

**TRIBUTARIES
TECHNICAL MEETING - LOWER ST JOHNS RIVER**

Meeting Summary

Thursday, September 10, 2009

9:00 AM – 11:10 AM

***City of Jacksonville – City Hall, Exam Room 3
117 West Duval Street
Jacksonville, Florida 32202***

Participants

Errol Bos, England-Thims & Miller (ETM)	Bill Joyce, COJ
Tiffany Busby, Wildwood Consulting	Donna Kaluzniak, City of Atlantic Beach
Rick Carper, City of Atlantic Beach	Wendy Khan, COJ
Ed Cordova, JEA	Karen Kohoutek-Luckin, FDOT
Barry Cotter, City of Jacksonville (COJ)	Melissa Long, Florida Department of
Environmental Quality Division (EQD)	Environmental Protection (FDEP)
Jocelyn Croci, Florida Department of	Dana Morton, COJ/EQD
Transportation (FDOT)	Alan Obaigbena, FDOT
Betsy Deuerling, COJ/EQD	Pat O'Connor, FDEP
Scott Dombrosky, NS Mayport	Jeremy Parrish, FDEP
Ty Edwards, City of Jacksonville Beach	Marcy Policastro, Wildwood Consulting
John Flowe, COJ	Vince Seibold, COJ
Jim French, City of Neptune Beach	Amy Tracy, FDEP

Meeting purpose: Provide an update on Tributary Assessment Team (TAT) monitoring activities and Walk the WBIDs (waterbody identification number) efforts; discuss status of the first tributaries Basin Management Action Plan (BMAP) adoption; and review the WBIDs, schedule and process for BMAP #2.

Action Items:

1. Provide the link to the TAT Manual on the FTP site. - *Completed*
2. Provide contact information for Bob Feegan. (**Dana Morton**)
3. Provide restaurant wastewater violation contact information for Department of Business and Professional Regulation. (**Amy Tracy**). - *Completed*
4. Compile an emergency contact list for the TAT. (**Amy Tracy**) - Completed
5. Submit Basin Working Group representative nomination forms by September 30th. (**All**)
6. Submit project collection sheets for first tributaries by October 30th. (**All**)
7. Ask Cheryl Wapnick (PBS&J) for a draft agenda for the November meeting (**Amy Tracy**)
8. Send updated Sherman and Hopkins Creek boundaries to the Beaches and Mayport. (**Amy Tracy**)
9. Call Dana about information to modify several other WBID boundaries. (**Amy Tracy**)

Welcome and Introductions (*Vince Seibold and Amy Tracy*)

Tiffany Busby welcomed everyone to the tributaries technical meeting to kick off the second Basin Management Action Plan (BMAP). Vince Seibold stated that future meetings will be held in the new City of Jacksonville (COJ)-Jake Godbold Building. The address and meeting room will be included on the next meeting agenda. Amy Tracy noted that the November technical meeting will be an all day meeting that starts at 8:00 AM. This will be the final meeting to review the findings from the intensive assessment efforts. Cheryl Wapnick (PBS&J) will provide detailed results of the sampling and activities for the ten waterbody identification numbers

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(WBIDs) that received the assessments. A technical meeting will not be held in October but there is the opportunity for one-on-one meetings with the entities from the beaches to discuss the process, if needed. The Basin Working Group (BWG) meeting is planned for December.

Tiffany welcomed the four new stakeholders: Atlantic Beach, Jacksonville Beach, Neptune Beach, and Naval Station (NS) Mayport. A pre-meeting was held at the end of August with these new stakeholders to explain the process for the tributaries BMAP, since this is different than the process for the main stem of the river. NS Mayport was unable to attend this meeting and a conference call will be held with them next week.

Tributaries Assessment Team (TAT) Update (*TAT Members*)

Tiffany stated that the TAT was formed several years ago to conduct special assessments on six tributaries. This effort was funded by JEA and conducted by PBS&J to develop a manual for intensive assessments to identify fecal coliform sources. The BMAP process began with the TAT, which was expanded to include all technical stakeholders. The TAT has been involved in intensive monitoring of several tributaries each year. If they find a high fecal coliform count, they immediately go back to the site to sample upstream and downstream to track the source, using the procedures outlined in the TAT Manual. Rick Carper requested the link to the TAT Manual on the FTP site (<ftp://ftp.dep.state.fl.us/pub/water/BMAP/LowerStJohns/TAT/>).

