via hard copy. Alternatively, please provide one (1) original and one (1) copy of the requested information, clearly labeled with the application number, to the Environmental Licensing and Building Permitting Division.

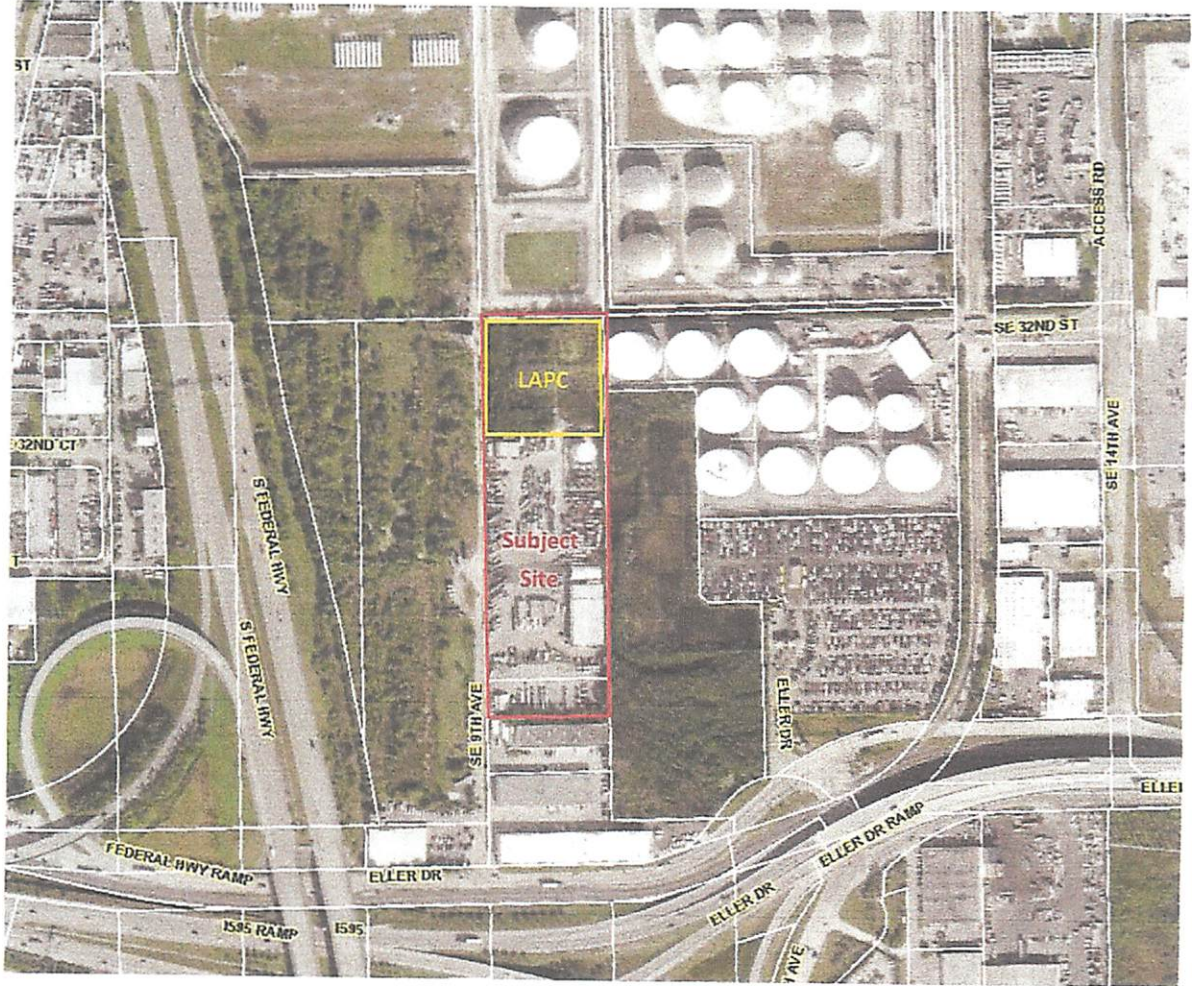
In accordance with Section 5.5.3.5 of AH I and Paragraph 40E-1.603(1)(d) F.A.C. and Sec. 27-200(b)(3)(c) of the Code, "Request for additional information", if the requested information is not received within sixty (60) days from the date of this letter, this application may be processed for denial if not withdrawn by the applicant. If additional time is needed, please request an extension before the 60 day period ends.

