

Memorandum

DATE: August 31, 2004
TO: Palm Beach County NPDES Permittees
FROM: Alan D. Wertepny, P.E.
REF. NO. A3050.01
SUBJECT: Minutes of NPDES Steering Committee Meeting held on August 18, 2004

I. Attendees/Introductions

Approximately 24 of the 40 co-permittees were represented at the August 18, 2004 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Jay Foy (Vice Chair), Randal Krejcarek (Secretary), Allen Trefry (Member), Karen Brandon (Member), and Tony Puerta (Member). A copy of the sign-in list is available upon request.

II. Administrative Activities

- a. Approval of May 19, 2004 Meeting Minutes** – Jay Foy made a motion for approval of the May 19, 2004 meeting minutes. It was seconded by Randal Krejcarek and approved by the Steering Committee.

- b. Budget Report** – As of August 10, 2004, the first year program has a fund balance of \$10,541.64. All activities for this program have been completed. The second year program has a fund balance of \$133,764.63. The fund balance for the third year program, to commence in October 2004, has a fund balance of \$266,141.50. Allen Trefry provided a letter from Palm Beach County noting that the monitoring cost for the second year program was projected to have a shortfall of approximately \$8,000. Palm Beach County submitted a request for an additional \$9,000 to cover the shortfall and contingencies. The Steering Committee accepted a motion by Jay Foy and seconded by Karen Brandon to accept the Palm Beach County's request for additional allocation in the amount of \$9,000.00 to the second year monitoring program. The motion passed. Motion was made by Jay Foy and seconded by Karen Brandon to transfer the remaining funds in the first year program to the second year program. Under Co-Permittee Coordination, Interlocal Agreements and the Monitoring Program, the amounts transferred are \$4,541.64, \$3,000.00 and

\$3,000.00, respectively. Additionally, \$6,000 in the second year program under Contingency will be reallocated to the Monitoring Program. The Steering Committee approved this motion.

- c. Town of Hypoluxo** – Betsy Burden reported that the Town of Hypoluxo and Northern Palm Beach County Improvement District have executed the Interlocal Agreement to allow Hypoluxo to become a part of Palm Beach County’s MS4 permittees. Alan Wertepny will send a letter to the City’s Attorney outlining the funding requirements for Hypoluxo.

- d. Annual Report Forms** – SAIC has forwarded to the State a draft of the Annual Report Form for each of the permittees. The official letter from the State is expected within two weeks. During interviews with SAIC (Vista Stewart) on the annual report forms, two areas required further resolution. In the summary table (Part III.a.7.f) – “Continued implementation of the Outreach Programs to instruct the public on the proper disposal of used motor oil, leftover hazardous household products and lead acid batteries, and to publicize locations of the Palm Beach County operated collection sites for these products”. Column B will reference the “Fee assessed by Palm Beach County”. When completing the Annual Report, Column D & E should reference Palm Beach County Solid Waste Authority, and, Column F, under comments, should reference Palm Beach County’s Annual Report. For Column C (Number of Activities Performed), Alan Wertepny will consult with Vista Stewart for an appropriate response (Vista was contacted on August 26, 2004, her response was to put a 1 in Column C). For Part III.a.9.c (“Continue the Stormwater Erosion and Sediment Control/Training Outreach Program for Construction Site Operators, Engineers, and Inspectors the requirement may be satisfied via cooperative efforts with public or private entities include establishing an FDEP approved local training team and providing supporting materials to present the stormwater erosion and control/outreach program. Conduct one or more classes each year for public and private personnel involved in the construction or inspection of stormwater, erosion and sediment controls”), during this reporting cycle, the NPDES permittees have jointly supported the efforts of both public and private entities in conducting sediment and erosion control training programs. We have publicized on our website names of the organizations and a contact person coordinating the training programs within Palm Beach County. The Steering Committee discussed taking a more active approach by establishing an FDEP local training team. Discussion with FDEP’s coordinator for the State’s training program, Marleina Overton, indicated that if the courses were free of charge then supporting materials could be provided by FDEP from grant funds. The State can also offer certifications for the two-day training workshop and continuing education credits for participants. Marleina mentioned that a listing of trained instructors is available through FDEP’s website. David Rotar

offered Town of Jupiter's facility, which can hold up to 300 people, as a location for the training course. Tony Puerta of Boca Raton offered a City facility, which could hold 40 to 50 people. The Steering Committee requested that Alan Wertepny investigate further details and prepare a cost estimate for the training sessions.