Jeremy Parrish stated the Florida Department of Environmental Protection (FDEP) sampled several tributaries over the past eight months. The worst to best were Craig Creek, Christopher Creek, Long Branch, and McCoy Creek. FDEP also picked up some sampling in Big Fishweir Creek. They are currently preparing to start the sampling in the five tributaries assigned to them in the BMAP monitoring plan. Pat O'Connor noted that the south fork of Big Fishweir Creek had high counts in July, although the sampling occurred after a rainfall event. Betsy Deuerling added that all the creeks had unusually high counts in July due to the rainfall. At the COJ sites, about 10-12 had counts over 5,000, which is unusual.

Pat stated that he was in Deer Creek for permit-related sampling when he noticed that water was being pumped to the creek and bypassing the treatment pond. The water going to the creek had a fecal coliform count of 2,700. Dana Morton stated that there was stormwater infrastructure repair work going on upstream by a contractor for the COJ Public Works Department. The bypass was only temporary as part of this work.

Amy stated that during the June sampling event, the TAT found that The Loop restaurant had a sewer overflow. During the eight month intensive assessment, the TAT witnessed three overflow events at this location and all were called in and the restaurant had plumbers fix the problem. After the second overflow, COJ requested that any future overflows at this location be reported to the Department of Business and Professional Regulation (DBPR). COJ called in the latest overflow and it took a couple of days for an inspector to visit the site and they only looked in the parking lot. In order to see the overflows, the inspector needed to be near the creek. Amy noted that she followed up with DBPR and since they did not see any problems they were not able to take action. In the future, if an overflow is called in to DBPR it needs to be made clear that a sanitary incident is occurring and someone needs to go to the site immediately. It may also be necessary for one of the TAT members to meet the inspector to show them the overflow location. Betsy stated that the best person to contact at COJ about the overflows is Bob Feegan and Dana said he would provide his contact information. Betsy also

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requested that the TAT call DBPR first and then send an email to COJ to make the process go faster (Amy will provide contact information for Steve at DBPR). Pat noted that the FDEP emergency response person can be contacted on the weekends at the number #DEP from any mobile phone or contact the State Warning Point (1-800-320-0519). Pat suggested providing information to The Loop on the JEA Fats, Oils, and Grease (FOG) Program to give them ideas of how to address their problem. Ed Cordova stated that The Loop has been inspected by JEA and is in compliance with the FOG Program; the issue is how their grease trap was engineered that is causing recurring problems in their sewer line.

Tributaries BMAP #1 Adoption Update (*Amy Tracy*)

Amy stated that the BMAP public comment period ended August 27th; FDEP did not receive any comments at the public workshop or during the comment period. There is an internal FDEP meeting on October 13th to brief upper management before the BMAP is sent the Secretary for adoption. The BMAP will be adopted in late October or early November. Letters of commitment should be sent as soon as possible to be included in the BMAP briefing package.

BMAP #2 Project Information (*Amy Tracy and Marcy Policastro*)

Amy reviewed the handout with the WBIDs in next BMAP. The second BMAP includes 15 WBIDs, some of which are highly ranked and were not included in the first BMAP because they were undergoing the intensive assessments. Amy has been working with the FDEP Total Maximum Daily Load (TMDL) section on the last five TMDLs needed for this BMAP since a BMAP cannot be adopted without the TMDLs. The draft TMDLs will be ready in a few months and then FDEP will hold public meetings to solicit comment before the TMDLs are adopted. FDEP was not originally planning on writing these TMDLs this soon; however, since these are some of the higher ranked tributaries, the TMDL section was willing to prepare these TMDLs so that we can move forward with the BMAP. Technical reports have been completed for all the WBIDs in the next BMAP except for four creeks. Trout River (WBID 2203A) will be the next technical report sent out for review. Craig Creek, McCoy Creek, and Williamson Creek technical reports will be available later this year and will include information from the intensive assessments. The final draft technical reports are posted on the FDEP FTP site and the Geographic Information System (GIS) data shown in the maps from the reports are also posted.

Amy noted that the WBIDs are re-ranked each January using the new data from the TAT efforts from the prior year. Since the next BMAP is starting now, the WBIDs selected for the BMAP are based on the 2004-2008 ranking. The order of the WBIDs has not majorly changed over the years; therefore, Amy stated that she feels comfortable moving forward with these WBIDs. The tributaries will still be re-ranked in January 2010 but it will not affect the WBIDs included in this BMAP.

