

MEETING SUMMARY
Lake Jesup, Crane Strand, and Long Branch BMAP
Technical Working Group Meeting
November 29, 2007
1:00 PM – 4:00 PM
Sylvan Lake Park
Sanford, Florida

Meeting Attendees

Barbara Bess, FDEP Tom Bess, FDEP Julie Bortles, Orange County Mary Brabham, SJRWMD Sherry Brandt-Williams, SJRWMD Kelly Brock, City of Casselberry Tiffany Busby, Wildwood Consulting Lisa Curtin, City of Orlando Danny DeCiryman, Seminole Soil Water Conservation Rick Dedman, E-Sciences Tim Egan, City of Winter Park Bill Fagan, Aquafiber Tech. Chris Ferraro, FDEP Brian Fields, City of Winter Springs Mark Flomerfelt, Seminole County Vivian Garfein, FDEP Jennifer Gihring, FDEP Dan Homblette, Orange County-EPD Bob Kelly, SAIC	Robert King, Friends of Lake Jesup Jody Lee, FDACS Regina Lovings-Morse, SJRWMD Jeremiah Marck, Turnpike Enterprise Erich Marzolf, SJRWMD Kevin McCann, City of Orlando Gene Medley, BCI Kim Ornberg, Seminole County Zynka Perez, City of Winter Springs Marcy Policastro, Wildwood Consulting Penny Post, Orange County – Storm Robert Potts, E-Sciences Terry Pride, FDACS Roland Raymundo, Seminole County Ed Torres, City of Casselberry Amy Tracy, FDEP Joe Walter, PBSJ Tom Ziegler, SJRWMD
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Opening Remarks

Welcome and Introductions

Tiffany Busby welcomed the group and everyone introduced themselves and the entity they represent.

There were no questions on the TMDLs.

Update: November 29th Wekiva Public Meeting

Jennifer Gihring provided a summary of the Wekiva Public meeting. The TMDLs for Wekiva River, Rock Springs Run, Little Wekiva River, Little Wekiva Canal, and the seven lakes were presented. These TMDLs were for nutrients and fecal coliforms. There were questions received about the assumptions used for loading from septic tanks and also for the need to refine the assumptions and understandings used in the development of the TMDLs throughout the BMAP process. The next Wekiva meeting will be held in January but a date has not been set.

Kim Ornberg asked if these TMDLs would be implemented in separate BMAPs. Jennifer responded that there will be at least two BMAPs; one for the lakes and one for the springs. Kim

asked if the TMDLs would be tied to NPDES facilities. Chris Ferraro noted that wastewater treatment facilities have already been tied through the Wekiva rule. Jennifer added that the springs TMDLs would be different than other TMDLs because contributions from groundwater will have to be taken into account.

Update: FTP Site/Meeting Documents

Tiffany noted that requests were received at the last meeting to update the FTP site with historic documents, especially the meeting summaries. Jennifer reported that the FTP site is now up date with information since the Technical Working Group began meeting. Tiffany requested that the group provide any changes to the October meeting summary, which was distributed.

Update: Lake Jesup Interagency Plan

Sherry Brandt-Williams stated that the final interagency plan should be completed soon. The three main agencies (SJRWMD, FDEP, and FWC) will have a teleconference in one week to discuss outstanding items. The SJRWMD engineering staff are also working on an independent cost assessment of the projects outlined in the plan. Tiffany added that the plan describes the proposed regional treatment facilities as well as other projects to restore the lake.

Update: Bear Gully/Soldier's Creek/Black Hammock Source Identification Project

Sherry presented the data that the SJRWMD has been collecting in this area. They found that most of the the loading to Lake Jesup in the Howell Creek basin is not coming from the main section of Howell Creek. To determine this, the SJRWMD added sampling sites at Lightwood-Knox and Bear Gully, which enters Howell Creek near Lake Jesup. The initial sampling efforts found that most of the total phosphorus loading is coming from the Lightwood-Knox subbasin. A sod farm is located near Lightwood-Knox and they found that the load doubles coming off the sod farm but the load is also quite high before the creek passes the farm. Sherry stated that she would present the data from the sampling at Solider Creek and Black Hammock at the December meeting, if the lab results are ready by that time, or at a future meeting.

