

Technical Meeting Summary

Thursday September 20, 2012

1:30 PM – 3:30 PM

Palm Bay Commmity Room, 120 Malabar Road SE

Palm Bay, Florida 32907

Attendees

Virginia Barker, Brevard County	Mike McCabe, Palm Bay
Ann Benedetti, SJRWMD	Tom McGowan, AECOM/NSLRWCD
Tiffany Busby, Wildwood Consulting	Keith Mills, West Melbourne
Kevin Carter, SFWMD	Ryan Mitchell, E Sciences
Mark Dixon, Patrick Air Force Base	Mary Paulic, FDEP
Lonnie Dunn, Cape Canaveral	Steve Peene, ATM
Roger Dykes, Cocoa	Marcy Policastro, Wildwood Consulting
Gordon England, Stormwater Solutions	Ken Poole, Rockledge
Chris Ferraro, FDEP	Allen Potter, Satellite Beach
Mike Godfrey, RMG Associates	Tom Price, Kennedy Space Center
Pattie Gertenbach, E Sciences	Joanie Regan, Cocoa Beach
Lorraine Guise, Titusville	Troy Rice, SJRWMD
Eryln Hupfer, ISC Environmental Assurance	Michelle Snyder, EcoSense International
Chuck Jacoby, SJRWMD	Dani Straub, Melbourne
Carol Johnson, FDACS	T.J. Tiedeman, Badger Technical Services
VJ Karycki, Rockledge	Ed Washburn, Indian Harbour Beach
Jenni Lamb, Melbourne	Kaylene Wheeler, Palm Bay
John Matthews, Kennedy Space Center	Terry Williamson, Brevard County
Darren May, Cape Canaveral AFS	Kelly Young, Volusia County

Welcome and Opening Remarks

Tiffany Busby welcomed everyone to the technical meeting for all three Indian River Lagoon (IRL) subbasins. The participants introduced themselves and the entity they represent.

Updates to the Draft BMAPs

Mary Paulic stated that a new Section 1.5 was added in all three basin management action plans (BMAPs) to describe the link between the BMAPs and the Surface Water Improvement and Management (SWIM) Plan and Comprehensive Conservation Management Plan (CCMP) for the IRL Basin. The SWIM Plan includes a connection to the total maximum daily loads (TMDLs); however, this information is not very detailed since the report is from 2003, which is before the TMDLs were developed. The CCMP includes public outreach goals that link to TMDLs. Mary noted that she felt the BMAPs should reference these plans and their scopes since all of these plans are based on seagrass restoration targets.

A Florida Department of Environmental Protection (FDEP) meeting was held in August on the Sykes Creek and Goat Creek draft TMDLs. There are other tributaries in the IRL Basin that are impaired for nutrients or dissolved oxygen that will also have TMDLs developed. A new bullet was added to the considerations section in each BMAP to note the impaired tributaries and that the tributaries TMDLs will be based on meeting the downstream lagoon target. The tributaries

TMDLs will be not addressed in the first five-year BMAP iteration but these areas could be prioritized as project locations to achieve future reductions that would benefit both the tributary and the lagoon. Steve Peene stated that the Goat Creek TMDL is within the Central A project zone and the TMDL sets a percent reduction for total nitrogen (TN). However, the Central A project zone is meeting the seagrass targets and reductions are not required in the BMAP. He sent comments to the FDEP on the draft TMDLs to ask if there is flexibility on how this TMDL is addressed to ensure that the reductions for Goat Creek do not have to be achieved if the Central A seagrass target is met. Mary responded that she would talk with FDEP TMDL staff to ensure this is their intent. The tributaries TMDLs are included in the BMAP to acknowledge the impairments but not to address them directly. If there are issues specific to Goat Creek, reductions may be needed within that watershed. However, it should be that if the downstream lagoon target were met, additional reductions would not be needed.

The stakeholders noted that Horse Creek is listed in both the North and Central subbasins in the BMAPs, which is incorrect. Kelly Young stated that Big Flounder Creek is missing in the North IRL impaired list. Mary stated that she will double check the list of impaired tributaries in each subbasin. Ed Washburn stated that he believes a portion of the Goat Creek watershed is within Malabar and Grant-Valkaria, and he asked if these stakeholders know about the draft TMDLs. Gordon England responded that they are aware of the TMDLs. Mary added that there was good attendance at the TMDLs meeting and the availability of the TMDLs was publicly noticed.

