

## **Memorandum**

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DATE: March 2, 2007  
TO: Palm Beach County NPDES Permittees  
FROM: Alan D. Wertepny, P.E.  
REF. NO. A6046.01  
SUBJECT: Minutes of NPDES Steering Committee Meeting held on February 21, 2007

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### **I. Attendees/Introductions**

Approximately 30 of the 40 permittees were represented at the February 21, 2007 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Jay Foy (Vice Chair), Angela Bailus for Randal Krejcarek (Secretary), Karen Brandon (Member), Bonnie Finneran (Member) and Tony Puerta (Member). A copy of the sign-in sheet is available upon request.

### **II. Administrative Activities**

#### **a. Administrative Activities**

- **Approval of January 17, 2007 Meeting Minutes** – Comments on the meeting minutes were received from Jay Foy and amendments were made. Jay Foy made a motion to approve the amended minutes, seconded by Karen Brandon, and approved by the Steering Committee.
  
- b. **Interlocal Agreements** - Ken Edwards noted that the NPDES Second Term Permit from FDEP has an expiration date of November 17, 2007. The term of the Interlocal Agreements between Northern Palm Beach County Improvement District (NPBCID) and the forty co-permittees are tied to FDEP NPDES permit. As such, new Interlocal Agreements will be necessary following issuance by FDEP of the Third Term NPDES Permit. A draft of the Third Term Interlocal Agreement will be available for the next NPDES Steering Committee meeting.
  
- c. **Individual Annual Co-Permittee Reports** – As of February 19, 2007, 32 of the 41 individual annual reports have been received. Mock•Roos will be contacting the other entities for their reports. All co-permittees are reminded

that the submittal to FDEP has been re-scheduled for the end of March 2007.

- d. **Training Programs** – The next Florida Stormwater Erosion and Sediment Control Inspector Training and Certification Program sponsored by the PBC MS4 NPDES group is scheduled for May 16 & 17, 2007 at the Town of Jupiter's Community Center. All co-permittees are encouraged to register now for this free course by contacting Jane Hayes at (561) 683-3113, x-264 or at [jane.hayes@mockroos.com](mailto:jane.hayes@mockroos.com). To request use of the training videos, Storm Watch and Ground Control, please contact Jane Hayes. Co-permittees are advised that they should not make a copy of these DVD's because they are copyright protected.
- e. **Permit Re-application** – FDEP is currently reviewing our re-application and we anticipate a response by next week. FDEP's consultant, SAIC (Christine Garrow), has indicated that the proposed revisions requested with our re-application appear to be acceptable. These revisions also include subsequent comments from Palm Beach County. Areas still to be addressed by FDEP include requirements for the newest co-permittees (Town of Glen Ridge and Town of Hypoluxo), and our requested revisions to the Water Quality Monitoring Program. Details of the permit re-application will be discussed at our next NPDES Steering Committee meeting.
- f. **Budget Report** - Van Cott read into the record the funds available in our program. The 4<sup>th</sup> Year, Second Permit Term, has a fund balance of \$35,634.21, the 5<sup>th</sup> Year, Second Permit Term, has a fund balance of \$234,618.33 and the 1<sup>st</sup> Year, Third Permit Term has a fund balance of \$215,619.74. Copies were provided of the Second Permit Term actual expenditures, the budgeted amount for the 5<sup>th</sup> Year, as well as budget projections for the 1<sup>st</sup> Year and 2<sup>nd</sup> Year of the Third Permit Term. Budget projections for the 2<sup>nd</sup> Year of the Third Permit Term with the allocation to each municipality were discussed by the Steering Committee. The increase over the 1<sup>st</sup> Year budget is approximately 12 percent. The increase is associated with increased costs for the water quality monitoring program and State permit fees. It is our understanding that during the next few months, the State will be proposing a fee increase. The actual amount is not known at this time; however, in previous discussions the State has indicated that the fees may increase as much as 30 percent. Following the discussion, Jay Foy made a motion to approve the budget projections for FY – 07/08 (2<sup>nd</sup> Year, Third Permit Term). The motion was seconded by Bonnie Finneran and was approved unanimously by the Steering Committee. The co-permittees were advised that a mailing will be sent to each with the budget amount for the

program beginning October 1, 2007. A copy of this budget information is also available upon request.

### III. Water Quality Monitoring Program/Joint Annual Report

- a. **Presentation** – Kevin VanArman with Mock•Roos reviewed the results of the water quality sampling program contained in the Year 4, Second Permit Term, Joint Annual Report. The presentation covered the assembly and review of the water quality data provided by Palm Beach County, the South Florida Water Management District, Loxahatchee River District, and Florida Department of Environmental Protection. In general, exceedences occurred for: dissolved oxygen in all of the watersheds; pH in the Lake Worth Lagoon North; turbidity in the C-51 Canal; copper in the Lake Worth Lagoon (North, Central, and South Watersheds); lead in the C-15, C-16, C-17, C-18, and C-51 watersheds; and chlorophyll-a in the C-15, C-16, and C-17 watersheds. Trend analyses were conducted for dissolved oxygen, total nitrogen, total phosphorus, chlorophyll-a and copper. Dissolved oxygen appeared to increase from west to east and nutrient concentrations (nitrogen and phosphorus) appeared to decrease from west to east. Kevin also provided an exhibit identifying the status of the Total Maximum Daily Load (TMDL) Allocation by FDEP in eastern Palm Beach County. The TMDL Program has identified impairment within seven of the nine watersheds within our water quality-sampling program. The projected dates for development of TMDLs are between 2010 and 2011, except for the L-8 Basin in 2005 and Loxahatchee River in 2008. A copy of this exhibit will be posted on the Palm Beach County NPDES website. Additionally, Water Quality Assessment Reports prepared by FDEP for the Lake Worth Lagoon - Palm Beach Coast (2006) and the St. Lucie - Loxahatchee (2004) will be posted on the website. The co-permittees are encouraged to review these documents to tailor their NPDES Stormwater Management Programs accordingly and be prepared to become more involved in the TMDL process.
  
- b. **FDEP Monitoring Sites** – The FDEP has indicated that they will be discontinuing the eight water quality monitoring sites in the Lake Worth Lagoon, which are part of our NPDES Water Quality Monitoring Program. FDEP is redirecting the funds to other aspects of the Statewide TMDL Program. These monitoring sites are essential to our program because the Lake Worth Lagoon is the receiving water body for our watersheds. Palm Beach County has estimated that the increased cost to continue this sampling is approximately \$17,000 per year. Following some discussion, the Steering Committee agreed to continue to monitor these sites. The increase in budget has been included in the approved budget for FY 07-08. Palm Beach County was advised to initiate monitoring of these eight sites. It was noted that there is sufficient budget/contingencies in the current budgets to temporarily cover the

increased annual monitoring cost until the FY 07-08 funds are obtained.

- c. **Revisions to the 4<sup>th</sup> Year Joint Annual Report** – Comments were received from Jay Foy on the 4<sup>th</sup> Year Joint Annual Report and have been incorporated in the latest document. As a result of the discussions on the water quality monitoring program at this meeting, Section 5, Summary of Program Modifications, will be revised to reflect that our NPDES Monitoring Program will continue to monitor the eight FDEP water quality monitoring sites in the Lake Worth Lagoon.

#### **IV. Next Steering Committee Meeting**

The next steering committee meeting will be held March 21, 2007 at the **offices of Northern Palm Beach County Improvement District**. The purpose of the meeting will be to review the comments by FDEP on the re-application and to discuss a draft of the Interlocal Agreement for the Third Permit Term.

I 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 Permittees  
Christine Garrow