

August 10, 2001

Memorandum

TO: Palm Beach County NPDES Permittees
FROM: Alan D. Wertepny, P.E.
SUBJECT: Minutes of NPDES Steering Committee Meeting Held On July 18, 2001
(Our Ref. No. A0001.01)

I. Attendees/Introductions

Approximately 17 of the 39 co-permittees were represented at the July 18, 2001 NPDES Steering Committee meeting. Steering Committee Members present included: Laurent Van Cott (Chair), Jay Foy representing John Bonde (Vice Chair), Angela Bailus representing Randal Krejcarek (Secretary), Allen Trefry (Member), and Rebecca Travis (Member). A copy of those in attendance is available upon request.

II. Administrative Activities

- a. **May 16, 2001 Minutes** – Motion was made by Allen Trefrey and seconded by Jay Foy to approve the May 16, 2001 minutes. The Steering Committee approved the minutes of the May meeting.
- b. **Inspector Training** – A training session was held on June 19, 2001 at the offices of Mock•Roos. Twenty-nine (29) individuals received training. Interest was expressed by co-permittees to make arrangements for another Inspector Training class. Todd Engle will set up a class within the next two (2) months. Those municipalities currently expressing an interest included Boynton Beach and Magonia Park.
- c. **4th Year Individual Reports** – To date we have received reports from all but two (2) of the co-permittees. Representative of Belle Glade was in attendance at the meeting and indicated that their report has been finalized will be delivered to Mock•Roos on Thursday, July 19, 2001. (Please note that the reports were indeed delivered on that Thursday). FDOT has indicated that their report has been finalized; however, the signature for certification has not been completed. It is anticipated that all reports will be submitted to DEP in mid-August.

III. Florida Association of Stormwater Utilities Conference – Alan Wertepny reported that the Conference was well attended by the municipalities as well as State representatives

coordinating the NPDES Program. The Conference allowed Alan an opportunity to discuss our permit renewal with Phil Coram. Issues resolved with Phil Coram included identification as *****Reserved***** in our permit for Dry Weather Field Screening, Monitoring of High-Risk Facilities and Effluent Limitations. The *****Reserved***** status in our next permit cycle these programs will reduce the co-permittees cost in the preparation of their Annual Report. However, there may be additional costs to the co-permittees in their joint responsibilities associated with the Water Quality Monitoring Program. DEP has indicated that for the next permit cycle we will need to negotiate program requirements with DEP's Bureau of Watershed Management. It is envisioned that the monitoring program will be geared toward obtaining information to support TMDL's for Palm Beach County's Watersheds. In regard to TMDL's, it was mentioned at the Stormwater Utility Conference that for a normal municipality which has been implementing Stormwater Programs for a number of years in compliance with South Florida Water Management District requirements, will occur considerable additional cost to implement a reduction in Total Maximum Daily Load allocations. An estimate was provided of approximately \$7,500.00 per acre. Michael Schmidt with CDM indicated that this dollar amount may be an underestimate. As another note the Florida Association of Stormwater Utilities has changed its name to Florida Stormwater Association. This organization can be extremely important in distributing information on State activities regarding NPDES. One of their goals is to monitor the TMDL process and the NPDES Program. Our local contact to this organization is Angela Bailus, Delray Beach (561) 243-7298, email bailus@ci.delray-beach.fl.us. Information on this organization will be added as a link to our NPDES Website.

- IV. Comments on 4th Year Joint Report** – Minor comments have been received on the draft reports. Additional comments made at the meeting including the following: Section III – Summary Table, Paragraph 1, revised to read as follows: During the 4th Year, all required activities were completed by the majority of the co-permittees and are identified in the table. The next Section is Page 4-3 – Maintenance of Catch Basins and Swales – the fourth sentence was revised as follows: Cleaning catch basins and swales to remove accumulated sediments, trash and debris is done on an “as needed” basis. Section 4, Page 4-8, the following paragraph was added to the bottom of the page: The City of Riviera Beach has also received a Grant from the Florida Department of Environmental Protection to construct stormwater improvements to outfalls to the Lake Worth Lagoon. Section 5, Page 5-3, the following paragraph was added to the end of the summary: The effectiveness of the program can not be fully determined at this time. The good faith efforts by Palm Beach County MS4 permittees in establishing the monitoring program, the educational training programs and other stormwater management programs will better define the overall management program effectiveness over time.

The Steering Committee approved moving forward with the 4th Year Joint Report.