Tiffany stated that the BWG meeting is planned for December 10th to give the BWG a status update on the second BMAP and to take care of several business items. Representatives will be added for the new stakeholders and the other entities will need to verify their representatives. The BWG will need to revise their operating procedures and also discuss adding an environmental representative, which was raised at the last BWG meeting. Amy added that the BWG representatives operate under all provisions of the Sunshine Law. The stakeholders need to consider this when choosing a representative because the member should be someone at a level that would not be hindered by the fact that they cannot discuss BMAP items outside of a

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publicly noticed meeting. Tiffany added that since the technical meetings do not consist of a group, the participants can coordinate outside of meetings.

Ty Edwards asked if FDEP wants a representative from each entity or should the Beaches have just one representative. Amy responded that the idea is for each stakeholder to have a representative since they will have their own projects and responsibilities. Tiffany added that if there are issues with the Sunshine Law then the Beaches can have one representative. Ty stated that the Beaches will discuss who should attend. It may be difficult for each of them to have their own representatives because there is limited staff. Tiffany noted that it will be important for the designated representatives to be able to attend meetings because there is a quorum requirement for votes and having all representatives in attendance is important in such a small group. A handout was provided for BWG nominations for the new entities and the existing stakeholders should submit the form if there is a new representative. The form is due by September 30th. Karen Kohoutek-Luckin stated that the Florida Department of Transportation (FDOT) will probably have two alternates to make sure they are covered. Vince stated that the COJ representatives will remain the same.

Amy stated that Marcy Policastro will send the project collection sheets for the first set of WBIDs this afternoon and they are due October 30th. The second set of project collection sheets will be sent at the beginning of November and will be due in early January. FDEP will then start the sufficiency of effort review and the first draft BMAP will be available in early March. The BWG endorsement of the second BMAP should occur in May 2010 with FDEP Secretarial adoption in July 2010. This is a general schedule that could be adjusted as the stakeholders move through the process. Tiffany added that the two beaches WBIDs will be included in the first project collection sheets and the Beaches and Mayport can have the entire project collection time, if needed. Ed requested the full project collection sheet for JEA because they want to work on all of the WBIDs at the same time. Karen noted that FDOT will be doing the same.

Errol Bos asked when the updates on activities for the first ten WBIDs are due. Marcy responded that the information will be needed for the first annual BMAP progress report, which will be October or November 2010. Tiffany added that FDEP will start asking for the updates next summer to have time to prepare the report.

Amy stated that there are connections between the BMAP project sheets and each entity's permits. Self implementation language is included in the municipal separate storm sewer system (MS4) permits, which requires an entity to implement the actions in an adopted BMAP. Wastewater treatment facility (WWTF) permits are different but are still connected to the BMAP. In addition, nonpoint source activities, which do not have a permit, are still enforceable through the BMAP itself. Donna Kaluzniak asked how the tributaries BMAP will affect the WWTF permits. Melissa Long responded that, if necessary, BMAP actions can be incorporated into the facility permit for enforceability. However, it is unlikely that any of the fecal coliform actions will need to be added into the WWTF permit.

Tiffany stated that 1996 will be used as the starting point for project collection because this is the beginning of the TMDL verified period. When submitting future projects, the entities should be aware of how far in the future the projects are planned since all actions in the BMAP are expected to be completed during the five year period. Future projects should be submitted for

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2011-2015. Ty asked if the BMAP would be revisited in five years. Amy responded that annual meetings will be held to discuss updates on the BMAP activities. In five years, FDEP will look at the tributaries TMDLs and if the waterbodies are not meeting water quality standards, then the stakeholders will need to modify the actions in the BMAP. Based on recent water quality data, it appears that several of the tributaries are already improving.

Rick stated that it could be an issue that the entities are not assigned a percent reduction because all three Beaches are located in the Hopkins Creek WBID. Tiffany responded that although the TMDL includes a percent reduction, it is not being assigned because data are not available on the concentration of fecal coliform from different sources and what percent reduction can be expected from different projects. Ed added that COJ, JEA, FDOT, and Duval County Health Department (DCHD) are all present in other WBIDs; however, they each focus their efforts on their own infrastructure and areas of responsibility.

