

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
SITTING AS THE
ENVIRONMENTAL CONTROL BOARD**

BOARD APPOINTMENT SUMMARY

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 Meeting Date: **August 17, 2021**
 Department: **Florida Department of Health in Palm Beach County**
 Submitted by: **Legal Department**
 Advisory Board Name: **Environmental Appeals Board**
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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the **Appointment** of one (1) member to the Environmental Appeals Board for a term of three (3) years from 8-17-2021 to 8-16-2024.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY</u>
Wayne Blythe	2	Water Resource Professional employed by SFWMD	SFWMD


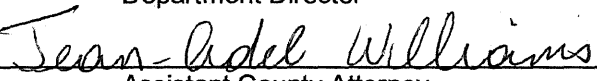
Summary: The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) member of the Gold Coast Builders Association (formerly known as Home Builders and Contractors Association); one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers (ASCE); one (1) water resource professional employed by the South Florida Water Management District (SFWMD); and one (1) drinking water engineer employed by the Department of Environmental Protection (DEP). The Board currently consists of 3 members. The current diversity count is: Caucasian: 1; African-American: 1; and Hispanic: 1. The current gender ratio (female: male) is 1:2. Countywide (HH).

The applicant for appointment is for Seat # 2, Blythe Wayne is a water resource professional recommended by the South Florida Water Management District (SFWMD). With this approval, the Board will consist of four members: one African-American (20%), two Caucasian (40%), one Hispanic (20%) and one vacant seat awaiting recommendations. The gender ratio (female: male) is 1:3.

Background and Justification: Environmental Control Rules I and II provide for the organization of the Environmental Appeals Board (EAB). These rules state that composition and representative members of the EAB shall consist of an attorney, an engineer, a water resource professional, a drinking water engineer, and a professional recommended by the Home Builders and Contractors Association. The Home Builders & Contractors Association has merged with another association and is now known as the Gold Coast Builders Association.

Attachments:

1. Memo including EAB Member List
2. Board/Committee Application – Wayne Blythe
3. Resume - Wayne Blythe
4. Recommendation Letter from the SFWMD
5. Article 2, Unified Land Development Code

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Recommended by:  8/4/2021
 Department Director Date
Legal Sufficiency:  _____
 Assistant County Attorney Date



**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ENVIRONMENTAL APPEALS BOARD**

I. AUTHORITY :

Environmental Control Rule I, Section 20; and Environmental Control Rule-II, Section 17. Unified Land Development Code, Section 4.10; amended by the Unified Land Development Code, Article 17, Section 5, adopted on December 4, 2003.

II. APPOINTING BODY :

Board of County Commissioners

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

This Board shall be composed of five (5) members: one (1) professional engineer registered by the State of Florida and nominated by the Palm Beach Branch of the American Society of Civil Engineers; one (1) water resource professional employed by SFWMD; one (1) drinking water engineer employed by the FDEP; one (1) member of the Palm Beach County Gold Coast Builders Association; and one (1) attorney nominated by the PBC Bar Association. All members shall serve for a term of three (3) years. Members shall serve without compensation. Travel reimbursements are limited to expenses incurred only for travel outside PBC necessary to fulfill the responsibilities of membership on the Board.

EXTENDED COMPOSITION :

IV. MEETINGS :

Every sixty (60) days at 9:00 a.m., 800 Clematis Street, West Palm Beach, FL.

V. FUNCTIONS :

To hear appeals from certain requirements, interpretations or determinations of Article 15, Health Regulations, made by the PBCHD or the Environmental Control Officer.

