

Memorandum

DATE: FEBRUARY 1, 2008 – REVISED FEBRUARY 18, 2008
TO: Palm Beach County NPDES Permittees
FROM: Alan Wertepny
REF. NO. A7043.01
SUBJECT: Minutes of NPDES Steering Committee Meeting held on January 16, 2008

I. Attendees/Introductions

Approximately 29 of the 41 permittees were represented at the January 16, 2008 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Jay Foy (Vice-Chair), Randal Krejcarek (Secretary), Dan Beatty (Member), 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. **Approval of November 28, 2007 Meeting Minutes** – A motion was made by Jay Foy to approve to the minutes, seconded by Karen Brandon, and approved by the Steering Committee.
- b. **Third Term Permit** – FDEP's Consultant is intending to submit the draft permit to FDEP in February for their review and comments. It is anticipated that FDEP will submit the draft permit to Palm Beach County co-permittees in early March 2008. Processing of the permit with the required legal notices and publications requires approximately six (6) months. This would put issuance of the permit in September 2008. FDEP has agreed that our permit will have the same reporting cycle as we have had in the past, October 1, through September 30, of the following year. After some brief discussion regarding the permit, the Steering Committee directed Ken Edwards to initiate the Interlocal Agreement with the co-permittees. A draft of the Interlocal Agreements will be available for the February 20, 2008 Steering Committee meeting.
- d. **5th Year Individual Reports** – To date, a total of fifteen (15) of the forty-one (41) annual reports have been submitted to Mock•Roos. The co-permittees were reminded that these reports are past due and to submit them as soon as possible.
- e. **Joint Annual Report** – A draft of the Joint Annual Report was e-mailed to the Steering Committee and is available on our website for review. Comments on the report have

been received from Jay Foy and Brian Gentry. All co-permittees are encouraged to review the Joint Annual Report and provide any comments to Mock•Roos prior to the next Steering Committee meeting. This report contains contact information for all the co-permittees, a summary of the Steering Committee activities throughout the year, results of the water quality monitoring program, information on programs and activities within Palm Beach County such as the TMDL Program, Lake Worth Lagoon, Chain of Lakes, Loxahatchee Preservation Initiative, Everglades Construction Project, and the Comprehensive Everglades Restoration Plan. It was also noted that the State has made some changes in the numerical quality standards pertaining to metals. In general, water quality monitoring results showed exceedances of the standards for dissolved oxygen, fecal coliform, turbidity, cadmium, copper, and chlorophyll A. The trend analysis indicated dissolved oxygen levels increased slightly from west to east while nutrient concentrations (nitrogen and phosphorus) decreased from west to east. FDEP's TMDL Program in Palm Beach County for the most part has a 2010 date for the projected development of TMDLs for major water bodies in Palm Beach County. Currently, the listing of impairments for development of TMDLs include dissolved oxygen, nutrients, and copper. It was noted that the Boynton Canal was previously identified as impaired for dissolved oxygen but de-listed due to fisheries data collected and reported by the Florida Fish and Wildlife Commission (FFWC). After some discussion regarding this de-listing, the Steering Committee instructed Mock•Roos to investigate the following:

1. Contact FFWC to determine the ability to cost-share in conducting other fisheries studies.
2. Contact FDEP to determine acceptance of the studies by FFWC for de-listing of water quality impairments.
3. Recommend water bodies to be sampled by FFWC (TMDL Program shows impairments for dissolved oxygen in the L-8, E-3, and C-51 Canals, and Lake Clarke).

Palm Beach County initiatives through the Florida Legislature have been successful in obtaining cost sharing funds for water quality improvements and construction activities for the Loxahatchee River, the Lake Worth Lagoon, and the Chain of Lakes. All co-permittees are encouraged to submit applicable projects for funding.

- f. **2008 Meeting Schedule** – A copy of the 2008 Steering Committee meeting schedule was distributed to all attendees. **Note: Following the meeting, the schedule was revised based on coordination with SAIC, their inspections were moved from**

July 2008 to June 2008. A copy of the revised schedule is attached.

- g. Budget Report** - Van Cott read into the record the funds available in our program. The 5th Year – Second Permit Term – has a fund balance of \$139,292.06. The 6th Year – Second Permit Term – has a fund balance of \$264,195.23. The 1st Year - Third Permit Term - has a fund balance of \$205,344.24. Copies were provided of the disbursement reports for the 5th and 6th Year as well as the accounts receivable report. Budget projects for the 2nd Year – Third Permit Term – with allocations to each municipality will be discussed at the next Steering Committee meeting.

- III. FSA Letter on Proposed Use and Applications of Fertilizers** – A copy of the letter was distributed from the Florida Stormwater Association (FSA) regarding proposed legislation regulations to adopt criteria for the use and application of fertilizers. FSA supports the local authority to adopt more stringent regulations than what the State may adopt. After some discussion with the Steering Committee it became apparent that entities may differ on whether there should be a State wide uniform system for regulation or should they be allowed to adopt their own. This is a matter for each entity to decide.

IV. Next Steering Committee Meeting

The next steering committee meeting will be held February 20, 2008, 9:00 a.m., at the offices of Northern Palm Beach County Improvement District. The purpose of the meeting will be to review the budget projections for the 2nd Year of the Third Permit Term and the drafts of the Interlocal Agreements 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