



Sunil Menon <think.sunilmenon@gmail.com>

<https://deliverthepreservewedeserve.com>

Sunil Menon <>

Wed, Mar 12, 2025 at 9:42 PM

To: "Brown, Jennifer" <jennbrown@broward.org>

Cc: "Brian R. Kopelowitz" <>

Resending because my previous email text was blanked out for some reason. Hope you are able to read this email in its entirety as it will accelerate your learning process in this situation.

On Wed, Mar 12, 2025 at 9:36 PM Sunil Menon <think.sunilmenon@gmail.com> wrote:

Hi Jennifer:

<https://deliverthepreservewedeserve.com>

As discussed, this website was established in October 2023 before the CBWCD bond release at which Brian Kopelowitz represented me to block the bond release.

There are many but not all background documents.

1/ You may want to read the SFWMD OIG report with my annotations and my email to Jill Creech. Most of the docs I sent Jill in my email should be on the website but if something is missing, please do not hesitate to ask.

2/ You may want to read up the process flow for mitigation area distribution vs engineering specs (it's in my original bond release letter). There is also a nifty quantitative chart in my video presentation with benchmarking from previous Sierra Ranches design showing disproportionately more onsite mitigation compared to historical designs. I ran the process flow past both the SFWMD and USACE and neither raised any objections to it. I also checked it with my own Wetland scientist, Hugh Dinkler who reinforced my learning. Look him up.

Your assertion that wetlands have to be mitigated to the maximum extent onsite is demonstrably false based on specific question I asked SFWMD in September 2023 with a flow chart. No regulatory body dictates it! It is solely decided by the developer's environmental consultant and engineer, but it has to follow all applicable codes when there are multiple overlapping jurisdictions. The design just did not follow the codes of minimum depth of excavations in lakes/flow channels (that first drop around residences is considered a lake/flow channels- look it up in previous designs in Sierra Ranches).

That error crept through because the environmental consultant did not know CBWCD rules and designed the wetland which made it through the executed ERP in 2018. The CBWCD easements were granted in 2019. Only the EOR would have been able to advise the environmental consultant but he apparently did not.

And if there are deficiencies in the standard of care like missing a hydric berm which results in sloughing in the flow channels, that imposes maintenance burdens on homeowners due to the CBWCD recorded instrument and mandatory stormwater recertifications needed every five years. It's an economic concept called "externalization of costs" where skimping of what needs to be done by the developer and their agents imposes cost burdens and liabilities on hapless consumers.

3/ You may want to read my engineer's report before the bond release

4/ You may want to look up the CBWCD maintenance agreement

5/ You may want to read language in the CBWCD district criteria that supersedes the ERP when both conflict

6/ You may want to pay special attention to Appendix K of the CBWCD district criteria

7/ You may want to read up Brian's testimony and appeal letter.

8/ You may want to read Michael Owen's opinion on CBWCD easements and maintenance agreements for Broward EEPD and SFWMD

9/ You may want to read both my bond opposition letters to CBWCD

10/ You may want to read up on the inability of the CBWCD to legally categorize their own noticed bond hearing (for the record it is ministerial per previous communication from them which gives them no leeway to deviate from their published criteria) which should be a shameful reflection of the arbitrary, capricious and farcical nature of their proceedings.

11/ You may want to understand the vested rights doctrine as it was clear to me from our conversation this morning that you do not understand that as an individual owner I have the statutory right to get a common element property that is both to PLAN and CODE on the day of my real estate transaction (Nov 2021). And Florida laws grant me the statutory right as in individual to demand it for the common element without participation by the HOA.

Recently, I set my HOA board certified construction attorney straight on the concept of vested rights proving his utter incompetence on a Real Estate 101 topic, and he resigned from his firm after 18 years.

Your statement "we just go change the plans" shows profound lack of understanding. Your statement that it was was "overdesigned" is also a fallacious argument.

As I said, assume you have a load bearing column with 3 reinforcing steel bars in it that is required per code, but the plan had 2, and the actual implementation had one, that is a design defect and implementation defect even if the column shows no cracks and it was certified by government authorities. It may not fail until much later such as in Surfside, where there were a whole range of compounding factors. The discovery of latent defects in the Sierra Ranches Stormwater system is indeed a miracle that rarely happens because we trust government to do the right thing with inspections and ensuring that both code and plans are followed. When government agencies after being alerted with evidence willfully ignore their own published regulations or act outside their authority, that is grave injustice and a public safety issue for citizens. A severe breach of public trust.

12/ It should be very telling that on Nov 6, 2023 Lennar was still trying to negotiate with my attorney the remedial actions which we made clear. On Nov 8, 2023, in violation of my 14th amendment rights, the CBWCD summarily dismissed my attorney's appeal letter.

13/ You may want to see the date and stamp tampering of the as-builts at the CBWCD in violation of their own district criteria and engineering norms.

14/ You may want to see the chief engineer of Davie as an active participant in this coordination (I have proof of this in writing).

15/ You should see the tortuous interference of the Lennar Land Development manager spreading misinformation about me and the governing authorities misleading Davie, which is easily proven by SFWMD OIG report's clarity in their ERP scope vs CBWCD flow channel scope and governing authority.

The videos are original before the bond release. I did not have time to go and update them with the binary smoking gun issue of the missing channel that any jury can understand without technical minutiae.

You may also want to check with Robert Winfield from Broward OIG what they found out. He did index on the 10 foot minimum depth requirement when he spoke to me last April after I complained in early January last year. He was also surprised that Michael Owen's had not gotten back to my attorney as he promised.

I am sure you will connect many other dots as you read the documents on the website.

I have realized through this process that professional wetland scientists, bureaucrats, attorneys, elected officials should refrain from making blanket systems about dynamic engineered flow systems. The only engineers involved in the whole Sierra Ranches case have been the Engineer of Record and the CBWCD District engineer (who were also involved with the project), my engineers - Jason and Micahel from Pillar Consultants, and I. This entire cast of engineers assembled in my home on September 20, 2023 before the first bond release date. The fear from the CBWCD District Engineer and the EOR was palpable. So much that the EOR denied engineering the channels. I memorialized it by sending the CBWCD district manager an email challenging his assertions because the flow channels were indeed following the grading rules of CBWCD in the deep cut of the channels and the drawings bore his firm's name. They perjured in subsequent public hearings that have also been captured by eyewitnesses.

If you ever want to get into the depths of engineering of the Sierra Ranches flow channels, explore concepts like laminar flow, turbulent flow, shear forces, wave energy impact increase due to shallowing of water bodies, DFMEA, PFMEA, FEA at fluid solid interfaces, I am happy to take you to those depths!

Best regards,
Sunil