Update: Site 10 Sampling

Jennifer stated that FDEP groundwater staff and their contract will be going out to Site 10 the week of December 10th. The City of Sanford has been very gracious in providing access to the site. Surface water samples may also be taken at this time. Jennifer will provide an update at the December meeting on the sampling trip.

Update: Basin Working Group Members

Tiffany provided an updated handout of the voting members for the Basin Working Group (BWG). The members and contact information that have been verified say "confirmed" on the handout. Tiffany requested that the Technical Working Group provide contact names and information for the BWG so that complete information will be available when a BWG meeting needs to be held.

Role of Agriculture in TMDL Implementation

Tiffany noted that during the last meeting the group determined questions they had about how the agricultural allocations would be addressed. Jennifer invited Terry Pride and Jody Lee from the Florida Department of Agriculture and Consumer Services (FDACS) Office of Agricultural

Water Policy (OAWP) to the meeting to discuss agricultural programs and practices in the watershed.

Terry explained that the main function of the OAWP is to develop, adopt, and implement agricultural best management practices (BMPs) to protect water quality and to conserve water. FDACS works with stakeholders to develop practices that farmers can implement to reduce their discharge to water resources, with the main focus on nutrients (nitrogen and phosphorus). There are several statewide agricultural BMP programs in place including container nursery (to be revised to include in-ground nurseries), vegetable and agronomic crops, sod (to be adopted in February 2008), cow/calf (to be adopted spring/summer 2008), and equine (to be adopted spring/summer 2008). Not all of these BMPs are cost-shared with the growers because several of these are basic management practices; however, the more expensive programs are cost-shared. There are also programs for aquaculture and silviculture that are not implemented through the OAWP. In addition there are region specific programs for Gulf Citrus, Peace River Citrus, Indian River Citrus, the Lake Okeechobee watershed, and the Suwannee River partnership.

The major types of agriculture in the Lake Jesup watershed include sod, nurseries, citrus, and cow/calf. All of these are covered or will be covered soon by a BMP program, except for citrus since Lake Jesup is not included in one of the region specific areas named above. The key sod BMPs include nutrient management techniques, irrigation management techniques, and sediment and erosion control. Danny DeCiryan noted that there is not enough mobile irrigation available in Seminole County. Terry responded that since the BMAP process is going on in the basin, FDACS will be increasing their BMP efforts. Additional information on BMPs can be found at www.Floridaagwaterpolicy.com/bestmanagementpractices.html and Terry will provide her presentation to Jennifer for posting on the FTP site.

The BMP programs are enforceable through the BMAP process. Any agriculture in a basin with an adopted BMAP must implement DACS adopted BMPs or conduct monitoring prescribed by FDEP or the applicable water management district. The exact enforcement measures for the monitoring will need to be determined by FDEP and SJRWMD. FDACS field staff and implementation teams will help producers enroll in BMP programs and implement the BMPs properly. Terry noted that Steve Cox and his staff will work with growers in the Lake Jesup basin.

FDACS will follow up on BMP implementation through surveys and site visits. Site visits cannot be feasibility conducted at all farms so the focus will be on large acre operations and those operations that are near the water resources with TMDLs. FDACS will compile survey results and conduct site visits to verify the results they received through the surveys. This also provides FDACS with the opportunity to talk with growers about their educational needs to properly implement the BMPs. Terry noted that FDACS will meet with stakeholders in the basin to determine what the needs are for Lake Jesup.

Jody stated that currently the BMP programs are voluntary in the basin; however, they will become mandatory when the BMAP is adopted. It is best for growers to implement BMPs because most are common practices. If a grower does not participate in the BMP program, then they have to monitor, which can be expensive. FDACS will work with the growers through

workshops and one-on-one meetings. The goal is to sign growers up for the BMPs before a BMAP is adopted. Bob Kelly asked if they had an estimate of the percentage of acreage in the basin that is already covered by BMPs. Terry responded that they do have a BMP tracking system that provides information on the acreage and BMPs used. FDACS is in the process of cleaning up their database but the current estimates are about 115 acres for citrus in Seminole County (not necessarily just the Lake Jesup Basin), 80 acres for container plants in Seminole County, and 135 rich citrus in Seminole County (most likely outside of the basin). The acres of sod will be tracked when that BMP program is implemented.