It is recommended that a meeting be held to attempt to resolve the outstanding issues prior to submitting a response. Please contact George Serbanescu at 954-357-4955 or gserbanescu@broward.org to schedule a meeting at your earliest convenience.

Issued by:

George Serbanescu, E.I.
Surface Water Management Program

EXHIBIT A
AERIAL



PROJECT SUMMARY

CBI, INC. PROPOSAL TO AMEND BROWARD COUNTY NATURAL RESOURCE MAP SERIES – ENVIRONMENTALLY SENSITIVE LANDS MAP: LOCAL AREA OF PARTICULAR CONCERN

Cliff Berry, Inc. (CBI) has been offering comprehensive Environmental Services for over 57 years with its headquarters located at the subject site. The subject site consists of an ±8.1-acre industrial lot located at 3400 SE 9th Avenue in the City of Dania Beach, Broward County. The subject site contains a developed industrial yard and a ±2.4-acre mangrove area in a Local Area of Particular Concern (LAPC). The LAPC area is located on the northern portion of the property and consists of 0.80 acres of mangrove wetland, 0.34 acres of other surface waters, 0.77 acres of uplands, and a 0.45 acre storm water retention pond. The proposed project includes the filling of ±1.14 acres of existing low quality wetlands and surface waters, and the development of an associated stormwater management system to expand the existing operational hub from which specialized environmental mitigation personnel and equipment are dispatched.

The United States Coast Guard and the Florida Department of Environmental Protection (FDEP) both require petroleum storage companies, cruise ships, and other marine vessels to have an emergency response contractor who is an approved Oil Spill Removal Organization (OSRO) and Discharge Cleanup Organization (DCO), respectively, that can respond and deploy spill containment, recovery and storage equipment and personnel within 1-hr and 2-hr requirements. CBI holds an OSRO classification by the United States Coast Guard (0048) for the River/Canal and Inland operating environments as: level MM through W3 and MM respectfully. Additionally, CBI is an approved DCO under the approval of the FDEP. Accordingly, CBI has access to and the ability to deploy all the spill response equipment and materials required for spill clean-up from the subject site. The location in which CBI has made the headquarters of the business is essential to this regulatory demand. Further, Port Everglades petroleum companies rely upon CBI's OSRO and DCO certifications and spill response expertise to meet the requirements of the law and to reduce their risk and impact to the environment.

The US Department of Transportation, the FDEP, and Broward County all require CBI's licensed fleet to reside at the CBI permitted facility (project site) pursuant to the Used Oil and Material Processing Permit. Further, the Department of Homeland Security relies on CBI to secure the company trucks and fixed storage tanks, which are licensed to store/haul hazardous materials and hazardous wastes. As such all residue tankers and vacuum trucks must be parked at the facility to comply with the regulations.

CBI has recently experienced exceptional growth in their service area due to the expansion and growth of Port Everglades, as well as increased regulatory requirements upon the petroleum industry and cruise line industry. Therefore, CBI proposes to expand their existing maintenance and storage yard to meet these demands. To accomplish the proposed expansion, the applicant requests the revision of the LAPC boundary reflecting the removal of the 2.4-acre portion of LAPC site #93 from the Broward County Map and proposes mitigation for unavoidable impacts to the LAPC at an approved mitigation bank to offset the impacts of the proposed expansion. The proposed project will not result in adverse impacts to water quality, habitat, hydrology or listed species.