

Exhibit B

Division 1 of Article 4 in the Land Development Regulations is amended as followed:

(All other sections in the Division not set forth below will remain unchanged)

DIVISION 1. WETLANDS AND SHORELINE PROTECTION

Sec. 4.2. Wetland protection standards.

4.2.G. *Performance standards.* The following performance standards shall be followed for all wetland areas and wetland buffers unless specifically provided for otherwise in Section 4.3, waivers and exceptions.

1. *Vegetation removal.* The removal of natural vegetation and exotic invasive vegetation from wetlands and from buffer zones surrounding wetlands shall be governed by the following regulations:
 - a. Clearing or direct removal of vegetation shall not occur except in compliance with an approved ~~P~~Preserve ~~A~~area ~~M~~management ~~P~~plan (PAMP) or in compliance with those minimal activities permitted under section 4.3.
 - b. All materials that are cleared from the wetland or buffer zone, including exotic invasive vegetation debris, shall be removed from the site and not piled or stored within the wetland or designated upland preserve areas, except as provided in an approved PAMP.
 - c. Removal of exotic or nuisance native vegetation in wetlands and buffer areas shall be conducted in compliance with a ~~Preserve Area Management Plan (PAMP)~~ approved by the County Administrator or as specified in an approved clearing plan or an approved permit issued for residential lots.
 - d. Exotic vegetation must be regularly removed from all preserve areas including wetlands and wetland buffers by the least damaging means or as specified in an approved PAMP.
 - e. Planting of exotic vegetation or incompatible native vegetation shall not occur within or encroach upon the wetland area or buffer. Any proposed plantings occurring in the wetland or buffer shall consist of native vegetation which is compatible with existing native plant communities, soils, and climatic conditions, and must be approved in writing by the County Administrator.
2. *Replanting.* Areas of the wetland or buffer zone that are devoid of existing, natural associations of native vegetation shall be planted with, or supplemented by, appropriate native vegetation sufficient to create a self-perpetuating plant community capable of functioning as natural habitat. When supplemental plantings are necessary, a planting plan for the wetland or wetland buffer zone shall be prepared as an attachment to the PAMP. The planting plan must include:
 - a. A planting area map will be prepared showing the extent of proposed plantings together with local soil information. Planting density shall be sufficient to provide approximately 80 percent vegetative groundcover in the first year.
 - b. Construction drawings of the replanting areas showing any proposed alteration to topographic contours.
 - c. A topographic map showing various elevation contours to be planted and the plant species appropriate to each contour.
 - d. Description of the current hydrologic conditions affecting the replanting area and adjacent hydrologic contributing and receiving areas.
 - e. Schedule and details of replanting including the type of construction and measures to minimize impacts to the adjacent wetland buffer, water management and other irrigation practices that will be used until the vegetation has been established. Planting shall be complete prior to:
 - Issuance of the first building permit in a major or minor residential subdivision; or
 - A certificate of occupancy is issued for a nonresidential final site plan.
 - f. Monitoring reports detailing the progress of the planting plan will be submitted within six months after planting. Information provided must be adequate to determine that planted species have survived in sufficient number and health as needed to reasonably meet cover requirements in the above. The

Environmental Monitoring Report Guidelines developed by the South Florida Water Management District may be used as a reporting template.

- g. Replanting of portions or all of the affected area will be required if the cover requirements are not met within the first year.
 - h. A bond for 100 percent of the cost of exotic vegetation removal, replanting, maintenance and monitoring shall be required for a period of two years from the date the planting was completed.
3. *Excavating and filling.* Excavating and filling activities within 300 feet of wetlands shall be governed by the following regulations.
- a. Dredging or filling shall not occur within the wetlands or the buffer zone surrounding the wetlands except in compliance with ~~the provisions of the Excavation, Fill and Mining regulations.~~ a PAMP prepared in accordance with this Division.
 - b. A minimum width of 200 feet shall be maintained between the outer edge of any wetland and any lake excavation unless an alternative plan utilizing an impermeable barrier or gradient analysis is approved by Martin County in consultation with the South Florida Water Management District. The gradient analysis, provided in compliance with state permitting requirements, shall show that the drawdown will not result in adverse impacts to wetlands. Any excavation which is likely to result in drawdown of the water table through pumping or through off site outfalls must be separated a minimum of 200 feet from any wetland.
 - c. Filling which occurs landward of a wetland buffer zone shall be contained to prevent runoff of sediment into buffer zones or wetlands and immediately stabilized upon completion of construction.
4. *Construction within or adjacent to wetlands and wetland buffer zones.* No alteration or construction shall be allowed within wetlands or buffer zones except as specifically provided below and in section 4.3, waivers and exceptions.
- a. The structure and foundation of docks shall be designed to accommodate surface water flows and shall not be designed to impede, interrupt or impound surface water flows. Public and private dock structures shall be consistent with the Comprehensive Plan. Marina development shall be consistent with the Boat Facilities Siting Plan, Manatee Protection Plan and marina siting section of the Comprehensive Plan.
 - b. Routine maintenance of existing structures shall be permitted, but shall be performed in the least intrusive manner possible and shall not result in additional damage to the wetland or wetland buffer zone. Trimming of native vegetative growth shall be limited to only provide for the continued maintenance of and access to permitted structures such as docks, ~~and boardwalks,~~ and water management control structures.
 - c. All pilings shall be secured, placed or set to the desired depth by the least disruptive method based on existing site characteristics.
 - d. Boardwalks shall be designed to minimize wetland disruption while allowing access for wildlife and water viewing. Where boardwalks are provided for golf course access and for access between facilities, they must be part of an overall site plan designed to minimize wetland intrusion.
 - e. The use of heavy equipment shall be minimized in the wetland areas and/or buffer zones.
 - f. There shall be no temporary filling of the wetlands area or buffer zone for construction.
 - g. ~~Placement~~ Construction of water management control structures in wetlands and/or the buffers around wetlands shall only be allowed as part of a stormwater management plan that complies with Division 9 of this article. The project must demonstrate it improves the functions and values of wetlands and serves a necessary public purpose for stormwater management. Placement of structures in preserve areas shall require revegetation of both the wetland and wetland buffer for which planting plans shall be included in the preserve area management plan.

