



November 5, 2013

Mr. Kenneth A. Kuhl
Environmental Consultant Watershed Planning
Florida Department of Environmental Protection
2600 Blair Stone Road
M.S. 3565
Tallahassee, FL 32399-2400

Delivered via email: Kenneth.Kuhl@dep.state.fl.us

Re: Lake County De-minimis Exemption Request- Okeechobee / Upper Kissimmee BMAP

Dear Mr. Kuhl:

This letter serves to follow up on our telephone conversation of October 31, 2013. As we discussed, we are interested in pursuing a formal de-minimis exemption from the Okeechobee / Upper Kissimmee Basin Management Action Plan (BMAP).

We believe the following factors should be considered regarding our request:

- From a geographic proportion standpoint, the portion of the Upper Kissimmee Basin within Lake County totals 14,252 acres which represents 1.41% of this basin and less than .5% (1/2 percent) of the overall Okeechobee Basin.
- Lake County's participation / role in BMAPs has historically been through the structured stormwater system aspect of improving water quality. Specifically, through the retrofit of treatment on older drainage systems Lake County has been able to contribute toward meeting targeted nutrient reductions.
- The land use of the Upper Kissimmee Basin area within Lake County is predominantly agricultural range land (62%). Lake County Public Works does not have a stormwater system retrofit opportunity within this land use as it is mostly un-developed natural lands.
- The remaining 38% of the basin is mostly Planned Unit Development (PUD) with development occurring since the mid 1990's. Given this development occurred since the State Stormwater Rule and ERP program, Lake County Public Works does not have an opportunity for a stormwater treatment retrofit.

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I am attaching two maps created from GEO data obtained from the South Florida Water Management District and our County Land Use Map. I believe these maps help illustrate how minor the portion of the Upper Kissimmee within Lake County is in relation to the overall basin. I am hopeful that you and the Department will see the negligible contribution, if any; our participation might have in reaching targeted nutrient reductions for the Okeechobee. Lake County is involved in several other BMAPs which we are putting resources toward in making substantive nutrient reductions. Our participation in the Okeechobee would require we divert some of those limited resources.

I welcome your review of the attached and further discussion on how we might formally pursue an exemption from the Okeechobee BMAP.

If you have any questions or need additional information, please contact me directly at (352) 483-9080, or via email at nmcray@lakecountyfl.gov.

Sincerely,



Nicholas Mcray
Stormwater Project Manager

Enclosures: One (1) Upper Kissimmee / Okeechobee Basin Proportion Map
One (1) Upper Kissimmee Basin Lake County Land Use Map

cc: Mary Hamilton, Environmental Services Division Manager