Mary stated that text was added in all three BMAPs to clarify how the 10% deviation from seagrass restoration target to the TMDL target was determined, based on state criteria for light compensation. The TMDL tables in all the BMAPs now include project zone information. In addition, the link to the FTP site for the meeting summaries was added to the BMAPs. In the BRL BMAP, footnotes were added to the allocation tables to explain that the BMAP reductions do not match the TMDL stormwater reductions because reductions are only needed in the BRL B project zone. In the North IRL BMAP, footnotes were also added to the allocation tables to explain that the BMAP reductions do not match the TMDL reductions because new areas were added to three cities as part of the BMAP. A new research priority on the impacts to seagrass from sediment resuspension from boat traffic was also added to the North IRL BMAP based on a question during the last meeting from Volusia County. In the Central IRL BMAP, additional details about the C-54 operations and the Sebastian River Improvement District monitoring station were added. The North St. Lucie River Water Control District (WCD) was also added as a stakeholder in the southern IRL area.

Virginia Barker asked if the southern IRL is a separate project zone or if it is part of Central B. Mary responded that the southern IRL is included in the Central IRL BMAP but it is not labeled as a “project zone” because seagrass targets have not been established for this area. Marcy Policastro added that the southern IRL is briefly mentioned in the Executive Summary and Chapter 1 to note the potential connection with the Central IRL that was identified during the BMAP process. This area is not mentioned again until Chapter 6, which includes all the southern IRL information. Appendix E also includes separate tables for the southern IRL projects. Mary noted that including this area in the BMAP allows the southern IRL stakeholders to track their projects while information is gathered about the impairments. Virginia asked if the questions about this area would be sorted out before the next BMAP iteration. Marcy responded

that the southern IRL chapter includes a separate list of considerations that should be evaluated before the next BMAP iteration. Mary stated that the southern IRL area was added to the BMAP to help close the gap between the Central IRL BMAP and St. Lucie BMAP, so the entire area is addressed. The St. Lucie County Commission and stakeholders in this area were briefed on the BMAP earlier this week, and they are comfortable with this approach.

John Matthews stated that he made a comment on the TMDL tables in the BMAPs that was not implemented. The Executive Summary is probably only the section of the BMAP that will be read by upper management and the TMDL tables are confusing. He recommended that the numbers and headings in these tables be changed to help people better understand the information. Virginia added that the confusing part is that some of the allocations are in pounds and others are in percentages. Mary responded that this is the standard way that TMDLs are expressed based on U.S. Environmental Protection Agency (EPA) guidance. Marcy added that there really was no better way to express this information but the rest of the document should help to clarify what these tables are expressing. In addition, FDEP is preparing shorter one to two page summaries of the BMAPs for the public meetings and policy briefings that do not include these tables. Mary stated that FDEP would review this information again and determine if the tables can be modified somehow to be both accurate and more understandable.

BMAP Adoption Process

Mary stated that FDEP has started the policy briefings and public meetings on the BMAPs. For the public meetings, FDEP will have a booth at National Estuaries Day in Fort Pierce on September 29th using the Enviroscope to show the impact of stormwater on seagrass. The goal is to give the public ideas about what they can do to help the lagoon including Florida friendly landscaping, fertilizer use, and pet waste management. This booth will be mainly focused on the Central BMAP. For the North IRL public meeting, FDEP will be attending IRL Day on November 10th and presenting at the Lagoon House in Palm Bay. For the BRL BMAP public meeting, FDEP will hold a meeting on November 14th at 6:00 PM at the Cocoa Beach public library. This will be more of a traditional presentation with some informational displays. Mary stated that she is looking for other speakers, if the stakeholders have information they want to present or display at the meeting.

