

Lake Okeechobee Basin Management Action Plan (BMAP)

Webinar Summary

Thursday, June 2, 2022

10:00 am – 11:17 am

Participants

Silvia Alderman, Akerman
Christian Avila, SFWMD
Tabitha Biehl, Polk County
Adam Blalock, DEP
Julie Bortles, Orange County
Patricia Burke, SFWMD
Ben Butler, Citizen
Lauren Campbell, DEP
John Capece, Kissimmee Waterkeeper
Erin Carroll, Florida Senate
Stacy Cecil, DEP
Angela Chelette, FDACS
Carolyn Ciarlariello, DEP
Mike Collazo, Florida Senate
Kelly Cox, Audubon
Caryn Crabb, DEP
Sean Dallas, RCID
David Davis, SFLCD
Shawn DeSantis, SFWMD
Dana Dettmar, Sanibel
Pamela Dugan, EutroPHIX
Bill Eggers, Evans Properties
Rebecca Elliott, FDACS
Katrina Elsen, Independent News Media
Kate English, Pavese Law
Yesenia Escibano, FDACS
Jake Fojtik, FFBF
David Frady, DEP
Marcy Frick, Tetra Tech
Aubrey Frye, SFWMD
Drew Gaskins, SFWMD
Lyudmila Gassaway, Orange County
Cristina Gauthier, SFWMD
Katie Gawin, Florida House
Diane Goldberg, Citizen
Susan Gosselin, Osceola County
Paul Gray, Audubon
Roxanne Groover, FOWA
Christopher Guth, Federico & Associates
Martha Guyas, ASA Fishing
Noah Handley, Lykes

John Hayford, OUA
Melissa Hill, National Wildlife Federation
Alicia Hogue, DEP
Ruth Holmes, Martin County
Moirra Homann, DEP
Jiayi Hua, USF
Luke Hudson, DEP
Nicole Hughes, Orange County
Dianne Hughes, Martin County
Jeff Iudicello, SFWMD
Megan Jacoby, SFWMD
Christopher Johns, Lewis Longman & Walker
Daron Johnson, Orlando
Paul Julian, SCCF
Kerry Kates, FFVA
Lee Killinger, Florida Crystals
Angela Knecht, DEP
Lisa Kreiger, Lee County
Juli LaRock, SFWMD
Kimberly Lawrence, RCID
Beth Lewis, TNC
Celeste Lyon, Wood
Debbie Madden, Gunster
Jonathan Madden, SFWMD
Sherry McCorkle, SFWMD
Amanda McDonald, SFWMD
Nolin Moon, DEP
Nikki Morgan, DEP
Kenny Mullen, SFWMD
Charles Murphy, Glades Media
Caitlin Newcamp, Audubon
Stacey Ollis, SFWMD
Steffany Olson, SFWMD
Ximena Pernet, RES
Jesse Pfadenhauer, DEP
Robert Potts, RES
Irene Quincey, Pavese Law Firm
Ann Redmond, Brown and Caldwell
Jennifer Reynolds, SFWMD
Bruce Ritchie, Politico
Maria Romero, Lee County

Cari Roth, Lykes
Scott Ruland, Water Conserv II
Mailin Sotolongo-Lopez, DEP
Jacqueline St Juste, Orlando
David Taylor, DEP
Jordan Tedio, DEP
Jennifer Thera, FDACS
Raychel Thomas, Pavese Law

Ansley Tilley, RES
Nikki Tinsley, Citizen
Diana Turner, DEP
Jonathan Turner, FDOT
Zach Welch, SFWMD
Jessica Wilson, Conservancy of SW FL
Manuel Zamorano, SFWMD
Qiong Zhang, USF

The full webinar recording and supporting materials are posted to the Florida Department of Environmental Protection (DEP) file transfer protocol (FTP) site at:
http://publicfiles.dep.state.fl.us/DEAR/BMAP/LakeOkeechobee/Meetings/21%20Annual%20Meeting_June2022/.

Questions and Answers

Question on the South Florida Water Management District (SFWMD) presentation: The Lake Okeechobee System Operating Manual (LOSOM) is likely to deliver more Lake Okeechobee water to the Caloosahatchee. While the primary nutrient of concern in Lake Okeechobee is total phosphorus (TP), please consider the nitrogen in the lake in relation to protecting the Caloosahatchee.