III. TMDLs

Copies of FDEP's St. Lucie/Loxahatchee Group 2 Basin verified list of impaired water bodies and the draft verified list for the Lake Worth Lagoon/Palm Beach County Coast Group 3 Basins were distributed to all attendees. Impairment parameters on both lists generally include dissolved oxygen, nutrients (nitrogen or phosphorus), bacteria, and metals (copper, iron and mercury). For the Group 2 canals in Palm Beach County (Loxahatchee River and C-18 Canal) the priority for TMDL development is medium and low. Therefore, the projected year for development of a TMDL Program is 2008 or 2010. For the Group 3 Basins (eastern SFWMD Palm Beach County Canals, some LWDD Canals and the Lake Worth Lagoon) the priority for TMDL development is high and medium. The projected year for the development of a TMDL Program is 2005 for the L-8 Canals and all others 2009. Parameters of concern in the L-8 Basin include low dissolved oxygen levels, attributed to elevated nitrogen concentrations and high turbidity levels. The Steering Committee discussed a letter submitted by Jay Foy to Secretary of FDEP recommending removal of the dissolved oxygen as listing criteria for water quality impairment in canals in Palm Beach County. Canals in Palm Beach County are naturally below the standard for dissolved oxygen (5 milligrams per liter) primarily due to groundwater influences. FDEP's schedule for adoption of the Group 3 Basins is as follows: a revised draft by September 17, 2004; accepting comments through October 18, 2004; an adoption by FDEP's Secretary by mid-November; and submittal to EPA in December 2004. The Steering Committee recommended that we monitor FDEP's progress and schedule a NPDES meeting for September 20, 2004 to discuss any additional comments that the co-permittees may want to submit jointly. Because of Lake Worth Drainage District's active role in monitoring the TMDL Program, the Steering Committee agreed to invite their engineer, Pat Martin, to the next meeting.

IV. Guidance/Reference Document

Anne Capelli distributed to all attendees a draft sample guidance/reference document to assist the permittees in organizing their NPDES Program requirements. The distributed document used the Village of Wellington as the sample. The document followed the requirements of stormwater management program and included a brief description of Wellington's program elements, activities, and individuals responsible for conducting the program element. This document can be reference by co-permittees that would like to develop similar guidance/reference documents of their own. A copy of this sample

guidance/reference document is available on the website as a PDF. Also on the website, is a Microsoft Word document that contains a template of the guidance/reference document. This may be downloaded and modified to suit the user's needs.

V. FDEP Presentation

Marleina Overton distributed a sample application for the Section 319 Grant Funding Program. The FDEP's Non-Point Source Management Section administers grant money received from the U.S. EPA through Section 319 of the Federal Clean Water Act. The Grant can be used to implement projects to reduce non-point source pollution such as stormwater runoff from urban areas, failing septic tanks and erosion from construction sites. FDEP awards approximately eight million dollars to local governments. Applications for the FY 05 Program are closed. Applications for FY 06 will be available in March or April of 2005. Typically the annual cycle is as follows:

- July – Project proposals are due to the Department for review and ranking.
- September – FDEP submits a draft work plan and contains selected proposal to EPA for review and comment.
- October – FDEP notifies applications of status of proposals.
- September – the following year – EPA anticipates awarding the funds and FDEP initiates work/contracting with grantees. The funding split is 60% EPA/FDEP and 40% the applicant. For more details on this program please contact Marleina Overton at (561) 681-6689 or marleina.overton@dep.state.fl.us.

VI. Next Scheduled Meeting

The next Steering Committee meeting is schedule for **Monday**, September 20, 2004, 9:00 a.m., at the offices of Northern Palm Beach County Improvement District. The purpose of the meeting will be to discuss FDEP's revised draft list of impaired water bodies for the Group 3 Basins.

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 (561) 683-3113, extension 231.

ADW:jeh

Copies: Anthony Las Casas
 Laura Ham
 All Co-Permittees
 Vista Stewart