Amy noted that the WBID boundaries for Sherman Creek and Hopkins Creek have been modified based on comments on the Sherman Creek TMDL. These boundaries will be sent to the Beaches and Mayport for use in the BMAP. The updated boundaries will be incorporated during the next TMDL cycle. Dana Morton stated that he thought the boundaries on several other WBIDs were also going to be modified. Amy responded that FDEP needs additional information from COJ and she will call Dana to discuss what is needed.

Amy stated that although several of the technical reports will not be completed until the end of the year, the TAT has been meeting quarterly to discuss the data collected and they should have good information on those WBIDs. In addition, the presentations from these meetings include lists of corrective actions that have been completed or are planned. Rick stated that both the Hopkins Creek and Sherman Creek technical reports are complete but the Beaches never reviewed them or provided data. Tiffany responded that the level of detail in those reports is not the same as some of the other reports and the Beaches and Mayport are asked to submit any data to help complete the picture for the WBIDs. Donna noted that Atlantic Beach has recently submitted all their GIS data for their sewer service area. Amy stated that she will add that information and any other data submitted to the GIS maps to help identify specific areas that should be focused on for fecal coliform reductions.

Jocelyn Croci asked how much new information would require that those technical reports be redrafted and sent out for review. Amy responded that FDEP is not prepared to rerun the statistical analyses on an annual basis. This information request focuses on will be information on infrastructure locations to help the entities determine the best locations for projects. Rick asked if the data were not included, then how were the analyses in the technical reports completed. Amy responded that the analyses are based on soils, land use, residential areas, water quality data, etc. that were available at the time the report data were gathered. Much of this information was available from central sources such as STORET and the U.S. Census Bureau, so the analyses were not dependant on local information. Tiffany added that the jurisdictional information is more helpful in the BMAP process to determine sufficiency of effort than for the assessments in the technical reports, so there is still time to collect and use that information in the BMAP process.

Ty stated that he will contact Amy because Jacksonville Beach does not have GIS and he would like more detail on what information should be pulled together. Ty asked what is meant by a

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private lift station. Ed responded that private entities will sometimes construct a private lift station to connect to the sewer system. Tiffany added that the location of these lift stations is helpful for the BMAP to determine who is responsible if a station fails.

Coastal America Award Nomination (*Amy Tracy*)

Amy stated that the Coastal America Award is a Presidential acknowledgement of excellent efforts for water restoration in coastal areas. Amy nominated the TAT, including COJ, DCHD, FDOT, JEA, and PBS&J, for a spirit award. The application was due in July. Amy recently had a meeting with the U.S. Environmental Protection Agency (EPA) and one of the EPA representatives said he would be the federal partner on the award nomination. Having a federal partner will help because the award is focused on partnerships at various levels. The TAT effort is not only important for water quality in the area but is a success that should be shared with other communities. Amy noted that they should hear in a few months if they won the award and she asked the TAT members to contact her if they receive a call.

Public comment, review and wrap-up (*Tiffany Busby*)

Ty asked what percent reduction will be required as part of the Hopkins Creek TMDL, which is in draft. Amy responded that she recently provided data to the TMDL writers and although she is not sure the exact reduction, it is high. The percent reduction is based on the in-stream fecal coliform concentration and the reduction needed to achieve the 400 count water quality standard. The median value of all the data points for the tributary is used to determine the percent reduction. Tiffany added that the BMAP uses a milestone in which the median value of fecal coliform counts should be reduced by at least 50% from the TMDL median by the end of the five year BMAP period. The WBIDs in the first BMAP have shown progress towards improvement from the projects that were already implemented. The TMDL percent reduction is not needed to complete the project sheets since the entities are not assigned a reduction.

Amy noted that if the Beaches and Mayport have any staff that they want included in the TAT, they can send her their contact information so everyone can start coordinating monitoring efforts.

The next technical meeting will be held on November 12th from 8:00 AM – 4:00 PM. The next BWG meeting date will be December 10th at 9:30 AM. Vince asked when the agenda for the November meeting will be available because it would be helpful to know when each of the WBIDs will be discussed. Amy responded that the TAT members should attend this meeting and the Beaches and Mayport should attend to hear about a few of the creeks to get an idea of fecal coliform management actions. Amy stated that she will ask Cheryl Wapnick (PBS&J) for a draft agenda.

Adjournment (*Amy Tracy and Vince Seibold*)

The meeting was adjourned at 10:53 AM.