Answer from Marcy Frick, Tetra Tech: I do want to note that a lot of the projects in the BMAP that are addressing phosphorus also reduce nitrogen and we do try to quantify the reductions in both phosphorus and nitrogen for all the BMAP projects. While it's not the primary nutrient of concern, we are tracking the nitrogen benefits from the efforts in the watershed.

Question on the SFWMD presentation: Will the slides be available after the webinar for downloading?

Answer from Marcy Frick, Tetra Tech: They will be posted to the FTP site along with the webinar recording, agenda, and meeting summary. An email will go out after the meeting with that information.

Question on the DEP presentation: Is the numeric nutrient criteria (NNC) for Okeechobee tributaries 120 parts per billion (ppb) TP?

Answer from Marcy Frick, Tetra Tech: It is.

Comment on the DEP presentation: SFWMD monitors flows into the lake at the southern structures/pump stations.

Answer from Diana Turner, DEP: Thank you for that.

Question on the DEP presentation: Will there be an opportunity for public comment on the BMAP? The 110 tons of TP reduction your model gets is not real. The empirical evidence is TP loads have not changed. The model needs to be fixed.

Answer from Marcy Frick, Tetra Tech: The 110 tons of TP reduction are estimates using the model and some efficiencies. Diana also showed the measured loads going to the lake from the South Florida Environmental Report (SFER), which have shown that between just the BMAP and the most current SFER about 68 tons of reductions so there are reductions that are occurring. DEP is using different lines of evidence to track progress and reductions will continue until we achieve the restoration needs.

Question on the DEP presentation: What kind of shift in the Lake Okeechobee BMAP area is occurring in Orange County?

Answer from Diana Turner, DEP: From my understanding it's this little point [Note: at the very northern portion of the boundary] and it's just taking this very tiny little point away and shifting it to the St. Johns River Water Management District. I don't have a great map of it but I can also get with you offline to talk more about it if you would like.

Question on the Florida Department of Agriculture and Consumer Services (FDACS)

presentation: How do you monitor compliance, how long does it take to send notices of non-compliance, and how long does it take before fines are put on properties for non-compliance?

Answer from Jennifer Thera, FDACS: We use our characterization results to help identify who remains to be enrolled and then if attempts to enroll the landowner are unsuccessful, we would provide the list of producers to DEP. When we perform the implementation verification (IV) visits, we visit them every two years, for any deficiencies that are noted we would provide the producer at the time of the IV corrective measures. Then, if they are not properly implementing, we would give them remedial measures. If they are still not properly implementing the BMPs, we would refer them to DEP.

Answer from David Frady, DEP: Typically, when we receive referrals, we start sending letters within a week or two so very quick turnaround time for that. As far as how long it takes to get fines, it's a difficult question to answer because we want to make sure we're actually getting a hold of the right person, and we want to make sure that they actually have an opportunity to understand what the requirements are so I can't give you a specific number there. It really depends on how quickly we can get a hold of someone.

Question on the FDACS presentation: What is meant by "high intensity producers," commodities other than cow/calf?

Answer from Jennifer Thera, FDACS: We characterize high intensity as incorporating a number of factors including crops that require more nutrients or more supplemental irrigation. They are often row crops or citrus or nurseries or something similar like that.

Question on the DEP presentation: When you decide civil action is necessary, what is the average time it takes to get to this point?

Answer from David Frady, DEP: I wouldn't be able to say that with any kind of confidence. It really depends on the case and when we get a hold of a person if they are unaware or just unwilling to come into compliance. If unwilling, we can move fairly quickly. We do give them a last chance letter, which is typically 21 days to say this is really your last chance and we will be taking civil action. Then they get an order and they have 21 days to respond to that. There are some legal processes that you do have to take so you can be successful in your civil action. It would be really difficult for me to give you an accurate average time.

Question on the DEP presentation: Do you have a number of cases you have enforced in Okeechobee County?

Answer from David Frady, DEP: I do not. If you want to email me, I can look that up. Off the top of my head, I do not.