Vivian Garfein asked if any BMP programs have been implemented in the Wekiva study area or if FDACS is waiting for an adopted BMAP. Jody responded that the BMP for container nurseries has been adopted and they are working on signing up growers for that program. Terry added that FDACS is not restricted from signing growers up for the programs if a BMAP has not been adopted yet. Vivian asked what the plan is for enforcing monitoring if growers do not sign up for a BMP program. Terry responded that they have not figured out this issue yet but FDACS will continue to work with FDEP and SJRWMD (the regulatory agencies) to determine what criteria should be used. Tiffany added that a process will have to be determined and key people identified at each agency.

Sherry asked if certain limits have been set for nutrients and contaminants in runoff from agricultural areas. Terry responded that these have not been set. In the Lower St. Johns River Basin, agriculture was given an overall allocation instead of on a farm-by-farm basis. Sherry asked if there was a way to set limits for contaminants so there is a goal for monitoring. Terry stated that the purpose of the monitoring is to see how effective the BMPs are and this monitoring would tie into the studies being conducted by FDACS, FDEP, SJRWMD, and IFAS.

Sherry asked what would be done if all the recommended BMPs were implemented but the nutrient levels were still too high. Tiffany responded that the Allocation Technical Advisory Committee (ATAC) recommended that if implementation of BMPs does not meet the required reductions that additional projects would be implemented using state funding. An example of this type of project would be the regional stormwater treatment (RST) facilities that the SJRWMD has built in the Tri-County Agricultural Area (TCAA) in the Lower Basin. Terry added that if there is a large operation in the basin that is contributing a large portion of the load, FDACS could cost share with them on their BMP implementation to encourage further reductions.

Erich Marzolf asked if the draft BMP manuals are available online. Terry noted that the manuals are online but the cow/calf and equine BMPs may not be posted yet since they are still a work in progress. Mark Flomerfelt asked if the equine BMP would apply to the smaller horse farms in the basin. Terry responded that it could be used for that purpose if the local government wanted to adopt the FDACS manual as ordinance. FDACS is also discussing how to handle smaller operations because they are not precluded from working with them but the personnel issue makes this difficult.

Terry provided an overview of the FDACS urban fertilizer rule and additional information can be found online at: www.flaes.org/pdf/urban_turf_fact_sheet.pdf. The rule is a labeling law, which

affects what companies must put on their labels. The law will go into effect on December 31, 2007 and all label changes are required by July 1, 2009. The law limits the amount of nitrogen and phosphorus in fertilizer products to only the amount needed to support healthy turf maintenance. This law does not apply to landscape and ornamental applications because it is a turf rule that is focused on products for homeowners, sports facilities, and lawn maintenance companies. FDACS will test fertilizer products for compliance with rule once the law goes into effect. The fertilizer industry will take the lead on outreach/education and FDACS will support these activities. The industry is waiting on recommendations from the Consumer Fertilizer Task Force, which was formed to develop consensus findings and recommendations on regulation and proper use and application of consumer fertilizers. Their final report is due to the legislature by January 15, 2008 (http://consensus.fsu.edu/fertilizer_task-force/index.html).

Terry noted that one of the questions the group had was related to defunct agricultural stormwater districts (298 Districts), over which FDACS does not have jurisdiction. Mark stated that the problem is that those districts have sunset in some areas but there is still agriculture in those areas. Robert King added that there used to be a lot of agriculture in Seminole County and it is a viable part of the economy. It is important that we work with agriculture during the BMAP process to ensure that they will be able to stay in the county and be profitable. Jody noted that this is what FDACS is trying to accomplish through their programs. Terry added that Carol Johnson is the FDACS representative in the area and Jody will also be involved when needed. FDACS will determine ways to address the water quality problems related to the agricultural activities in the basin. Tiffany will send the contact information for Terry, Jody, and Carol to the group.

