

Quarterly Teleconference for Florida Phase I MS4s

Wednesday, March 20, 2024

Minutes

Share the following link with other permittee representatives for them to subscribe to Phase I MS4 GovDelivery for information about future teleconferences and other pertinent MS4 related information.

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NPDES Stormwater Contacts:

Borja Crane-Amores	Program Administrator	850-245-7520
Michelle Bull	Environmental Manager	850-245-7561
Anna Lomasney	Phase I MS4 Coordinator	850-245-8568
Matt Irwin	Phase I MS4 Coordinator	850-245-8643
Vacant	Phase I MS4 Coordinator	850-245-7568
Kristie Beeman	Phase II MS4 Coordinator	850-245-8667
Beth Robertson	Phase II MS4 Coordinator	850-245-8495
Tony Diaz	Data Steward	850-245-8684
Sharon Surita	MS4 Support/FDOT Coordinator	

Staffing updates

- Matt Irwin has been promoted to Senior Program Analyst
- Vacant Phase I MS4 coordinator (Environmental Consultant), which we hope to fill quickly
- Sharon Surita has been assisting with FDOT as coordinator; Michelle will still be coordinating field inspections.
- Ryan Riffle our data steward last day was 3/22/24; replacing with Tony Diaz. Tony's previous position will be advertised soon.

Cycle 5 Update

Reiterate that "Cycle 5" refers to the new template draft for the next round of issuances, the same template will be used for what will be Cycle 6 for St. Petersburg and Sarasota County.

New Annual Report Form:

- Format was updated to be 508 compliant.
- Some minor updates due to inconsistencies between the template AR and template permit language (see attached).

Permit Guidance Document (MS4 Resource Manual)

- In development, document will be usable by both Phase I and II operators.
- General outline will be organized by themes similar to the sections of the permit with subsections; each of these will include:
 - a basic section overview (e.g. outfall mapping) and how it relates to stormwater management;
 - the identification of best practices that correspond to permit requirements;

- a discussion and recommendations based on trends we see with common deficiencies from annual report reviews and required improvements during audits;
- a section for resources.

Anticipated schedule for issuing individual draft permits:

- We have been working to prioritize each of our individual permits for reissuance based on file completeness. Outstanding items may include open audits, annual reports, assessment programs, TMDL implementation, etc.
- We are using file completeness to develop a queue for draft permit issuance.
- Our 'complete' category currently includes:
 - Escambia County
 - Jacksonville Beach
 - Orlando
 - RCID/CFTOD
 - St. Petersburg
 - Tallahassee
 - Temple Terrace
- We are working through the process but reach out to your coordinator if you have questions regarding file completeness.
- For those not on the list above, this could be due to one or two items missing or incomplete, pending review or closure, etc.; likewise, permit with several co-permittees might not be in the complete list if a single permittee has an outstanding item.
- Currently we are preparing draft permit packages for Orlando and RCID/CFTOD.

TMDL Implementation Plans

- TMDL plans (supplemental SWMP, BPCP) are reviewed separately from annual reports. While you may receive a letter or an email from the program account that indicates your Year 3 or Year 4 Annual Report is complete, this does not include the TMDL plans. You will receive a separate letter approving those plans and which closes the loop on that process.

Q&A

- Susan Woodbery, TEAM Engineering: Will we continue to work under the current permit?
FDEP: Yes, continue working under current permit requirements.
- Ron Edenfield, RMEC (San Carlos Estates WCD): What date will the permit transition from year 6 to year 7?
FDEP: Reporting periods start based on the permit issuance date. Reporting periods for the cycle will be the same, whether Year 1 or Year 8, and will be laid out in and Part VI. of the current permit.

Fecal Indicator Bacteria (FIB) TMDL development

DEP's Division of Environmental Assessment and Restoration (DEAR) is working on developing new E. Coli and enterococci [TMDLs](#) for WBIDs with existing Fecal Coliform TMDLs.

- [Public Workshop for the Everglades West Coast Basin - April 4, 2024](#)

MS4 Implementation:

- In cases where a Fecal Coliform TMDL and BMAP or BPCP are in place and the new bacteria standard exceeds the threshold, DEAR will move assessments from category 4e to category 5 (TMDL Developed) Verified List. Then the TMDL Section will establish a new TMDL for the applicable bacteria analyte – *E. coli* or enterococci in (marine waters).
- The purpose is to eventually remove more waters from the 303(d) list, because if these waters continue to fail the bacteria standard, they will remain in category 4e on the Study List (303(d) List), but with a TMDL in place for the applicable analyte they can be delisted to category 4a TMDL Complete, which is not on the 303(d) submitted to EPA.
- For permittees that have already prioritized a FIB TMDL, the NPDES Stormwater Program would not require a new BPCP for the WBID with an existing Fecal Coliform TMDL when a new *E. coli* or enterococci TMDL report is approved, as the causative pollutant and remediation activities are comparable. That said, each TMDL Implementation plan, including BPCPs, should be evaluated regularly as part of documenting progress in addressing the TMDL. Development of a new TMDL may be an appropriate time to evaluate implementation activities.

