

# CITY OF DELRAY BEACH



100 N.W. 1st AVENUE

• DELRAY BEACH, FLORIDA 33444

• 561/243-7000

August 17, 2013

Mr. Allen Hubbard, P.E.

NPDES Stormwater Program Administrator

Florida Department of Environmental Protection

2600 Blair Stone Road

Tallahassee, Florida 32399-2400

Subject: Palm Beach County Municipal Separate Storm Sewer System (MS4)  
NPDES Permit No. FLS00018 (Cycle 3)  
Year 2 Annual Report Comments - City of Delray Beach

Dear Mr. Hubbard:

The City of Delray Beach has received and reviewed the comments provided by the Florida Department of Environmental Protection pertaining to the Cycle 3 Year 2 Annual Report. The following responses have been prepared pursuant to the request for additional information.

**Florida-Friendly Fertilizer Ordinance:**

*In accordance with the requirements of the NPDES permit and pursuant to SB 2080, the City performed a full review of the pertinent areas of our code of ordinances to identify areas that did not meet the intent of SB 2080 and the permit requirements. After multiple revisions, the project culminated in February 2012 with a rewrite of the code, incorporating Florida Friendly Landscape Model Guidance, which is reflected in the document submitted as attachment #3 to the Cycle 3 Year 2 Annual Report. The permit states "If the broader Florida-friendly ordinance described above is not adopted, then all local governments within the watershed of a nutrient-impaired water body shall adopt the Department's Model Ordinance for Florida –friendly Fertilizer Use on Urban Landscapes pursuant to SB 494...." The city adopted the broader based Florida-friendly ordinance and submitted the document as attachment to the Year 2 Annual Report, as requested, thus, it is the city's opinion that the requirements of the permit and SB 2080 were met.*

*During the current permit year, the City has been in communication with the State regarding our adopted Florida-friendly Landscape Ordinance. The State DEP representative, Michael Thomas, completed a review of the subject ordinance and provided comments back to the City for our consideration. The information from the state has been distributed to the relevant City staff for review and consideration. Revision to this particular section of the code is a coordinated effort involving multiple departments and several staff members. The City is committed to performing cyclical reviews of codes and regulations. During these reviews the codes and regulations are assessed for compliance with current laws, rules and regulations and subsequently revised to maintain compliance with the mandated requirements. The next review period for this particular ordinance is scheduled for 2015. The City will continue to work with the State DEP representatives towards a comprehensive Florida-friendly Landscape Ordinance that incorporates the required fertilizer ordinance elements.*

**Street Sweeping Program for TN and TP Reduction:**

*Our records show a reported TN and TP reduction at 639.34 and 409.95 lbs respectively, as indicated in our Annual Report. Upon re-running the data and load calculations utilizing the recommended calculator we obtained a TN and TP reduction value of 632 and 405 lbs respectively which is less than a 1.5% deviation on each account. The slight difference in final load reduction calculations is most likely due to rounding of numbers during calculations.*

**SWMP Inspection Schedule:**

**1) Major Stormwater Outfalls:**

*The new inspection requirement was added in the previous year. During the Cycle 3 Year 2 timeframe an SOP was written and staff received in house training as to protocols and procedures. The inspection schedule was modified to incorporate the new requirement. Inspections are being conducted outside of the reporting period thus will be reflected in the 2012-2013 program report (Cycle 3 Year 3). In addition, the cctv vehicle utilized for inspection purposes is shared with other City departments thus is subject to an annual rotational schedule. The vehicle and associated equipment were down and not operable for 2-3 months during permit year which caused a deviation from the normal schedule. During this time the City devised an alternative solution to prevent future inspection frequency deficiencies and alleviate the reliance and dependence upon the cctv vehicle. A portable back pack carried haloptic camera inspection system was sourced and purchased. On August 10, 2013 the equipment was delivered to the City and staff were trained in the operation and utilization of the technology by the equipment representative. The infrastructure inspection schedule has been revised to accommodate the delinquent outfall inspections. The City will be inspecting major outfalls through the end of the current permit year and into the next year.*

**2) Exfiltration Trench/French Drains:**

*The City recognizes the comment and apologizes for the reporting error. Approximately 30% of the exfiltration trench/French drain structures were inspected in the timeframe.*

The City has crafted the above responses pursuant to the request for additional information with the expectation that sufficient detail was provided to satisfy the request. Should additional information be required, please contact us at your convenience to discuss any deficiencies.

Sincerely,



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Mike Lopushinsky

Stormwater Administrator

City of Delray Beach

434 S. Swinton Ave.

Delray Beach, Florida 33444