

APPENDIX B

COASTAL ZONE MANAGEMENT CONSISTENCY

**FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FEDERAL CONSISTENCY EVALUATION PROCEDURES**

Aquifer Storage and Recovery Technology Study
Aquifer Storage and Recovery Pilot Project
Palm Beach, Hendry, Okeechobee, Glades, and
Martin Counties, Florida

1. Chapter 161, Beach and Shore Preservation. The intent of the coastal construction permit program established by this chapter is to regulate construction projects located seaward of the line of mean high water and which might have an effect on natural shoreline processes.

Response: The proposed plans and information will be submitted to the State in compliance with this chapter.

2. Chapters 163(part II), 186, and 187, County, Municipal, State and Regional Planning. These chapters establish the Local Comprehensive Plans, the Strategic Regional Policy Plans, and the State Comprehensive Plan (SCP). The SCP sets goals that articulate a strategic vision of the State's future. Its purpose is to define in a broad sense, goals, and policies that provide decision-makers directions for the future and provide long-range guidance for an orderly social, economic and physical growth.

Response: The proposed project has been coordinated with various Federal, State, and local agencies during the planning process. The project meets the primary goal of the State Comprehensive Plan through testing a technology that could increase water storage capacity in the State, allowing for continued social, economic and physical growth.

3. Chapter 252, Disaster Preparation, Response and Mitigation. This chapter creates a state emergency management agency, with the authority to provide for the common defense; to protect the public peace, health and safety; and to preserve the lives and property of the people of Florida.

Response: The proposed project involves constructing and implementing pilot tests in order to obtain more information on ASR technology in South Florida. Therefore, this project would be consistent with the efforts of Division of Emergency Management.

4. Chapter 253, State Lands. This chapter governs the management of submerged state lands and resources within state lands. This includes archeological and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes and other wetlands; mineral resources; unique natural features; submerged lands; spoil islands; and artificial reefs.

Response: The proposed project would provide information to improve the State's water resources through additional water storage potential. All resources have been appropriately coordinated with local, State, and Federal agencies. The proposed project would comply with the intent of this chapter.

5. Chapters 253, 259, 260, and 375, Land Acquisition. This chapter authorizes the State to acquire land to protect environmentally sensitive areas.

Response: Since the affected property already is in public ownership, this chapter does not apply.

6. Chapter 258, State Parks and Aquatic Preserves. This chapter authorizes the State to manage state parks and preserves. Consistency with this statute would include consideration of projects that would directly or indirectly adversely impact park property, natural resources, park programs, management or operations.

Response: The proposed project does not contain any state parks or aquatic preserves. The project is consistent with this chapter.

7. Chapter 267, Historic Preservation. This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

Response: This project has been coordinated with the State Historic Preservation Officer. Historic property investigations were conducted in the project areas. Archival and literature searches were performed. No known historic properties are located on any of the selected sites. The SHPO concurred with the Corps determination that the proposed project will not adversely affect any significant cultural or historic resources. The project will be consistent with the goals of this chapter.

8. Chapter 288, Economic Development and Tourism. This chapter directs the State to provide guidance and promotion of beneficial development through encouraging economic diversification and promoting tourism.

Response: The proposed ASR project will provide information that will allow for studies to define the feasibility of future full-scale CERP ASR wells. This future project would provide water storage in the South Florida region, allowing for continued economic development. This would be compatible with tourism for this area and therefore, is consistent with the goals of this chapter.

9. Chapters 334 and 339, Transportation. This chapter authorizes the planning and development of a safe balanced and efficient transportation system.

Response: No public transportation system would be impacted by this project.

10. Chapter 370, Saltwater Living Resources. This chapter directs the State to preserve, manage and protect the marine, crustacean, shell and anadromous fishery resources in State waters; to protect and enhance the marine and estuarine environment; to regulate fishermen and vessels of the state engaged in the taking of such resources within or without state waters; to issue licenses for the taking and processing products of fisheries; to secure and maintain statistical records of

Response: The proposed ASR project will not have any regional impacts on resources in the area. Therefore, the project is consistent with the goals of this chapter.

16. Chapters 381 (selected subsections on on-site sewage treatment and disposal systems) and 388 (Mosquito/Arthropod Control). Chapter 388 provides for a comprehensive approach for abatement or suppression of mosquitoes and other pest arthropods within the state.

Response: The project will not further the propagation of mosquitoes or other pest arthropods.

17. Chapter 403, Environmental Control. This chapter authorizes the regulation of pollution of the air and waters of the state by the Florida Department of Environmental Regulation (now a part of the Florida Department of Environmental Protection).

Response: A Draft Environmental Impact Statement addressing project impacts has been prepared and was coordinated with the appropriate resource agencies including the Florida Department of Environmental Protection. Environmental protection measures will be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources will occur. Appropriate permits will be sought from the State prior to construction. The project complies with the intent of this chapter.

18. Chapter 582, Soil and Water Conservation. This chapter establishes policy for the conservation of the state soil and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop, and utilize soil and water resources both onsite or in adjoining properties affected by the project. Particular attention will be given to projects on or near agricultural lands.

Response: None of the ASR project sites are located on agriculture lands in production. Each of the project footprints is small (less than five acres) and procedures have been incorporated to reduce and prevent soil erosion. Therefore, this project complies with the intent of this chapter.

