

## Horst, Rachel

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**From:** CEER@brevardfl.gov  
**Sent:** Tuesday, January 13, 2026 9:44 PM  
**To:** Horst, Rachel  
**Subject:** A new CEER Recommendation has been submitted as ID #2026024

### Recommendation # 2026024

Dear CEER Administrator,

Speak Up Brevard Recommendation ID #2026024 has been submitted. Please login to the CEER Application to start the recommendation evaluation workflow.

#### Contact Information:

##### Group/Organization

**Name** Robert S Vail  
**Address** 1956 SUN VALLEY ST, TITUSVILLE FL 32780  
**Phone** (321) 212-9765  
**Email** rvail1@cfl.rr.com  
**Alternate Email**

#### Recommendation Information:

**Recommendation ID** 2026024  
**Recommendation Title** Inventory of Private Retention ponds  
**Areas Affected**  
**Department Affected**  
**Current problem** Private retention ponds within Brevard County contribute to our water recapture when working as designed. They also contribute to flooding and storm water runoff when they aren't.  
**Recommendation** As such, it should be the business of the County to know where all private retention ponds are located, their current owners and whether or not they are functioning as designed. It should also be noted whether or not they are built as a "dry" or "wet" retention pond and whether or not it conforms to this design. Those ponds determined to not be in compliance and not functioning properly should be identified, owners notified and given a reasonable amount of time to bring the pond into compliance. Any ponds not brought into compliance within that timeframe should then be reviewed for either civil or criminal charges, depending on the severity of the non-compliance.  
**Attachments** No Documents were attached.



BOARD OF COUNTY COMMISSIONERS

**TO:** Jim Liesenfelt, County Manager  
**THRU:** Tad Calkins, Assistant County Manager  
**FROM:** Amanda Elmore, Deputy Director, Natural Resources Management Dept.  
**SUBJECT:** Citizen Efficiency and Effectiveness Recommendation (CEER) #2026024

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CEER #2026024, titled Inventory of Private Retention ponds, was received by the County from Robert S. Vail.

**Citizen Statement:**

The Problem: Private retention ponds within Brevard County contribute to our water recapture when working as designed. They also contribute to flooding and storm water runoff when they aren't.

**Citizen Recommendation:**

As such, it should be the business of the County to know where all private retention ponds are located, their current owners and whether or not they are functioning as designed. It should also be noted whether or not they are built as a "dry" or "wet" retention pond and whether or not it conforms to this design.

Those ponds determined to not be in compliance and not functioning properly should be identified, owners notified and given a reasonable amount of time to bring the pond into compliance. Any ponds not brought into compliance within that timeframe should then be reviewed for either civil or criminal charges, depending on the severity of the non-compliance.

**Staff Analysis:**

The Brevard County Stormwater Program currently inspects approximately 1,300 stormwater treatment systems to determine credit eligibility toward the annual Stormwater Assessment Fee, which appears as a non-ad valorem assessment on the Property Appraiser's annual tax bill.

Inspections evaluate 18 criteria related to system functionality as designed. These include items such as trash and debris accumulation, vegetative obstructions in control structures or inlets, unauthorized modifications, and destabilized side slopes. To receive

the stormwater fee reduction, property owners must correct any deficiencies identified during inspections by the specified deadlines.

Inspections occur every 1-2 years and are limited to permitted systems located in unincorporated Brevard County, or in areas covered by interlocal agreements with West Melbourne and Malabar. Participation is voluntary and limited to sites enrolled in the stormwater fee reduction program. Inspections are conducted by three full-time employees, with findings reviewed by a County stormwater engineer. Notices are then prepared by staff and sent to property owners by certified mail.

The St. Johns River Water Management District (SJRWMD) and the Florida Department of Environmental Protection (FDEP) regulate the construction and post-construction operation of stormwater treatment systems under the National Pollution Discharge Elimination System (NPDES) MS4 (Municipal Separate Storm Sewer System) permit issued to Brevard County. Expanding the County's current voluntary program to a mandatory inspection program for all privately owned, permitted systems would first require coordination and agreements with SJRWMD and FDEP.

A key step in developing such a program would be determining the total number of systems subject to inspection. A comprehensive inventory does not currently exist. However, staff believes that there are more than 4,000 wet ponds in Brevard County subdivisions. While not all permitted systems are wet ponds, this provides a reasonable minimum estimate. Inspecting all systems would likely require at least six additional inspectors, along with associated resources such as office space, vehicles, and equipment.

Participation in a mandatory program would necessitate a code change as it would differ from the current voluntary program, and could involve enforcement actions rather than fee reductions. Therefore, inspectors would need to serve in an enforcement role, requiring additional training. Implementation would also require Board of County Commissioners authorization for proactive inspections and consideration of potential legal processes to address property owner resistance or noncompliance.

**Staff Recommended Action:**

It is recommended that the Board of County Commissioners reject CEER #2026024, as this CEER does not enhance the effectiveness or efficiency of County government as required by Section 2.9.10 of the Brevard County Home Rule Charter.