

Caloosahatchee River and Everglades West Coast Basins TMDLs
Implementation Kick-Off Meeting
Tuesday, July 22, 2009 ♦ 9:00 AM – 11:30 AM
Southwest Florida Regional Planning Council, First Floor Conference Room
1926 Victoria Avenue, Ft. Myers, Florida

Agenda

I. OPENING REMARKS

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| A. Welcome and Introductory Comments | John Abendroth |
| B. Round-Robin Introductions | Steve Lienhart |
| C. Introduction of New Basin Coordinator | Scott McClelland |
| D. Review of Meeting Agenda | Beth Alvi |

II. TRANSITION FROM TMDL TO IMPLEMENTATION

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| A. Overview of TMDLs | Beth Alvi |
| B. Potential Implementation/BMAP Process | Steve Lienhart |
| C. Technical Issues and Decision Making | Scott McClelland |
| D. Sunshine Law and Notice Requirements | |

III. EVERGLADES WEST COAST BASIN

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|------------------------------------|----------------|
| A. Brief Overview of Adopted TMDLs | Nathan Bailey |
| B. Implementation Approaches | Beth Alvi |
| C. BMAP Activities | Steve Lienhart |
| D. Questions, Issues and Concerns | |
| E. Action Items | |

15 Minute Break

IV. CALOOSAHATCHEE RIVER BASIN

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| A. Current Status of TMDLs and Adoption Schedule | Nathan Bailey |
| B. Implementation Approaches | Beth Alvi |
| C. BMAP Activities | Scott McClelland |
| D. Questions, Issues and Concerns | |
| E. Action Items | |

V. ADJOURN

For more information, contact Beth Alvi, 850-245-8559, Elizabeth.Alvi@dep.state.fl.us



Caloosahatchee River and Everglades West Coast Basins TMDL/BMAP Technical Working Group + Public

July 22, 2009

✓	Name	Organization	"Reason for Attendance":		
			Caloosahatchee Estuary	Everglades West Coast	Both
✓	John Abendroth	FDEP			X
✓	Beth Alvi	FDEP			X
✓	Nathan Bailey	FDEP/WAS			X
✓	Pinar Balci	SFWMD			X
✓	Mike Bauer	City of Naples		X	
✓	Jim Beever	SWFRPC			X
✓	Lisa Beever	CHNEP			X
✓	Karen Bickford	Lee Co. Natural Resources			X
✓	Kevin Carter	SFWMD			X
✓	John Cassani	LHCHD			X
✓	Louis Chang	FDEP			X
✓	Nick Charnas	CDM	X		
✓	Kim Cressman	Cape Coral	X		
✓	Clyde Dabbs	SFWMD			X
✓	Eliza Davis	Conservancy of SW Florida			X
✓	Don Duke	FGCU			X
✓	Julianna daFrota	SFWMD	X		
✓	Mick Denham	City of Sanibel			X
✓	Caitie Eck	FDEP	X		
✓	Rebecca Elliott	FDACS / OAWP			X
✓	Kate English	Pavese Law Firm			X
✓	James Evans	City of Sanibel	X		
✓	Pat Fricano	SFWMD			X
✓	Melanie Grigsby	City of Ft. Myers	X		X
✓	Ed Hanlon	UF - IFAS			X
✓	Jennifer Hecker	Conservancy of SW Florida			X
✓	W. Howard	BCB/SFWMD		X	
✓	Anura Karuna-Muni	Lee Co. Natural Resources			X
✓	Tim Kelley	BCI (FDOT)			X
✓	Keith Laakkonen	Ft. Myers Beach			X
✓	Sabrina L. Lartz	J.N. Ding Darling NWR			X
✓	Tim Liebermann	SFWMD			X
✓	Steve Lienhart	URS		X	
✓	Scott McClelland	CDM	X		
✓	Nolin Moon	FDEP			X
✓	Christopher Nappi	FDEP			X



Caloosahatchee River and Everglades West Coast Basins TMDL/BMAP Technical Working Group + Public

July 22, 2009

✓	Name	Organization	"Reason for Attendance":		
			Caloosahatchee Estuary	Everglades West Coast	Both
✓	Judy Ott	CHNEP			X
✓	Roland Ottolini	Lee Co. Natural Resources			X
✓	Carla Palmer	Palmer & Assoc.			X
✓	Steve Peene	ATM			X
✓	Steve Preston	Collier County		X	
✓	Pete Quasius	Audubon/Collier			X
✓	Erin Rasnake	FDEP			X
✓	David Robson	Johnson Engineering			X
✓	Dan Rutledge	USDA			X
✓	Brent Setchell	FDOT			X
✓	Carlton Spirio	FDOT D1			X
✓	Jennifer Thera	FDEP			X
✓	Kim Trebatoski	KLECE			X
✓	Daryl Walk	City of Bonita Springs		X	
✓	Howard Wegis	Lee County Utilities			X
✓	Jim Wilt	FDOT	X		X



Caloosahatchee River and Everglades West Coast Basins BMAP Implementation Kick-Off Meeting Summary July 22, 2009

MEETING SUMMARY

This is a summary of the Basin Management Action Plan (BMAP) Implementation Kick-Off Meeting for the Caloosahatchee River and Everglades West Coast (EWC) Basins. The meeting agenda and attendee list are attached. Provided below are significant discussions and comments of the meeting.

