

Memorandum

DATE: February 18, 2010
TO: Palm Beach County NPDES Permittees
FROM: Anne Capelli
REF. NO. A9032.01
SUBJECT: Minutes of NPDES Steering Committee Meeting held on February 17, 2010

I. Attendees/Introductions

Approximately 22 of the 41 co-permittees were represented at the February 17, 2010 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Jay Foy (Vice Chair), Dan Beatty (Member), Karen Brandon (Member), and Bonnie Finneran (Member). A copy of the sign-in sheet is available upon request.

II. Administrative Activities

- a. **Approval of January 20, 2010 Meeting Minutes** – A motion was made by Jay Foy to approve the meeting minutes, seconded by Dan Beatty, and approved by the Steering Committee.
- b. **Status of Third Term Permit/EPA Activity** – FDEP has not issued the Third Term Permit. EPA has not signed off on it. On February 3, 2010, EPA held a webinar (internet seminar) to present some NPDES program changes that they are considering. A handout of Alan's summary of the program changes was provided in the meeting agenda packet. EPA indicated that they expect to propose a rule in late 2011 and to take final action in late 2012.
- c. **Status of 7th Year Individual Reports** – It was reported that there are eight (8) outstanding individual reports as of February 17, 2010. About half of those outstanding have communicated with Alan about their expected delivery date; the others have not responded to requests. Jay asked that we be prepared to discuss at the March 17, 2010 meeting the ramifications of an individual report not being provided in time for submittal with the balance of the group.
- d. **7th Year Joint Report** – The 2nd draft of the Joint Annual Report has been posted on the website. It is in its final form, with the exception of possible updates to the contact list, which is checked against the individual report information as it is provided.

- e. **Public Education Sub-Committee Update** – Anne reported that we completed the Jupiter Jubilee event on February 6, 2010 and thanked Bob Hennes (Palm Springs), Tony Puerta (Boca Raton), Brian Gentry (Palm Beach County), and Dave Rotar (Jupiter) for making it a success. We distributed approximately 450 tote bags, 30 chip clips, 50 note pads, and approximately 500 of each brochure. Our next public event will be “Naturescaping” on April 10, at the MacArthur Beach State Park.

- f. **EPA Numeric Nutrient Criteria Discussion** – Several items were discussed related to the EPA-proposed NNC rule.
 1. Public Hearing, Thurs., February 18, noon – 5 p.m.: Alan registered both to attend and to speak on behalf of the PBC NPDES group, however, he will be unable to attend. There was discussion on who might speak in his place. Both Jay and Karen will be attending, and it was decided that one of them would read Alan’s prepared comments.

 2. Written Response to EPA-proposed rule: Written comments are due to EPA by March 29, 2010. Alan has prepared a written response on the group’s behalf. Jay Foy and Ken Todd (Palm Beach County Water Resources) have reviewed the letter in depth. The Steering Committee has reviewed a draft of the letter. A copy of the final letter (not yet sent) was included in the agenda packet. There were a few minor comments/corrections provided. Van proposed copying the letter to those members of Congress who had sent a letter to the EPA asking that more public hearing time be allotted before rules are adopted. It was also suggested that the letter be copied to Florida state legislators as well. Karen Brandon further requested that Kurt Spitzer (Florida Stormwater Association) be copied on the letter. The Steering Committee approved the letter (with minor corrections), with the addition of the “cc” list. Jay suggested also providing the legislators with a brief transmittal letter, pointing out why this issue is important to the legislators. The Steering Committee agreed.

Jay Foy summarized the points of the comment letter that he (as a concerned practicing engineer) sent to the EPA. A copy can be provided upon request.

- III. **Budget Projections** – The proposed budget for FY 2010/11 (to be expended on program year 10 in 2011/12) was provided in the agenda packet. The increase (attributed primarily to the monitoring program, potential increase in permit fees to FDEP, and coordination of the interlocal agreements) over previous year was noted. Dan Beatty asked if Mock•Roos could keep track of expenditures for monitoring the status of the EPA & FDEP activities on the

Numeric Nutrient Criteria issue. Jay Foy made the motion to approve the budget, Karen Brandon seconded the motion, and the Steering Committee approved the budget.

IV. Next Schedule Meeting – The next Steering Committee Meeting is scheduled for Wednesday, March 17, 2010, 9:00 a.m., at Palm Beach Gardens Council Chambers. The primary focus of the meeting will be the presentation of two training videos for MS4 operation and maintenance staff. The videos to be presented are “Ground Control” (which hasn’t been shown in a while) and “A Drop in the Bucket” (a new video by Excal Visual). Everyone was reminded that they can purchase the videos for themselves by contacting Mark Mancuso (888-925-6554).

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 287 or Alan at extension 231.

AC:jeh

Copies: All Permittees
Christine Garrow