Allocation Strategy and TMDL Verified List

FDEP Developing a Policy Recommendation to Address the Attenuation Issue

Jennifer noted that there have been several discussions during past meetings on the issue of attenuation. The TMDL currently treats one acre of land the same, no matter its distance from Lake Jesup. Now that the group is looking to provide allocations to individual jurisdictions, this issue needs to be addressed. FDEP staff are planning to meet to discuss this issue and determine a Department policy on how to address attenuation. This discussion should occur before the December meeting.

Sherry added that another issue is that the TMDL did not take into account alum treatment, which some areas (including Orlando) have implemented. Jennifer stated that any BMPs that were not included in the TMDL will be listed in the BMAP. Ed Torres suggested that attenuation behind control structures also be taken into account.

Review of Verified Lists

Amy Tracy provided two maps to show the verified TMDLs for nutrients and non-nutrients in the Lake Jesup region. The maps are shaded based on the type of impairment. A separate table of impaired waters was also provided, which lists the jurisdictions located in each verified impaired WBID. Sherry asked if the projects to address Lake Jesup also fix some of these impairments if the waterbodies would be delisted. Jennifer responded that the waterbodies would probably not be delisted but it would be noted that other activities addressed the impairment. This information on verified impairments in the area is provided for informational

purposes to help the entities determine where the best locations for their projects would be, which was a question that was raised at the last meeting. Amy added that the FDEP FTP site was recently updated with statewide verified waters.

Discussion on Revised Allocation Table

Jennifer reviewed the revised allocation table, organized by jurisdiction. The first column is the revised TMDL load, which was determined based on work by Bob Kelly and Joe Walter to pull out water, wetland, and conservation areas; separate golf course and agriculture loads; separate several Florida Department of Transportation (FDOT) areas; and revise the Site 10 land use. The second column applies the 34 percent reduction that was identified in the TMDL. Bob noted that the allocation column does not equal 66 percent of the TMDL load. Jennifer responded that the water, wetland, and conservation areas were not given a reduction. Sherry noted that the TMDL requires a nine metric ton per year reduction so the allocation from the natural lands will have to be distributed to meet this reduction. Jennifer stated that FDEP will determine how to apply this additional reduction.

The columns for “Documented TP Reductions Achieved” will include information from the projects submitted on the project collection sheets and MS4 tables. These project reductions will be subtracted from the required reduction to determine the interim load reduction. From there, load reductions from new structural, non-structural, and regional projects will be calculated. Each of the jurisdictions will determine what additional projects they will have to implement. Jennifer noted that during the one-on-one meetings, many entities were excited about the regional projects while others felt the costs may be higher than what the local councils would approve.

Non-quantifiable projects, such as education, are also included in the allocation table. FDEP is still determining the best way to give credits for these measures. Danny noted that he has completed research on reductions from education activities and he will provide this information to Jennifer. A discussion on tools to estimate load reductions from currently non-quantifiable measures will be held at the next Technical Working Group meeting.

The last column in the table is the final load reduction remaining once all projects have been accounted for to determine how best to address the remaining reductions. Also included on the allocation spreadsheet is an explanation for how each of the numbers in the columns will be calculated. Tiffany noted that the Turnpike Enterprise will need to be added to the table if it is determined that they need an allocation. Migdalia Hernandez (City of Sanford) also determined that the airport is part of the city’s MS4 and does not have its own permit.

Tim Egan asked how annexations are addressed when determining allocations. Jennifer responded that the group decided to use the jurisdictional boundaries that existed when the TMDL was finalized. Jurisdictional boundaries can be revised in future TMDL cycles.

Calculating BMP Load Reductions

Jennifer noted that during the last meeting, there was discussion about providing a consistent method for calculating BMP load reductions. A staff call was held to discuss two tools: an EPA tool for primarily structural methods that is based on Harvey Harper’s work and the Florida

Stormwater Association (FSA) tool for nonstructural methods that is being developed by Michael Bateman. Jennifer requested feedback from the group on whether these tools are appropriate.