- V. Florida's TMDL Program** – Michael Schmidt with Camp Dresser & McKee provided a slide presentation regarding Florida's TMDL Program with particular emphasis on Palm

Beach County's Watersheds. Currently the TMDL schedule for Palm Beach County is 2007 through 2011. CDM provided a listing of impairments to major water bodies in Palm Beach County. These impairments included Coliform, Dissolved Oxygen, Metals and Nutrients. Current impaired water listing identified for Coliform in eastern Palm Beach County includes Southwest Fork of Loxahatchee, C-18, C-17, M Canal, L-30, C-51, E-4 Canal, Boynton Canal/C-16, E-3 Canal, and E-1 Canal. Dissolved Oxygen impairments for eastern Palm Beach County Watersheds included the Southwest Fork of the Loxahatchee, C-18, L-8, C-17, M Canal, L-30, C-51, Lake Osborne, Boynton Canal/C-16, Lake Ida, E-3 Canal, E-4 Canal, E-1 Canal and WCA1. Watersheds with Metal impairments included C-18, L-8, C-51, and WCA1. Nutrient impairments included Southwest Fork of Loxahatchee, L-8, C-51, E-4 Canal, Lake Ida, E-3 Canal, E-1 Canal and WCA1.

Under the Impaired Waters Rule (62-303 FAC) DEP has established a procedure for listing and delisting water bodies from the Clean Water Act 303(d) list for TMDL water bodies. This process is two-step and includes a planning list and a verified list. Planning lists are composed of water bodies that may have the following:

- 10% Exceedance (80% confidence level) in prior 10 years (10 sample minimum)
- 1 Bioassessment failure in prior 10 years
- 2 Chronic or acute toxicity within 12 month period during prior 10 years.
- Nutrient threshold – 10 year period
 - Stream chlorophyll a > 20 ug/l (any year)
 - Estuary chlorophyll a > 11 ug/l (any year)
 - Lake TSI 40-60 (depends on color).
- Fish Consumption Advisory in Effect
- Primary Contact and Recreation (Coloiform)
 - 21 days total/year of closure, advisory, or warning
 - 5 days consecutive days closed/yr.
 - 2 closures/calendar year

DEP will review the planning list and then develop a verified list based on the following:

- 10% Exceedance (90% confidence level) in Prior 5 Years (minimum 20 samples)
- > 2 Bioassessment Failures in Prior 5 Years.

- 1 Acute Toxicity within Prior 7.5 years.
- Nutrient Threshold – 5 year period
 - Stream chlorophyll a > 20 ug/l (any year)
 - Estuary chlorophyll a > 11 ug/l (any year)
 - Lake TSI 40-60 (depends on color)
- Fish Consumption Advisory Based on Minimum of 12 Tissue Samples
- Primary Contact and Recreation (Coloiform)
 - Closures, Advisories and Warnings must be due to chronic discharge (discount large storms, spills, red tide, sharks, rip tides, medical waste)
 - Non-human Sources of Bacterial Exceedances Discounted

CDM also discussed how to get off the planning list. These avenues included:

- Perform Additional Water Quality Data Evaluations
- Reasons for Beach Closures
- Clean Metals Techniques (improved sampling/testing procedures)
- Large Storms
- Non-Human Bacteria
- Implement Programs to Improve Water Quality and Document Effectiveness
- Proactive Implementation to Maximum Extent Practical
- Transportation Projects (Local, FDOT)
- Flood Improvement Projects
- Water and Sewer Projects (also Septic Tanks)
 - Sediment Removal

CDM advised taking a pro-active approach in monitoring DEP's program. For more information Mike Schmidt suggested reviewing the following three (3) websites:

Impaired Water Rule (62-303) –

<http://www8.myflorida.com/environment/learn/waterprograms/tmdl/index.html>

Authorizing Statute (403.067)

<http://www.leg.state.fl.us/statutes/index.cfm>

1998 303(d) List (EPA Adopted)

[http://www8.myflorida.com/environment/learn/waterprograms/tmdl/pdf/98_303\(d\).pdf](http://www8.myflorida.com/environment/learn/waterprograms/tmdl/pdf/98_303(d).pdf)

The Steering Committee decided to initiate a proactive approach to Florida's TMDL Program. NPDES Staff was instructed to add a budget item for monitoring this program.

VI. Next Scheduled Meeting

The next Steering Committee meeting is scheduled for Wednesday, September 19, 2001, 9:00 a.m., at the offices of Northern Palm Beach County Improvement District. The items of discussion include a budget report and presentation by Carolyn Saft with Palm Beach County Cooperative Extension on Florida Yards and Neighborhoods Program. This meeting will also include educational materials being utilized by the State or municipalities to reduce pollutant loading discharged into the MS4. Any municipalities having materials, brochures, literature, etc., for distribution at this meeting please contact Alan Wertepny.

I believe that these minutes accurately reflect the discussions and decisions of this meeting; however, the writer will welcome additions and/or corrections in writing within seven days of the date of these minutes. Should you have any questions, please call me at extension 231.

ADW/jeh

Copies: Carolyn Saft
Peter L. Pimentel
All Attendees and Co-Permittees