

January 2, 2002

Memorandum

TO: Palm Beach County NPDES Permittees
FROM: Alan D. Wertepny, P.E.
SUBJECT: Minutes of NPDES Steering Committee Meeting Held On December 20, 2001
(Our Ref. No. A1016.01)

I. Attendees/Introductions

Approximately 28 of the 39 co-permittees were represented at the December 20, 2001 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), John Bonde (Vice Chair), Randal Krejcarek (Secretary), Allen Trefry (Member), and Dave Young for Rebecca Travis (Member). A copy of those in attendance is available upon request.

II. Administrative Activities

- a. A motion was made by Allen Trefry and seconded by John Bonde to approve the September 19, 2001 minutes. The Steering Committee approved the minutes of the September meeting.
- b. **Budget Report** – Financial reports for the Fourth, Fifth, and Round Two (First Year) Program for the period of September 12, 2001 to December 13, 2001 were provided to all attendees. The remaining Fourth Year Program funds were transferred to the First Year of the Round Two NPDES Permit (\$95,000) and to the Contingency Fund for the Fifth Year Program in the amount of \$12,147,62. These transfers depleted the Fourth Year Funds. The Fifth Year Fund has a balance of \$232,238.93. For Round Two of the First Year Program the fund balance is \$180,798.53. The attendees were also provided with a listing of the co-permittees and amounts received for the Round Two First Year Permit funds. Attendees were also provided a history of NPDES expenditures and budget amounts for the five years of the NPDES Permit and Round Two Permit Year 1. Yearly expenses have averaged \$220,000 with \$25,000 of that for the State permit fee. Copies of the budget reports and associated tables are available upon request.
- c. **Chairman Comments** - Laurent Van Cott informed the Steering Committee and co-permittees of the status of Northern's discussions on consultants, engineers and their attorney. Northern's Board approved retaining Caldwell & Pacetti as the

attorney for Northern. Northern's Board is currently reviewing the role of the District Engineer and District Consultants. Northern's Board met on December 19, 2001 and decided to table any action regarding Northern's engineers until the January 9, 2001 meeting. Van as Chairman of the NPDES Steering Committee and with the support of the Steering Committee members sent a letter to Northern's Director, Pete Pimentel, urging Northern to continue to authorize Mock•Roos to provide the support services for the NPDES Program. A copy of Van's letter is available upon request. The Steering Committee and co-permittees present at the meetings gave their support to Van Cott and to Mock•Roos for continuing the efforts with Northern's Board. Van Cott will be attending Northern's January meeting and will keep the Steering Committee and members apprized of developments with Northern regarding engineering services. John Bonde recommended this be discussed further with the Steering Committee. The Steering Committee requested that Betsy Burden, an attorney representing Northern, provide the Steering Committee with recommendations for the NPDES engineering services at our next meeting.

- d. **FDEP's NPDES Annual Fee** - The State has invoiced Palm Beach County NPDES Stormwater Co-Permittees for Year 2002 in the amount of \$24,825. In the letter there is a reference to a possible reduction in the amount of \$100 per invoice for qualifying waiver under Section 218.075 Florida Statutes. Motion was made by John Bonde and seconded by Randal Krejcarek to pay the invoice to the State in the amount of \$24,825. The motion passed. Betsy Burden, at no cost to the Steering Committee, reviewed the applicable Florida Statute for the permit fee reduction. Betsy indicated that our co-permittees are not eligible due to our size.

III. Reapplication and FDEP Comments on the Fourth Year Reports

Vista Stewart, FDEP's NPDES consultant with Science Applications International Corporation (SAIC) provided a PowerPoint presentation covering changes to the NPDES permit and information on Palm Beach County reapplication process. The following items were presented.

- The State is considering an increase in the Phase 1 MS4 annual fees by 30 percent. This would increase Palm Beach County municipal NPDES fees by \$7,447.50.
- Construction permitting fees to increase from \$150.00 to \$250.00 per application.
- The Phase II Program will include a no exposure exclusion for industrial permits.
- The ISTEA exemption for municipalities for construction permitting will be removed with Phase II (March 2003).