Virginia asked if there is additional parking available for the Lagoon House. Mary responded that there is parking along the side streets and in the back. FDEP may also have a booth at Front Street with the rest of the IRL Day activities. Virginia asked how people would know to go to the Lagoon House for the presentation. Mary responded that if FDEP has a booth, they could provide information about the BMAPs and encourage people to attend the meeting at the Lagoon House. FDEP will work with the IRL Day organizers at the IRL National Estuary Program (NEP) to determine how the presentation can best fit in with the rest of the activities. Tiffany noted that for BMAPs in other basins, the public meetings typically had a low attendance. Mary is trying to tie the public meetings to other events to help with attendance, and having the booth would be useful for passing out information on what the public can do to help the lagoon. Troy Rice suggested holding the meeting at Melbourne City Hall since it is adjacent to the IRL Day activities. Jenni Lamb responded that she was unsure if City Hall would be open on a Saturday but she would find out if they could open it for a meeting. Ed Washburn also noted that the Town of Indian River's chambers could be an option.

Virginia suggested passing out information at IRL Day with the dates of the other briefings so that they could attend another meeting to hear the BMAP presentation. Mary noted that the presentations at the policy briefings will be short and she is not sure if there would be an opportunity for public comment. Virginia responded that commissioners are required to take public comment so some discussion could occur during the briefings.

Mary stated that FDEP presented to the St. Lucie County commission on September 18th about the Central IRL BMAP with a focus on the southern IRL area. The commission only had one question about Section 319 funding for a project. FDEP also met with the Treasure Coast League of Cities on September 19th to discuss the Central IRL BMAP. The Treasure Coast extends into the St. Lucie BMAP area and most of the questions received were on that BMAP. These questions included agricultural reductions, the C-54 project, and what happens when Lake Okeechobee discharges, which they do not control, affect their restoration efforts. About 30 people attended this meeting. FDEP will brief the Space Coast League of Cities on November 12th on all three BMAPs. Ed asked what FDEP's answer was to the question about the Lake Okeechobee discharges. Mary responded that this will be an issue for the St. Lucie BMAP since the stakeholders have allocations. The ultimate control of discharges from Lake Okeechobee rests with the U.S. Army Corps of Engineers. FDEP upper management is now aware of this issue and it can be factored into the BMAP process. The Treasure Coast League of Cities will provide a copy of the meeting notes to FDEP and Mary will send them to the IRL stakeholders. Dani Straub noted that there will be a lot of new officials at the Space Coast League of Cities meeting since it will be held right after the election. John asked if people who are not part of the league could attend the meeting. Marcy responded that she would check with them to see if other people could attend this meeting.

Mary stated that individual briefings will also be given to Titusville, Indian River County, Vero Beach, Brevard County, Cocoa Beach, and Palm Bay. Mary reminded the stakeholders that letters of commitment or resolutions of support for the BMAP should be submitted by the end of the year. When FDEP staff take the BMAP package to the Secretary, it is good to include the letters or resolutions from the stakeholders to show that there is support for the BMAP and the process. An example letter and resolution were previously provided. Mark Dixon asked when the language from the TMDLs would be added to the municipal separate storm sewer system (MS4) permits. Tiffany responded that the MS4 permit already includes standard language about implementing adopted TMDLs. Marcy added that this language from the MS4 permits is included in the pollutant sources section of the BMAP for reference. Tiffany stated that the letters of commitment are not required but FDEP has heard from stakeholders in other basins that having a letter of support is useful as staff and council members change over time. Mary noted that FDEP would like to present the BMAPs to the Secretary in January before the legislative session starts.

Mary stated that FDEP will be holding erosion and sediment control workshops in the basin. The proposed format is a 2.5 day workshop with the first 1.5 days being the standard training followed by a one day field visit to focus on hands-on erosion control techniques. They are considering holding two workshops in: (1) Titusville, and (2) Palm Bay or Vero Beach in mid-November or early December. Kaylene Wheeler stated that Palm Bay has the standard training