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

Florida Dept. of Health - Palm Beach Count

CONTACT PERSON

Liliana Rietwyk

ADDRESS

Phone # --

* indicates a member having an action pending



ENVIRONMENTAL APPEALS BOARD

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME	SEAT REQUIREMENT	APPOINT DATE	REAPPOINT DATE	EXPIRE DATE
Appointed By : At-Large/Palm Beach County Board of County Commissioners									
1	* Trevor Richard Rosecrans trevor@rcsengineers.com 703 SW 4th Ave Boynton Beach FL 33426	Member	CA	M	561-654-3863	Professional Engineer	06/05/2018	7/13/2021	7/12/2024 06/04/2021
NOMINATED BY : American Society of Civil Engineers/PBC Branch									
2	Vacant	Member				Water Resources Professional			
NOMINATED BY : South Florida Water Management District									
3	Renzo Mosca renzo@hsqgroup.net HSQ Group, Inc. 1001 Yamato Rd Ste 105 Boca Raton FL 33431	Member	HA	M	--	Gold Coast Builders Association Member	01/08/2020		01/07/2023
NOMINATED BY : Florida Atlantic Building Association (f/k/a Gold Coast Builders Assoc)									
4	Vacant	Member				Drinking Water Engineer			
NOMINATED BY : Florida Department of Environmental Protection									

* indicates a member having an action pending

Appointed By : At-Large/Palm Beach County Board of County Commissioners

5 * Telsula Morgan Member AA F --
tmorgan@llw-law.com
Lewis, Longman & Walker, P.A.
515 N Flagler Dr Ste 1500
West Palm Beach FL 33401

Attorney

06/05/2018

7/13/21

7/12/2024
~~06/04/2021~~

NOMINATED BY : Palm Beach County Bar Association

* indicates a member having an action pending

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. **Please attach a biography or résumé to this form.**

Section I (Department): (Please Print)

Board Name: Environmental Appeal Board Advisory Not Advisory

At Large Appointment or District Appointment / District #: _____

Term of Appointment: 3 Years. From: 8-17-21 To: 8-16-24

Seat Requirement: Water Resource Professional employed by SFWMD Seat #: 2

*Reappointment or New Appointment

or to complete the term of _____ Due to: resignation other

Completion of term to expire on: _____

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Blythe Wayne P.
Last First Middle

Occupation/Affiliation: Environmental Section Administrator

Owner Employee Officer

Business Name: South Florida Water Management District

Business Address: 3301 Gun Club Road

City & State West Palm Beach, Florida Zip Code: 33406

Residence Address: 5782 SE Hull Street

City & State Stuart, Florida Zip Code: 34997

Home Phone: (772) 287-0549 Business Phone: (561) 682-6596 Ext. _____

Cell Phone: (772) 240-8716 Fax: ()

Email Address: wblythe@sfwmd.gov

Mailing Address Preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No X

If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code: Male Female
 Native-American Hispanic-American Asian-American African-American Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, a advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)
OR

NONE

NOT APPLICABLE/
(Governmental Entity)

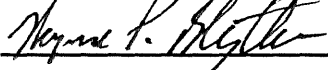
ETHICS TRAINING: All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, **Article XIII**, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

By watching the training program on the Web, DVD or VHS on August 4, 20 21
 By attending a live presentation given on _____, 20____

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature:  Printed Name: Wayne P. Blythe Date: 8-4-2021

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 355-1915.

Return this FORM to:
Liliana Rietwyk, Florida Department of Health Palm Beach County
800 Clematis Street, Rm 549, West Palm Beach, FL 33401

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 02/01/2016

WAYNE P. BLYTHE
3301 Gun Club Road, West Palm Beach, Florida 33406
561-682-6595 - wblythe@sfwmd.gov

Forty years of combined experience in environmental science practices, supervisory skills, regulatory compliance & enforcement, and technical knowledge of related Federal, State, local codes and statutes.

PROFESSIONAL EXPERIENCE

Environmental Section Administrator

February 2017 – Present

South Florida Water Management District, West Palm Beach, Florida

- Supervisor at the Environmental Resource Compliance Bureau/Enforcement Section
- Conduct investigations and draft reports for violations of State and District environmental regulations
- Provide expert witness testimony for the District's Office of Counsel for environmental violations
- Review and comment on staff drafted correspondence including compliance and enforcement letters, consent orders, and enforcement penalty/cost calculation worksheets to provide agency wide consistency.
- Assist in the development and planning of semi-annual training for all District compliance and enforcement staff emphasizing consistency among all Service Centers
- Provide and develop system of metrics to monitor work product and accountability of staff.