- Phase I – Round Two permits have been issued for Sarasota and St. Petersburg County. The Tampa permit is currently held up with third party legal actions. Palm Beach County's renewal permit is in draft form and about 80 percent complete. It will require review from FDEP prior to the draft being submitted to Palm Beach County's MS4 permittees.
- The draft permit for Palm Beach County should be available either in January or February of 2002.
- There is a public comment period for permit issuance.
- Round Two permits will focus on maintenance and improvements.
- Modifications to the permit include removal of dry weather field screening for illicit; however, an Illicit Inspection Program will need to be developed. High-risk facilities will require only inventory and inspection. Development of the Watershed Monitoring Program will require coordination with FDEP's Bureau of Watershed Management. Development of this program is required within six months of issuance of a permit.
- Palm Beach County's co-permittees Fifth Year reports should include a listing and a schedule for capital improvement projects in the discussion on Flood Management section of the report.
- Any non-stormwater discharged allowed to the MS4 require documentation (i.e., pressure cleaning) perhaps FDEP will consider addition of residential low pressure cleaning.
- GIS mapping of stormwater facilities is preferred.
- The annual report should include not only a hard copy but also a CD.

Vista Stewart will check with Phil Coram to see if a copy of her presentation could be provided to our group. Additionally, in order to complete SAIC's review of the reapplication, Vista requested responses from Palm Beach County's co-permittees on the attached listing. It was agreed that the permittees would provide responses to Mock•Roos (Alan Wertepny) on or before mid-January so that an organized submittal could be transmitted to SAIC. Attached to this memo is a copy of the requested information. Please note that most of this information refers to obtaining copies of NPDES ordinances and information that was previously submitted in prior reports. However, since FDEP has been unable to locate and provide to SAIC, we are requesting your cooperation in obtaining the information.

IV. Other Issues

Inspector Training – Steering Committee discussed expanding the Inspector Training Program to contractors. The Steering Committee also requested that Vista Stewart have a discussion with FDEP regarding requirements by the State that General Contractors and Subcontractors receive NPDES training for construction projects. Van Cott also noted that South Florida Water Management District (SFWMD) is not familiar with the NPDES Program in Palm Beach County and in particular the FDEP's requirements for construction program. Van requested a sub-committee be formed consisting of representatives of SFWMD, FDEP, and Palm Beach County. Alan Wertepny will set up a sub-committee. Interest was also expressed by Clark Turberville with FDOT to be added to the committee. Palm Beach County representatives will include Brian Gentry and Ken Todd. Todd Engle (Mock•Roos) mentioned the next Inspector Training class will be on February 7, 2002. Please contact Todd (561-683-3113, x-294) to sign up for the class.

V. FDEP's Interviews and Inspections

Vista Stewart conducted interviews with Northern Palm Beach County Improvement District, Palm Beach Gardens, Jupiter, West Palm Beach, Palm Beach, Lake Worth, Delray Beach, Boca Raton, Mangonia Park, Lake Park, Atlantis, Juno Beach, Ocean Ridge, Haverhill, Cloud Lake, Lantana, and Manalapan. These inspections were conducted during the week of December 17 – 21, 2001. Alan Wertepny attended those inspections with Vista Stewart. Additionally, Vista mentioned that she will be meeting with FDOT District IV in Ft. Lauderdale and therefore should be able to include FDOT as one of the entities interviewed for both Broward and Palm Beach County. The total number of Palm Beach County MS4 permittees receiving an interview/inspection for 2001 is 19.

VI. Next Scheduled Meeting

The next Steering Committee meeting is set for February 21, 2002. The following items will be discussed at this meeting.

- The schedule/meeting dates for 2002
- Interlocal Agreements
- FY 2002 – FY 2003 Budget Projections
- Schedule for Fifth Year Reports
- Attorney's Comments on Northern Palm Beach County Improvement District's District Engineer/Engineering Consultants.

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I believe 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: Peter L. Pimentel
All Attendees and Co-Permittees (w/encl.)
Vista Stewart (w/encl. and listing of attendees)