OPENING REMARKS

Mr. Scott McClelland (CDM) called the meeting to order at approximately 9:00 a.m. and laid out the agenda for the Implementation Kick-Off Meeting. He introduced Mr. John Abendroth as the Florida Department of Environmental Protection (FDEP) Watershed Planning and Coordination Administrator and Ms. Beth Alvi as the FDEP Basin Coordinator.

TRANSITION FROM TMDL TO BMAP IMPLEMENTATION

Materials: PowerPoint Presentation

Ms. Alvi outlined the transition from TMDL to BMAP, BMAP purpose, approach and requirements.

Highlights:

The TMDL program addresses impaired waters and is specific to a waterbody and a pollutant and focuses on restoration.

BMAP = Basin Management Action Plan

Categories of sources that may eventually be responsible for reductions include Point and Non-Point sources.

Agricultural operators are required to either implement BMPs or conduct monitoring to show that they are not contributing to the pollutant of concern.

Lack of funding does not mean “no action required”.

BMAPs include ongoing, completed and new projects.

Technical meetings are not decision making meetings.

Basin Working Group (BWG) is the voting group that provides recommendations to the FDEP.

BMAP development is guided by 403.067 F.S. All are requested to look at this statute.



The Florida Administrative Weekly (FAW) and the FDEP website will be used to satisfy the public noticing requirements. Material from the meetings including agenda and presentations will be available via the FDEP File Transfer Protocol (FTP) website: <ftp://ftp.dep.state.fl.us/pub/water/BMAP/>

Discussion:

A stakeholder asked how water quality trading credits will be used for the project. Ms. Alvi and Mr. Abendroth explained that trading is only available in the Lower St. Johns project as the trading concept is being piloted there. It was explained that unofficial trading could occur in the sense of cooperative projects among stakeholders.

A stakeholder asked how the new Numerical Nutrient Criteria was going to affect the BMAP. Ms. Alvi said that she was unsure of how it would affect the BMAP and explained that FDEP's plan is to "grandfather" adopted TMDLs that address nutrients. However, the Environmental Protection Agency (EPA) may consider the TMDL a change in standards and the TMDL may be subject to review and revision by the EPA.

SUNSHINE LAW AND NOTICE REQUIREMENTS

Materials: PowerPoint Presentation

Mr. Steve Lienhart (URS) discussed the State of Florida's Sunshine Law (Chapter 286, F.S.).

Highlights:

Provides for a transparent process, establishes a basic right of access.

Usually applies to discussions and deliberations of most meetings of Boards, Commissions and other Governing Bodies of State and Local Governmental Agencies or Authorities.

The Law applies to any gathering in which some matter on which foreseeable action will be taken by such entities.

Meetings must be open to the Public, have reasonable notice given and minutes of the meeting must be taken.

BWG members are subject to the Sunshine Law for issues that pertain to the BMAP.

BWG members can discuss issues with their own TWG members, administrators and technical staff.

FDEP staff are precluded from being a BWG member.



Discussion:

A stakeholder asked about the process the BWG would take in committing funds for projects. It was explained that committing funds takes time. For example, the BWG would consult with a City Manager to get a vote scheduled on a Council agenda.

EVERGLADES WEST COAST BASIN

Materials: PowerPoint Presentation

Dr. Nathan Bailey (FDEP) presented an overview of the TMDLs adopted in the EWC Basin. Ms. Alvi addressed Implementation plans for the TMDLs.

Highlights:

Hendry Creek – DO

Hendry creek Marine – Fecal Coliform

Imperial River – DO

Gordon River Extension – DO

Cocohatchee River Estuary – Fecal Coliform

Lake Trafford - Nutrients, Unionized Ammonia & DO

Lake Trafford used the HSPF model and all other TMDLs used a regional reference.

BMAPs for Hendry Creek and Imperial River (DO) would be combined because of similar impairments and stakeholders. Hendry Creek marine would be addressed in this BMAP as well.

Collier County would be provided a Guidance Document (anticipated completion –Fall 2009) to assist with “self-implementation” of the Cocohatchee River TMDL,

Lake Trafford - Assessment of Monitoring Program and Restoration Program would be completed prior to BMAP discussion.

Tentative dates for the first and second EWC TWG meetings are September 23, 2009 and the October 27, 2009, respectively.

Meeting Focus: Final adjustment of watershed boundaries, identification of supplemental data needs, near term monitoring and designation of BWG members.

First EWC BWG meeting is December 9, 2009.



Discussion:

A stakeholder asked what the reference sites were for the EWC TMDLs. Ms. Alvi said Lake Trafford did not have a reference site, but the others did and that information will be sent out.