Regulatory Professional 4

March 2006 – January 2013

South Florida Water Management District, Okeechobee, Florida

- Post- permit compliance/enforcement biologist in District's Environmental Regulatory Division
- Review and comment on mitigation, monitoring and maintenance plans
- Review Conservation Easements, Letters of Credit, and Bond documents to secure mitigation requirements within Environmental Resource Permits
- Conduct investigations of environmental violations
- Provide expert witness testimony for the District's Office of Counsel for environmental violations
- Assisted Land Management Division in controlled burning program
- Coordinate with Florida Fish Wildlife Conservation Commission (FFWCC) regarding game fences through wetland area
- Member of the District AgTeam- permitting team for agricultural shareholders

Environmental Consultant, Owner

November 1989 – March 2006

Blythe Environmental, Inc., Stuart, Florida

- Owner of environmental consulting firm specializing in habitat restoration, land management and permitting with 22 employees
- Conducted surveys and relocated endangered flora and fauna in accordance with FFWCC and United States Fish & Wildlife Service (USF&WS) protocols
- Conducted controlled burns for the implementation of preserve area management plans requiring the coordination of nearby landowners, fire and police departments, and permitting agencies
- Delineated agency wetland jurisdictional limits
- Identified and mapped areas of critical habitat through aerial and field interpretations
- Developed criteria for resource management plans and provided land management services
- State authorized Professional Mangrove Trimmer
- State Licensed Pesticide Applicator for Natural Areas
- Created and implemented preserve area management plans for landowners, homeowner associations and local units of government

Environmental Consultant, Co-owner

October 1988 – November 1989

Native Resources, Inc., Palm City, Florida

- Part owner and operations manager of habitat restoration company
- Provided environmental assessments, mitigation and habitat restoration plans
- Involved in all aspects of day to day operations of company from bidding to collections
- Coordinated and directly supervised 8 employees

Division Director

February 1984 – October 1988

Vista Properties of Vero Beach, Inc., Vero Beach, Florida

- Environmental Division Director for a condominium development company
- Provided expertise to senior executives on environmental issues affecting company
- Corporate liaison for contractors and governmental agencies on new developments
- Established a habitat restoration department and supervised 4 employees

Professional Forester

March 1979 – February 1984

Florida Division of Forestry, Tallahassee, Florida

- Professional Forester for Martin County
- Served as back-up supervisor in management and operations of a 6 county-state fire district
- Provided professional technical assistance to landowners in urban and classical forestry
- Reviewed ecological impact of proposed subdivisions and planned unit developments
- Provided oral presentations to civic, social, school and homeowner organizations

Field Biologist Technician

October 1982 – February 1984

A. V. Strock and Associates, Delray Beach, Florida

- Collected and compiled field data for assessments and narratives
- Identified ecological communities including flora and fauna, species composition, and soil types
- Advised corporate vice-president on potential environmental issues
- Analyzed the least damaging and economical project alternatives for utility right-of-ways

EDUCATION

1978 The Pennsylvania State University
Bachelor of Science, Major in Forest Science

PUBLICATIONS

South Florida Pine Problems. Weeds Trees and Turf, August 1984.

South Florida Pines. Grounds Maintenance, October 1984.

Forestry Field Notes (bimonthly news article). The Stuart (Florida) News, January 1980 to February 1984.