already scheduled for December 5th and 6th. Virginia asked if the extra day in the field would be for anyone who works on these projects that wants to be involved. Tiffany responded that anyone who has already completed the standard course could attend the additional one-day field course. Mary noted that there may be an option to add the extra day with the Palm Bay training, and she will talk with Hal Lunsford (FDEP) about this option. Kaylene asked that Mary let her know soon if the Palm Bay course will be used as one of the erosion and sediment control workshops, because the course is already half full. Virginia stated that it seems as if there are sufficient courses and that the local governments have determined how often these courses are needed, so there may not be the need for another basic course. Kaylene responded that the main feedback from the course is that more education on field techniques would be helpful. Virginia noted that the field day seems like a good option but there may not be value in holding another basic course. Mary stated that both workshops do not have to be held by the end of the year so the Palm Bay course could be held and then FDEP can determine if another workshop is needed in 2013. Jenni suggested holding the one-day field training on two consecutive days so that the local governments can send some of their staff on separate days since an entire department cannot be attending a workshop on the same day. Lorraine Guise suggested waiting a week to see if the Palm Bay class fills up and, if there is overflow, a second course could be held.

Mary stated that during the last meeting, there were requests from the stakeholders to engage the Florida Fish and Wildlife Conservation Commission (FWC) and U.S. Fish and Wildlife Service (FWS) in the BMAP process. Mary has sent the BMAPs to both agencies but has not heard anything back yet. Troy stated that he would send an update on the St. Johns River Water Management District (SJRWMD) algal bloom study on Monday. The chlorophyll-a concentrations in August were the highest they have ever been in Mosquito Lagoon. Kelly Young stated that in the Volusia County sampling, they saw a very slight improvement in water quality in September. However, daily fish kills continue to occur in Mosquito Lagoon but the algal bloom has not gone north of the Ponce Inlet.

Mary stated that Noreen Poor is conducting an atmospheric deposition study for EPA, by applying EPA's two models to estimate loading to the IRL Basin within the SJRWMD. Virginia added that EPA has an old model and new model. They ran the new model and compared the output to the old model and to the wet and dry deposition data from the monitoring stations. They are finding good agreement between the two models and the wet deposition data but they are finding high variability when comparing the models results to the dry deposition data. EPA will change the larger model grid size to a smaller size to focus on what deposits onto the lagoon surface. Mary stated that she would forward the study abstract to the distribution list. Virginia noted that Noreen Poor presented the study she did in Tampa Bay at the October 2010 IRL workshop. She had contacted Brevard County for IRL information and they provided the TMDLs and the output from the TMDL model revision. The abstract includes Virginia's name and Bach McClure's name since they shared data but they cannot explain the study. Questions should be directed to Noreen.

Mary stated that during the last Central IRL meeting, there was a question about whether the BMAP gave the WCDs an enforcement mechanism for water quality. Mary spoke with FDEP's attorney about this issue and the BMAP does not give the WCDs new authority. However, the

BMAP does provide additional justification for the district's existing authority to control water quality through their permits.

In past meetings, another question was raised about the southern IRL, as the waterbodies in this area are part of FDEP's Group 2 with St. Lucie; however, the IRL is part of Group 5. Mary talked with Julie Espy (FDEP) and the assessment group is agreeable to moving the southern IRL waterbodies into Group 5. This move will occur in 2014 because Group 2 will be evaluated next year (2013) and they want to conduct this assessment so there is not a big gap in the assessments for these waterbodies. Gordon England asked if there is any effort to adjust waterbody identification (WBID) number boundaries to better match drainage basin boundaries. Mary responded that FDEP can do this at any time in the cycle, but they need information and maps to show where the adjustments should be made.

Virginia stated that for the stakeholder TMDL revisions, Steve Peene (ATM) and Tony Janicki (Janicki Environmental) should have the draft approach document for target setting completed at the end of the month. This document will then be sent for review and Brevard County is working to schedule a meeting with FDEP and SJRWMD to review the approach document. By mid to late November, the final approach should be determined and then it will take about a month to calculate targets for the load reductions. The main question now is how to merge this effort with the BMAPs. During the stakeholder meeting several weeks ago, everyone agreed that FDEP should proceed with BMAP adoption while the TMDL study runs in parallel. Since the results of the study are not known, some stakeholders could have more reductions to make and would need time to identify additional projects. Updates on the study can be provided through the annual BMAP progress reports, which allows time for the necessary people to review the results and for the TMDL adoption process to occur. Everyone will know what the new reductions are before the next iteration, which gives time for planning. FDEP dropped the initial required reductions for this BMAP iteration to 15%, which allows the stakeholders to implement "no regrets" projects without over committing if the new study finds fewer reductions are needed.

