

Memorandum

DATE: November 1, 2005 – Revised November 9, 2005
TO: Palm Beach County NPDES Permittees
FROM: Alan D. Wertepny, P.E.
REF. NO. A5065.01
SUBJECT: Minutes of NPDES Steering Committee Meeting held on October 19, 2005

I. Attendees/Introductions

Approximately 20 of the 40 co-permittees were represented at the October 19, 2005 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Randal Krejcarek (Secretary), Karen Brandon (Member), and Allen Trefry (Member). A copy of the sign-in sheet is available upon request.

II. Administrative Activities

- a. **Approval of September 21, 2005 Meeting Minutes** – Karen Brandon made a motion for approval of the September 21, 2005 meeting minutes. It was seconded by Randal Krejcarek and approved by the Steering Committee.
- b. **Review of Senate Bill 444** – A letter was distributed from Betsy Burden providing a brief overview of Senate Bill 444 which amended the procedures for implementation of the State's TMDL Program. These amendments included allowing BMPs and enforceable treatment levels to be considered when determining allocations. It also provided for the creation of Basin Management Action Plans that equitably allocates pollution reductions goals. It also authorized DEP to adopt rules implementing TMDLs in phases.
- c. **NPDES Enforcement Authority** - In the last State legislative session, two Water Control Districts initiated bills attempting to expand their powers to allow these Districts to levy fines against those who pollute their water bodies. The Governor vetoed these bills for the following reasons:

- The Legislature can not grant a Water Control District the authority to enforce Federal Laws (NPDES).
 - The provisions would create dual enforcement authority between the State of Florida and the Water Control Districts, thereby creating the potential for inconsistencies in enforcement activities.
 - The bills circumvent the well-established procedures and their built-in assurances that only capable local pollution control programs, counties, municipalities receive such delegated authority.
- d. Budget Report** – Budget updates for the third year and fourth year programs were discussed. As of October 13, 2005 the third year balance was \$153,231.22. The fourth year balance amount was \$286,857.11. Graphs were also distributed for the first permit term expenditures and the second permit term budget estimates. It is noted that the first term expenses were approximately \$200,000 yearly and the second term expenses are estimated at \$290,000 yearly. The increase in expenses between the first permit term and the second permit term are attributed to FDEP's permit fee and monitoring program activities.
- e. Third Year Individual Reports** – These reports are due in final form on or before January 6, 2006. Included in your transmittal should be one hard copy signed and one electronic version. Any permittee, who wants comments on their draft reports, should submit drafts by December 7, 2005. All final and draft reports should be submitted to Mock•Roos & Associates.
- f. 2006 Proposed Meeting Schedule** – Tentative schedule of the 2006 meetings was distributed and discussed. This proposed schedule will be posted on the PBC NPDES web site (www.pbco-npdes.com).

III. Next Scheduled Meeting

The next Steering Committee meeting is scheduled for January 18, 2006, at 9:00 a.m., at the offices of Northern Palm Beach County Improvement District. The purpose of the meeting will be to discuss the results of the third year monitoring program.

We believe these minutes accurately reflect the discussions and decisions of this meeting; however, additions and/or corrections will be accepted in writing within seven (7) days of the date of these minutes.

If you have any questions, please call me at 683-3113, extension 231.

ADW:cbm

Copies: All Co-Permittees
Vista Stewart