

# BOARD OF COUNTY COMMISSIONERS



June 12, 2017

Florida Department of Environmental Protection  
Southeast District Office  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

RE: Sunbreak Farms, LLC; FDEP File No. FLA979830-001-DWIS


To whom it may concern:

On May 11, 2017, the Florida Department of Environmental Protection (the "Department") issued an "Intent to Issue," which states that the Department intends to issue a permit to Sunbreak Farms, LLC ("Applicant"), for the construction and operation of a Type I Biosolids Management Facility ("Proposed Facility") on property located at 5101 Minute Maid Road, Ft. Pierce, located in both St. Lucie County and Indian River County. On May 16, 2017, Indian River County (the "County") received a copy of the Department's Intent to Issue. The County's deadline for filing a petition for a formal administrative hearing concerning the Proposed Facility was 5:00 p.m. on May 30, 2017. After the County submitted a Request for Enlargement of Time to File Petition for Administrative Hearing, the Department extended the deadline to 5:00 p.m. on June 12<sup>th</sup>.

Although the County appreciates both the extension of time granted by the Department and the opportunity to meet with the Applicant, the County still has concerns with the Proposed Facility and its impact on the Indian River Lagoon and potential impacts on groundwater. The County is concerned about the discharge and potential leaching from the Proposed Facility and what appears to be lenient Department permit discharge reporting criteria and maximum biosolid limits within said discharge. The County has requested from the Applicant detailed information on how the biosolid containment cells will be constructed, where the water will discharge to when the biosolid containment cells reach maximum stormwater holding capacity, and where the ultimate discharge of the Proposed Facility is located. However, at this time the County does not believe that it has gathered enough information in this brief period of time to file a petition for an administrative hearing. The County, therefore, expects the staff experts at the Department to ensure that the Applicant complies with the requirements of the permit, the Florida Administrative Code, Florida Statutes and federal environmental laws.

In the event, a petition for administrative hearings is filed by another party, the County wishes to preserve its rights to raise these issues, and others, if left unaddressed by the Applicant and file a motion to intervene per section 28-106.205, Florida Administrative Code. The County also retains the right to raise these issues, with respect to any South Florida Water Management District permit.

Sincerely,



Jason E. Brown  
County Administrator

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