A stakeholder asked why Cocohatchee River is assigned a Guidance Document and Hendry Creek is assigned a BMAP. It was explained that there was not any preferential treatment and that it is based on a case-by-case basis. Cocohatchee River was impaired by fecal coliform whereas Hendry Creek required nutrient reductions as well.

A stakeholder asked how the FDEP decided to go forward with a BMAP versus a Guidance Document. It was discussed that fecal coliform, for example, is much easier to address in a Guidance Document that can be provided to a local government. A Guidance Document is not binding. The plan could be adopted as a BMAP at a later time if needed.

A stakeholder asked what the period of record was for the EWC. Dr. Bailey said that the period of record for the EWC was Year 2000 through Year (June) 2007. It was discussed that FDEP would look at trends in data for projects implemented during period of record and may consider giving credit.

A stakeholder asked when the action items are supposed to be completed. Dr. Bailey said that they should be wrapped up by the December 9 BWG meeting.

A stakeholder asked about the number of votes available in the BWG. Dr. Bailey said that each jurisdiction would receive one (1) vote.

Mr. Abendroth introduced Ms. Jennifer Nelson and Ms. Jennifer Thera as local FDEP representatives.



Caloosahatchee River and Everglades West Coast Basins
BMAP Implementation Kick-Off Meeting Summary – July 22, 2009

Action Items:

- All

Responsible Party	Item	Deadline
Beth Alvi	Post 403.067 on FTP site	ASAP ((<i>post-meeting note: see ftp://ftp.dep.state.fl.us/pub/water/BMAP/</i>
Beth Alvi	Post Sunshine Law on FTP site	ASAP ((<i>post-meeting note: see ftp://ftp.dep.state.fl.us/pub/water/BMAP/</i>

- Everglades West Coast:

Beth Alvi	Post Meeting Materials on FTP site	ASAP (<i>post-meeting note: see ftp://ftp.dep.state.fl.us/pub/water/BMAP/EWC/</i>
All participants	Read – Hendry Creek and Imperial River TMDLs Read 403.067 F.S. Ask Questions – send them to Beth/Steve	Next meeting
Stakeholders	Start thinking of Projects and Management Actions	October
Stakeholders	Designate Your BWG member	November

Author's Note: EWC materials can be at the following website:

<ftp://ftp.dep.state.fl.us/pub/water/BMAP/EWC/>



CALOOSAHATCHEE ESTUARY

Materials: PowerPoint Presentation

Dr. Nathan Bailey gave an overview of the Caloosahatchee River TMDL status and the Water Body Identifications (WBIDs) that were recently revised. Ms. Alvi addressed BMAP steps.

Highlights:

TMDL requires a 23% reduction in Total Nitrogen (TN) over the entire Caloosahatchee River basin (upstream and downstream of S-79).

This number includes a 6.6% TN reduction in Lake Okeechobee - therefore a 16.4% TN reduction is required downstream of S-79.

Downstream of S-79, a 15.2% TN reduction would be required for Non-Point Sources and a 1.2% TN reduction would be required for Point Sources.

Reductions for the Estuary portion of the Caloosahatchee River are estimated because TMDLs for the individual tributaries are coming in the future.

“Notice of Proposed Rulemaking” - June 2009. 21-day challenge period - ended on July 10, 2009 (No challenge). Adoption of the Caloosahatchee Estuary TMDL - August 2009. TMDL will be sent to the EPA for approval.

Group 3 draft Impaired Waters list - Fall 2009. TMDL development - 2010.

FDEP is studying the Watershed Protection Plan (WPP) to identify eligible projects for inclusion in the BMAP. This is the main link between the two plans. Many projects from the WPP will be incorporated directly into the BMAP. The TMDL target needs to be met.

Next steps include evaluation of the WPP, identifying data gaps and developing plans to fill these gaps, developing allocation options.

Tentative dates for the first and second Caloosahatchee TWG meetings are September 24, 2009 and the October 28, 2009, respectively.

Tentative date for the first Caloosahatchee BWG meetings is December 8, 2009.



Discussion:

A stakeholder asked when the watersheds upstream of S-79 contributing to the Caloosahatchee River would be assigned TMDLs. Dr. Bailey said that process should be completed in September 2010.

Dr. Bailey said that the HSPF model can be recalibrated with the additional flow data that the United States Geological Survey (USGS) is contracted to provide.

Action Items:

- Caloosahatchee

Responsible Party	Item	Deadline
Beth Alvi	Post meeting materials to FTP site	ASAP (<i>post-meeting note: see ftp://ftp.dep.state.fl.us/pub/water/BMAP/Caloosahatchee/</i>)
All Participants	Read Caloosahatchee TMDL	Next meeting
Stakeholders	Designate BWG representative – call Beth with questions	November
Stakeholders	Compile list of Relevant Research Projects and Studies	October
Stakeholders	Start thinking of ongoing and proposed projects	October

Author's Note: Caloosahatchee materials can be at the following website:
<ftp://ftp.dep.state.fl.us/pub/water/BMAP/Caloosahatchee/>

The meeting was adjourned at approximately 11:50 a.m.