CGP for “common plan of development or sale” (presentation attached)

- CGP DEP Document No. 62-621.300(4)(a)
- 8.5 "Common Plan of Development or Sale" A single plan of development or sale for a site where one or more separate and distinct construction activities are occurring on one or more schedules by one or more contractors. This may include:
 - Phased projects and projects with multiple lots, even if the separate phases or lots will be constructed under separate contract or by separate owners (e.g., a development where lots are sold to separate builders).
 - A development plan that may be phased over multiple years but is still under a consistent plan for long-term development.
 - Projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility.
 - Linear projects such as roads, pipelines, or utilities.
- If the permittee ordinance only talks to activities greater than or equal to one acre, the ordinance should be updated to include common plan of development or sale. The ordinance can also be amended to include the definition of common plan. DEP staff will evaluate ordinances during audits.
- CGP required for sites larger with than an acre or more of disturbed area or part of CPD. The language should be found within the ordinances.
- Site plan review: ESC and waste controls, SWPPP, review of BMPs, notification of CGP/ERP requirements.
- Q & A
 - Ron Edenfield, RMEC (San Carlos Estates WCD) - "Larger than an acre", referring to under common ownership or area of disturbance? FDEP, This refers to the disturbed area larger than acre over the course of the development.

Draft CWA 6PPD-q method published

The U.S. Environmental Protection Agency announced on January 30, 2024 the publication of a draft testing method (EPA Method 1634) that will enable government agencies, Tribes, and other groups to determine where and when 6PPD-quinone is present in local stormwater and surface waters. The draft method can be accessed at [this link](#) and is linked through EPA's [CWA methods homepage](#).

FSESCI Training

The Division of Environmental Assessment and Restoration's (DEAR) Water Quality Restoration Program (WQRP) will be holding a Florida Stormwater, Erosion, and Sedimentation Control Inspector (FSESCI) Training Program class through Microsoft Teams for public employees. If you are unfamiliar with our class or would like additional details, please visit the [website](#). This class will be open to anyone who has not yet qualified as an FSESCI Inspector. The class will be held through Microsoft Teams on April 23rd (from 9:00 AM ET to 4:30 PM ET) and April 24th (from 9:00 AM ET to 2:00 PM ET). The exam will be conducted through a testing website using the participant's browser at the end of the second day.

Q & A / Open Discussion

- Greg Knothe, Polk County: Question on military installations in Avon Park, Polk County that don't have their own MS4 permit.
FDEP: Military installations are considered non-traditional, and may be regulated as a Phase II MS4, but would need to meet designation criteria as found in 62-624.800, F.A.C. This is the same for universities.
 - pop 1,000 (see 62-624.200 (13)) AND
 - located within a UA (latest census); OR
 - Designated based on designation criteria (40 CFR 123.35)/petition
 - Designation
 - Discharges to TMDL; OR
 - Outside UA, 1,000 people/sq mi; pop 10,000 (40 CFR 123.35) AND
 - Class I or Class II waters, OFW OR
 - Interconnected to regulated MS4
 - Petition, less than 1,000 people/sq mi; pop 10,000 AND
 - Class I or Class II waters, OFW OR
 - Interconnected to regulated MS4
- Jamie Nicholson, First City Engineering: I noticed Escambia is on the list for audits. We had an audit for Cycle 3, Year 4 and Cycle 4, Year 2. What year will this audit cover?
FDEP: Generally, the audit will be based on the most recent annual report submittal.
Jamie: When will we know the schedule on that.
FDEP: Each coordinator is responsible for that, but permittees will receive at least 30 days' notice before any audit activities.
- Mark Mikolon, Polk County: [Regarding designating MS4s] How does the threshold fall within county permits, especially with retirement communities?
FDEP: we review CDDs with the decennial U.S. Census and based on any petitions received to determine designations. For instance, in Lee County there are quite a few CDDs that are part of the county's permit.
Mark, the reason we ask is that Hamilton is impaired, and many communities may be discharging.

- Heather Maggio, City of Tampa: For the final round of comments, some of our comments were not addressed. Will there be a separate round for individual comment.
FDEP: All the legal process for drafting continues to be in place. **See attached permit process.**
 - DEP issues a draft permit package: Cover letter, Permit, Fact sheet, Public comment publication language, Annual Report form
 - Permittee has 30 days to publish notice with a 30-day public comment period.
 - Permittees can submit comments anytime withing that 60-day period.
 - As we issue Reedy Creek and Orlando, they will be open for public comment, which can include another permittee.
 - DEP will review all comments received, and if needed, DEP will revise the permit language or schedule a meeting before the ITI.
 - DEP issues an Intent to Issue (ITI) package
 - Permittee has 30 days to publish notice with a 15-day public petition period.
 - If no petition is received, the permit is issued.
- Michelle Bull, FDEP: Submit Annual Reports and responses to Department correspondence to NPDES-MS4@floridadep.gov