4.2.H. *Waste disposal.* Disposal of wastes in and around wetlands and buffer zones shall be governed by the following regulations:

- 1. The discharge of domestic, industrial, leachate, or agricultural wastewater containing heavy metals, herbicides, pesticides or any other toxic substance(s) in excess of concentrations established by State and Federal and County guidelines into the waterways, wetlands or buffer zones shall be prohibited.

2. Sludge, sewage and septic systems which are adjacent to wetlands in wetland areas of special concern shall be set back from such wetlands in accordance with section 4.2.D.5.a.
 3. The disposal of hazardous material in designated areas shall not occur within 300 feet of a wetland.
 4. Any new solid waste disposal facility shall be subject to the wetland protection provisions of this division and designed in such a manner as to have no negative effect on the wetlands or buffer zones.
- 4.2.1. *Stormwater and surface water management.* Management of water in and around wetlands is critical to the survival of a healthy wetlands system. Seasonal freshwater in-flows in appropriate volumes are critical to the health of the estuary. There is presently excess freshwater runoff to the estuary during the rainy season which may contribute to heavy pollutant loads, fish disease and freshwater imbalance. Dry season freshwater flows are currently inadequate to supply base flows for a healthy estuary. Stormwater and surface water management in and around wetlands and buffer zones shall be governed by the following regulations:
1. Maintenance of wetland hydrology and water quality.
 - a. Direct discharge of stormwater into wetlands or buffer zones shall be prohibited. Stormwater must be provided retention and/or detention water quality treatment prior to being discharged into wetlands or wetland buffer zones. Stormwater retention and/or detention basins shall be used to maintain post-development discharges at predevelopment levels.
 - b. Stormwater retention basins and outfall structures shall be designed to assure that the water quality, rate of runoff and seasonal runoff volumes are equal to natural conditions. Timing and volume of water discharge shall be appropriate to restore and/or maintain the natural hydroperiod.
 - c. Retention and/or detention basins shall be designed and constructed with sediment traps and litter or trash screens. The retention and/or detention basins shall be vegetated, and the use of herbicides and pesticides within the retention and/or detention basin for vegetation and insect control shall be discouraged.
 2. Any alteration of water levels within wetlands shall be prohibited unless determined necessary to restore or maintain the natural hydroperiod of the wetland system by way of a surface water management plan approved by the County Administrator in consultation with the SFWMD. Outfall structures shall be designed to assure wet season water tables will be maintained throughout the development and that quality, rate, timing and volume will maintain sustainable on-site wetlands and healthy receiving waters. ~~(See above also re flowways, under PAMPs.)~~
 3. Timing and volume of water discharge shall be appropriate to restore and/or maintain the natural hydroperiod.
 4. For lots in subdivisions without approved stormwater management plans, an in-fill lot grading plan utilizing swales or other stormwater treatment approved by the Public Works Department in accordance with the requirements for infill residential development in Division 9 of this article is required.
 5. Any lots without approved stormwater management plans and that qualify for a reduced wetland buffer under section 4.3.A. shall provide water quality treatment and stormwater control as follows:
 - a. For 4:1 slopes or greater (e.g., code standard or shallower slope) from the residence to the wetland buffer, a stormwater detention swale, a minimum of 12 inches in depth, shall be provided in the buffer zone and run along the entire width of the existing lot.
 - b. For less than 4:1 slopes (e.g., steeper slope than code standard) from the residence to the wetland buffer, a stormwater detention berm, a minimum of 16 inches high, shall be provided in the buffer zone and run along the entire width of the existing lot and extend up the sides of the lots for at least one-third its depth.
 - c. For lots with existing native vegetation in the buffer zone, a berm or swale, as required, shall be provided upland and outside this zone.
 - d. An alternative stormwater design that differs from the required stormwater detention swale or berm may be utilized if such design provides water quality treatment equal to or greater than a swale or berm.