Information from the project collection sheets and the MS4 table would be input into the tools to determine the expected reductions. The EPA tool is an Excel spreadsheet in which the type of BMP and acres treated are input and the model provides an estimate of the pounds/year reduction expected from the project. Tiffany added that the event mean concentrations (EMCs) in the tool would need to be revised to match what was used in the TMDL model. The FSA tool requires that the pounds of sediment, vegetative material, and trash removed be input to determine the expected nutrient reductions. Some assumptions may need to be made regarding these weights if the jurisdictions are not currently measuring these for their records. This tool also includes a wastewater component for septic tanks.

Zynka Perez noted that the disposal record should provide the weights needed for the tool. Mark stated that their contractor for street sweeping measures only the total weight. Tim added that they have total weights, too, but could make an estimate of the pounds removed in each category.

Jennifer stated that FDEP is comparing the values in the TMDL to these two tools. She requested that entities provide any information they have about removal efficiencies to FDEP for consideration. FDEP will also be setting up one-on-one meetings with each jurisdiction to discuss their projects, the information needed in the project collection sheets, and how to use these tools.

Jennifer asked if there were any concerns about the potential inconsistency between the project reductions shown in the BMAP using these tools versus the calculated reductions from the entity. Brian Fields suggested that for some of the bigger projects, which went through more detailed analysis, that this information should be used instead of the tools. Joe noted that this information could be submitted and compared to the results of the tool to determine which number is more appropriate. Ed asked if actual sampling data was available if that could be used instead. Jennifer responded that the real numbers should be used because those would be more accurate than estimates from the tool.

The Technical Working Group reached consensus that they should use the EPA and FSA tools for the BMPs which they apply. The tools should be modified using values from the TMDL and available data. Where real data are available for project benefits, that information will be used instead of the tools, as long as the data was collected using the required procedures. The tools will be used to estimate reductions from all other projects.

Next Steps

Next Meeting Agenda Topics

The Bear Gully/Soldier's Creek/Black Hammock data will be presented in a future meeting once the SJRWMD and Seminole County have had time to review and discuss the data. The next meeting will include: 1) update on the Site 10 sampling visit; 2) discussion on the tools to estimate reductions from education efforts; 3) discussion on how best to calculate the weight of sediment, trash, and vegetation for use in the FSA tool; and 4) review of the allocation tables with allocations by jurisdiction and by MS4.

Next Meeting Date

The next Technical Working Group meeting will be held on Thursday, December 20, 2007 at 1:00 PM. [Editor's note: This meeting was subsequently cancelled and the next meeting was scheduled for January 24, 2008 from 1 pm to 4 pm at Sylvan Lake Park.]

Mark noted that he found maps of the two agricultural districts in the basin and he will provide this information to post on the FTP site. Robert added that these districts are now defunct and are the county's responsibility but there are problems in the Black Hammock area that need to be addressed.

Adjourn

The meeting was adjourned at 4:05 PM.

Action Items

1. Sherry will present the data from the sampling at Solider Creek and Black Hammock at the December meeting, if the lab results are ready by that time.
2. Jennifer will provide an update at the December meeting on the sampling trip to Site 10.
3. The Technical Working Group should provide contact names and information for their Basin Working Group members.
4. Terry will provide her presentation for posting on the FTP site.
5. Tiffany will send contact information for Terry Pride, Jody Lee, and Carol Johnson to the group.
6. Entities should include alum treatment stations on their project collection sheets.
7. FDEP will determine how to allocate the TMDL reductions that were originally assigned to natural areas.
8. Danny will provide information on reductions from educational activities to Jennifer.
9. FDEP should consider factoring in attenuation and assimilation behind control structures when discussing the attenuation issue.
10. FDEP will compare the values in the TMDL to the EPA and FSA tools.
11. Entities should provide any information they have about removal efficiencies to FDEP for consideration.
12. FDEP will set up one-on-one meetings to work on the project collection sheets.
13. Tiffany will add Jody Lee as the alternate for FDACS on the Basin Working Group.