Carol Johnson asked if FDEP would adjust the TMDL based on this study. Mary responded that FDEP needs to look at the results to determine if changes should be made. The first BMAP iteration will be used to review the new results and evaluate the considerations in the BMAP to prepare for the next iteration. SJRWMD will also need to review the model since the adopted TMDLs are based on their models. Virginia noted that it is important that the BMAP process not be slowed down because of the algal blooms and obvious problems in the lagoon.

Public Comments and Wrap Up

John asked if updated draft BMAPs would be provided based on comments from the public meetings and policy briefings. Mary responded that another technical meeting would not be held until January or February, if needed. Tiffany added that FDEP has been asking for BMAP comments by December 7th to allow time to prepare the BMAPs for the Secretary. Carol asked if the BMAPs would be sent to the Secretary after December 7th or if the stakeholders would see the BMAPs first. Mary responded that when the BMAPs are sent to the Secretary depends on when that meeting can be scheduled. Marcy added that FDEP typically does not receive many edits from the policy briefings and public meetings so there should not be any significant edits to

the BMAPs. The updated BMAPs and comment tables will be available to the stakeholders before the BMAPs are adopted. Carol asked if once the BMAPs are adopted if the next meetings would be in a year. Marcy responded that annual meetings are typically the minimum frequency held but meetings could be held more often, if needed. Mary added that another meeting on the special projects would be needed. The Secretary also likes to hold BMAP signing ceremonies so these could occur in early 2013.

Virginia suggested that the Brevard County stakeholders get together to discuss the letters of commitment. Ed added that the Indian Harbour Beach city council discussed having a similar letter as the other stakeholders. Lorraine stated that she is in the process of drafting a resolution and she will send it to Virginia tomorrow to distribute to the Brevard County stakeholders. This will be the resolution that Lorraine will present to the Titusville city council on October 9th. Jenni asked what percentage of the stakeholders have submitted letters for past BMAPs. Tiffany responded that the percentage has varied. In earlier BMAPs, the letters were more prominent, but for recent BMAPs, the response for letters has not been 100%. Some of the *de minimus* stakeholders will likely not send letters since they have not been participating as much in the process. Mary noted that the water management districts, government installations, and Florida Department of Agriculture and Consumer Services (FDACS) are also invited to send letters as participants in the BMAPs.

Adjourn

The meeting was adjourned at 3:24 PM.

Action Items

- Mary Paulic will follow up with FDEP TMDL staff to inquire about whether the tributaries TMDLs only have to meet the downstream lagoon seagrass target and that additional reductions are not needed within each watershed.
- Mary will double check the list of impaired tributaries in each subbasin. – *Completed.*
- FDEP will review the TMDL tables in the BMAPs to determine if they can be modified to make them clearer. – *Completed.*
- The stakeholders should let Mary know if they want to present or display information at the BRL BMAP public meeting on November 14th. – *Completed.*
- Jenni Lamb will determine if the Melbourne City Hall could be open on a Saturday for the BMAP public meeting - *Completed.*
- Mary will send a copy of the Treasure Coast League of Cities meeting notes to the stakeholders, once available.
- Marcy Policastro will contact the Space Coast League of Cities to determine if non-members can attend the November 12th meeting. – *Completed.*
- Mary will send out a schedule of the scheduled BMAP briefings via email. – *Completed.*
- Stakeholders should submit any letters or resolutions of commitment by December 31st.
- Mary will talk with Hal Lunsford about the option of adding the one-day erosion control field visit with the December Palm Bay standard erosion and sediment control course – *Completed.*
- Troy Rice will send an update on the SJRWMD algal bloom study on Monday - *Completed.*

- Mary will forward the atmospheric deposition study abstract to the distribution list. – *Completed.*
- Stakeholders should provide comments on the draft BMAPs by December 7th, particularly on the new Section 1.5 and the new consideration for tributary impairments.