List of permittees required to be audited and/or inspected by September 30, 2024

*not inclusive of all audits/inspections that may be conducted

**strike through indicates audits/inspections already completed

Coordinator	Co-Permittee	Permit #	Audit Conducted
Michelle Bull	FDOT 7 - Hillsborough	FLS000006	
Anna Lomasney	Tampa	FLS000008	
Matt Irwin	Reedy Creek Impr District	FLS000010	
Anna Lomasney	City of Belle Isle	FLS000011	
Anna Lomasney	City of Edgewood	FLS000011	
Anna Lomasney	City of Winter Garden	FLS000011	
Anna Lomasney	City of Winter Park	FLS000011	
Anna Lomasney	Valencia Water Control District	FLS000011	
Michelle Bull	FDOT 5 - Orange	FLS000011	
Matt Irwin	City of Neptune Beach	FLS000012	
Matt Irwin	City of Atlantic Beach	FLS000012	
Anna Lomasney	City of Lake Wales	FLS000015	
Anna Lomasney	City of Auburndale	FLS000015	
Anna Lomasney	City of Bartow	FLS000015	
Anna Lomasney	City of Davenport	FLS000015	
Anna Lomasney	Town of Dundee	FLS000015	
Anna Lomasney	City of Frostproof	FLS000015	
Anna Lomasney	City of Haines City	FLS000015	
Anna Lomasney	Town of Hillcrest Heights	FLS000015	
Anna Lomasney	Polk County	FLS000015	
Michelle Bull	FDOT 1 - Polk	FLS000015	
Anna Lomasney	City of West Park	FLS000016	
Anna Lomasney	Town of Davie	FLS000016	
Matt Irwin	Village of Royal Palm Beach	FLS000018	
Matt Irwin	Village of Wellington	FLS000018	
Matt Irwin	Village of Tequesta	FLS000018	
Matt Irwin	Town of Lake Clarke Shores	FLS000018	
Matt Irwin	Town of Lantana	FLS000018	
Matt Irwin	Town of Highland Beach	FLS000018	
Matt Irwin	Town of Century	FLS000019	
Michelle Bull	FDOT 3 - Escambia	FLS000019	
Matt Irwin	Hialeah	FLS000023	
Anna Lomasney	Brooks of Bonita Springs CDD	FLS000035	
Anna Lomasney	City of Bonita Springs	FLS000035	
Anna Lomasney	Heritage Palms Community Development District	FLS000035	
Anna Lomasney	East Mulloch Drainage District	FLS000035	

Anna Lomasney	Colonial Country Club CDD	FLS000035	
Michelle Bull	FDOT 1 - Lee	FLS000035	
Matt Irwin	City of Oviedo	FLS000038	
Matt Irwin	City of Sanford	FLS000038	
Matt Irwin	City of Longwood	FLS000038	
Matt Irwin	City of Lake Mary	FLS000038	
Matt Irwin	City of Casselberry	FLS000038	
Matt Irwin	City of Altamonte Springs	FLS000038	
Matt Irwin	Seminole County	FLS000038	
Matt Irwin	City of Winter Springs	FLS000038	
Michelle Bull	FDOT 5 - Seminole	FLS000038	

Permittee's Respective Coordinator Contact		
Permit #	Permit Name	MS4 Coordinator
FLS000002	City of Miami	Vacant
FLS000003	MIAMI-DADE COUNTY	Vacant
FLS000004	SARASOTA COUNTY	Vacant
FLS000005	PINELLAS COUNTY	Matt Irwin
FLS000006	HILLSBOROUGH COUNTY	Anna Lomasney
FLS000007	City of St. Petersburg	Matt Irwin
FLS000008	City of Tampa	Anna Lomasney
FLS000009	City of Temple Terrace	Anna Lomasney
FLS000010	Reedy Creek Improvement District	Vacant
FLS000011	ORANGE COUNTY	Vacant
FLS000012	City of Jacksonville	Matt Irwin
FLS000013	City of Jacksonville Beach	Matt Irwin
FLS000014	City of Orlando	Vacant
FLS000015	POLK COUNTY	Anna Lomasney
FLS000016	BROWARD COUNTY	Anna Lomasney
FLS000017	City of Ft. Lauderdale	Anna Lomasney
FLS000018	PALM BEACH COUNTY	Matt Irwin
FLS000019	ESCAMBIA COUNTY	Matt Irwin
FLS000020	City of Hollywood	Anna Lomasney
FLS000023	City of Hialeah	Vacant
FLS000032	PASCO COUNTY	Vacant
FLS000033	LEON COUNTY	Matt Irwin
FLS000034	City of Tallahassee	Matt Irwin
FLS000035	LEE COUNTY	Anna Lomasney
FLS000036	MANATEE COUNTY	Vacant
FLS000037	City of Bradenton	Vacant
FLS000038	SEMINOLE COUNTY	Vacant
	FDOT	Michelle Bull/Sharon Surita