

Memorandum

DATE: July 10, 2006 – **Revised July 17, 2006**
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 June 28, 2006

I. Attendees/Introductions

Approximately 32 of the 40 co-permittees were represented at the June 28, 2006 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Jay Foy (Vice Chair), Randal Krejcarek (Secretary), Karen Brandon (Member), Tony Puerta (Member) and Allen Trefry (Member). A copy of the sign-in sheet is available upon request.

II. Administrative Activities

- a. **Approval of February 15, 2006 Meeting Minutes** – Allen Trefry made a motion for approval of the February 15, 2006 meeting minutes. It was seconded by Tony Puerta and approved by the Steering Committee.
- b. **Inspector Training Seminar** – Kevin VanArman provided a report on the NPDES Stormwater Erosion and Sediment Control Inspector Training and Certification Program which was held on May 16, and 17, 2006 at the Town of Jupiter Community Center. Thanks to David Rotar for the Town of Jupiter for generously allowing us to use their facilities and for the staff members who helped set up for the training program to keep it running smoothly. There were 90 people registered for the training course and 85 signed in; of these one did not return for the second day and the final exam. All 84 of the attendees that took the exam passed.

For compliance with our MS4 Annual Report (Year 4) individuals attending the course grouped in the following categories: 34 representing private firms, 37 representing municipal construction site inspectors, 8 for municipal plan reviewers, and 6 for construction site operators. The instructors for the program were Cheryl Moore and Dan DeWeist. The attendees were also eligible for 8 hours of continuing

education credits toward a Contractors License or 8 hours for professional development hours for the Professional Engineering license. It is envisioned that this course will again be offered through our NPDES group next year in May 2007.

John Samadi asked how many individuals have received inspector training certificates from the Florida Department of Environmental Protection. Quent Morrison responded that he attended the May training seminar and received a certification number of 12,526.

c. **2006 Florida Stormwater Association Conference** – Anne Capelli attended the conference on June 15, and 16, 2006. Anne provided a report on the activities of the conference which concentrated mostly on the NPDES and TMDL issues.

- Carol Wehle, Director of SFWMD, spoke in the opening session and addressed the following:
 - Upcoming SFWMD changes in design criteria: total volume versus peak discharge and increased requirements for water quality.
 - Source reduction: Establishing cooperative effort with fertilizer manufacturers so that within the next 12 months the only fertilizers available for sale in Florida will be phosphate free.
 - We should all be looking beyond permitting single purpose projects – flood control projects should include a water quality and/or water supply component.
 - SWMM funding is available to local governments for urban retrofit projects.
 - The District strongly encouraged participation by all in the TMDL process.
- Andrew Bartlett (US EPA Region IV), Jerry Brooks (FDEP) & Winston Borkowski (Hopping, Green & Sams) all discussed issues related to whose jurisdiction the TMDL program belongs. EPA, FDEP, third party interests, and the courts all have had, and continue to have, an influence on the process and the interpretations of the law. The point is that whatever interpretation is currently being used for guidance may be up-ended at some time in the future. We, as subjects of TMDL regulations, must keep plans and programs

flexible.

- Michael Bateman (now of Michael Bateman & Associates) presented an approach that he is developing for measuring the effectiveness of the MS4 NPDES storm water programs. His mass balance approach suggests that research be done to better estimate the quantity of the pollutants being discharged into the MS4s and of the pollutants in the material being removed from the MS4s. Knowledge of what's going in and what's being removed will provide a straight-forward determination of effectiveness.
- Florida Communities Trust in the Florida Department of Community Affairs presented its grant program that can help fund stormwater parks. Go to <http://www.floridacommunitydevelopment.org/fct/index.cfm> for more information.
- "Selecting BMPs - Put Your Money Where Your Problem Is" was presented by Donald Moores of Applied Sciences Consulting. His presentation introduced the idea that a great deal of money is being spent to carry out programs that don't necessarily address the greatest sources of pollutants in the MS4s. He emphasized the need to know your MS4s...know what's in it and what the most likely source(s) of pollution are. Then target programs on those potential source(s).

The permittees discussed FDEP's role in TMDLs and NPDES permitting and requested the staff to investigate the following:

- Reaching out to Michael Bateman and determine if he is making any headway with FDEP in his mass balance approach in measuring the effectiveness of the NPDES Stormwater Management Programs. We will also check on his availability for providing a presentation to our group. Since Michael has started his own consulting firm, there may be some cost for his services.
 - The Steering Committee recommended that research be conducted on how others (in the State of Florida and nationally), are developing and implementing management strategies to restore impaired waters. What cost effective measures are being considered? Information gathered from the research will be presented at a future Steering Committee meeting.
- d. **SAIC's Annual Inspection** – Christine Garrow with SAIC is scheduled to conduct the Year 3 inspections on July 17, 2006 through July 21, 2006 at 8 selected permittees offices. Additionally, at the meeting with all the permittees and the

Steering Committee July 19, 2006, she will discuss FDEP's process for the annual reporting requirements, discuss the content of the 3rd Year Reports, and collect missing information from any co-permittees that haven't yet responded, and discuss the permit reapplication to be included in next year's reports. After the meeting, she will discuss with 4 permittees information submitted in their 2nd and 3rd Year Reports.

All permittees are encouraged to attend this July 19, 2006 meeting.

III. FDEP's Comments on Year 3 Report

Thirty-nine of the forty co-permittees received some minor comments on the Year 3 report. Congratulations to the City of Delray Beach for no comments on their Year 3 report. Most of the comments were inquiries by FDEP as to why the permittees reported "0" as the number of the activities performed for a specific stormwater management program within the reporting year. To avoid this comment in the future, a simple explanation in column F (comments) is sufficient. Please note that all of your responses for additional information should be sent directly to Sara Jozwiak, FDEP NPDES Stormwater Section with a copy to Christine Garrow and Alan Wertepny. All responses should be submitted no later than July 19, 2006.

IV. Next Steering Committee Meeting

The next Steering Committee meeting is scheduled for July 19, 2006, at 9:00 a.m., at the City of Palm Beach Gardens City Hall. The purpose of the meeting will be to discuss with SAIC our NPDES permit 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:jeh

Copies: All Co-Permittees
Christine Garrow