JOB-RELATED CERTIFICATES

Professional Wetland Scientist (PWS)

Wetland Delineation Training- Florida Department of Environmental Protection (FDEP), April 2013

Hydric Soils Identification Workshop- Natural Resource Conservation Service (NRCS), June 2009

Certified Storm Water Management Inspector-and Instructor FDEP, May 2008

First Aid and CPR- American Red Cross

Debris Operations Team Training- Federal Emergency Management Agency (FEMA)

Licensed Pesticide Applicator- expired (lack of use)

Prescribed Burn Manager- expired (lack of use)



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

July 30, 2021

Barbara L. Sullivan
Florida Department of Health, Palm Beach County
PO Box 29
800 Clematis Street
West Palm Beach, FL 33401

Dear Ms. Sullivan:

We have selected Wayne Blythe to represent the South Florida Water Management District on the Palm Beach County Health Department Environmental Appeals Board.

Mr. Blythe, a section administrator in the Environmental Resources Division, is well qualified for this appointment. He has 40 years of environmental experience and holds a BS degree in Forestry and is a Professional Wetland Scientist. His resume is attached. Please coordinate directly with Mr. Blythe. His contact information is:

Wayne P. Blythe, PWS
Environmental Section Administrator
South Florida Water Management District
West Palm Beach, FL 33406
Telephone; email

Thank you for providing this opportunity. If you have further questions, please contact me at 561-682-6499 or lglenn@sfwmd.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence Glenn".

Lawrence Glenn
Division Director, Water Resources

C: Staff name
Personnel File

- 7. Conflicts of Interest**
A Special Master shall not be considered outside or special counsel and shall not be subject to PPM #CW-O-52 relating to outside counsel conflicts of interest.
- 8. Meetings**
- a. **Scheduling**
The Code Enforcement Division shall be responsible for scheduling meetings of a Special Master. In the case of an alleged violation as set forth in Art. 10.B.1, Procedure, a hearing may be called as soon as practical.
 - b. **Operating Procedures**
All cases brought before a Special Master shall be presented by either the Code Enforcement Division or an attorney representing the Division.
- C. Development Review Appeals Board**
1. **Establishment**
There is hereby established a Development Review Appeals Board (DRAB).
 2. **Powers and Duties**
The DRAB shall have the following powers and duties under the provisions of this Code:
 - a. to hear, consider, and decide appeals, decisions of the Zoning Director on applications for Certificates of Concurrency Reservation and Concurrency Exemption Extension; and
 - b. to hear and decide appeals from, decisions of, and conditions imposed by the DRO with regard to action taken on an application for a final Development Permit.
 3. **Board Membership**
The DRAB shall consist of the Executive Director of PZB, County Engineer, and County Attorney or Deputy County Attorney.
 4. **Officers and Staff**
 - a. **Chair and Vice-Chair**
The Executive Director of PZB shall be the Chair of the DRAB.
 - b. **Staff**
PZB staff shall be the professional staff for the DRAB.
 5. **Meetings**
 - a. **General**
General meetings of the DRAB shall be held as needed to dispose of matters properly before the DRAB. Special meetings may be called by the Chair or in writing by two members of the DRAB. Staff shall provide 24-hour written notice to all DRAB members.
- D. Environmental Appeals Board**
1. **Establishment**
There is hereby established an Environmental Appeals Board (EAB).
 2. **Powers and Duties**
The EAB has the following powers and duties:
 - a. to hear appeals from certain requirements, interpretations, or determinations of Art. 15, Health Regulations, made by the PBCHD or the Environmental Control Officer.
 3. **Board Membership**
 - a. **Qualifications**
The EAB shall be composed of five members appointed by the Environmental Control Board (ECB). The membership of the EAB shall consist of one professional engineer registered by the State of Florida and nominated by the Palm Beach branch of the American Society of Civil Engineers, one water resource professional employed by SEWMD, one drinking water engineer employed by the FDEP, one member of the Gold Coast Builders Association, and one attorney nominated by the PBC Bar Association. [Ord. 2011-016]
 - b. **Terms of Office**
All EAB members shall serve a term of three years. Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms. [Ord. 2014-001]
 4. **Officers**
 - a. **Secretary**
PBC Environmental Control Officer shall provide a staff person to the EAB and that staff member shall be designated as Secretary of the EAB.
 - b. **Staff**
The PBCHD shall be the professional staff of the EAB.