

Bayou Chico BMAP – Meeting Minutes
Technical Working Group Meeting #2
August 11, 2009
Pensacola Public Library

Attendees:

SAIC/Facilitator: Kathleen Harrigan

FDEP: Bonita Gorham (Tallahassee-WPCS) , Dick Fancher , Brad Hartshorn, Jonathan Colmer, Dan Stripling (NW District)

BARC/West Florida Regional Planning Council: Mary Gutierrez

The Nature Conservancy: Barbara Albrecht

City of Pensacola: Al Garza

ECUA: Tim Haag

Escambia County: Joy Blackmon, Taylor Kirschenfeld, Sava Varazo

Escambia County Health Department: Philip Davies, Louviminda Donado

FDOT District 3: D.J. Barber, Thomas Rogers, Ronald Johnson

Naval Air Station, Pensacola: Mark W. Gibson

City of Pensacola EAB/Pensacola Yacht Club: Eleanor Godwin

Pensacola Yacht Club: Sam Foreman (Vice Commodore)

Others/Citizens:

J.D. Brown, BREAM Fisherman's Association

Alexander Maestre, Geosyntec

Welcome, Introductions and Old Business Reviewed:

Kathleen opened the meeting and welcomed all attendees and individual introductions were made.

Kathleen identified the stakeholders at the table that could not make the meeting.

Kathleen discussed old business/action items from the last meeting.

Kathleen reviewed the action items from the June 23, 2009 meeting:

- BARC – to provide updates to project tables, as needed. Mary Gutierrez said she will review this.
- Bayou Chico Association: John Naybor was not present, but Bonita discussed the ongoing live aboard topic, and that she had contacted the FWC person John provided her. That person may be willing to attend a BMAP meeting to discuss live aboard boats (latest definition) and enforcement issues. John Naybor is to update the project tables as new information becomes available.
- ECUA:
 - Tim Haag has provided Bonita the project tables, and they have been added to the combined table,. He is working on additional information, including a collaborative effort with ECHD to obtain the number of tie-ins since sewer service has become available to others, ECUA keeps weekly data related to SSOs, and Bonita stated that she can obtain some of this information from the SSO database kept by DEP.

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- Kathleen discussed privately owned lift stations that may tie into ECUA, and Tim said they are working on determining low pressure systems, and will add that to information to get to Bonita.
 - Tim also said Phase 4 of the Lakewood subdivision is under design, and that they are still looking for funding. Stimulus money was not made available for this project, but that they are pursuing other options.
- ECHD: Phillip Davies will provide some additional information regarding tie-ins to Tim, and had sent Bonita a file today identifying failed septic tank information in the boundaries, and had a printout and disc for us. (We later discovered a few WBIDs missing from the map, and Phillip/Bonita will check the shape files DEP sent over).
- Escambia County: Provide shape files to Bonita of Bayou Chico Drainage basin areas (polygon on aerial base map). Bonita said she would also like to get shape files from county that would show all the county's subbasins (Warrington....) defined, as they had been able to pull in the City of Pensacola's basins on the project map. Chips acknowledged the request.
- City of Pensacola: Al Garza mentioned a Bayou Chico Stormwater Needs Assessment they had prepared a few years back, and had a copy to provide to Bonita.
- FDEP: Kathleen pointed out the working map that has been prepared by DEP with the Stakeholder restoration efforts through 2009. It is the same information that stakeholders had reviewed last meeting regarding project locations. Bonita had other smaller copies to distribute to the members, but will have to transmit them under separate cover to the members. She discussed the need to revise it as we add projects, and also wanted to also include overlay of sub-basins defined by Escambia County (and WBID boundaries).

Kathleen also discussed the issue with the Sunshine Law. (The County had requested clarification or a statement at our last meeting regarding interagency discussions of projects or other business in the county and wanted to know how sunshine law might apply in these circumstances). After discussions with FDEP Office of General Counsel (OGC), Kathleen stated that a strict application to the sunshine law was provided to us, which was a different interpretation than we expected for this group (handout to the group). After much discussion related to the findings of OGC, FDEP has decided to re-establish this group as a technical working group (with a fact finding charge) rather than a Basin Working Group, and that DEP will take steps to identify a basin working group that will make decisions on the group's findings and the BMAP development once we are further along on the BMAP. There was some further discussion concerning recommendations and decisions to be made: Al Garza suggested that members just bring up recommendations to their respective boards (city commission, county commission, board of directors, etc.) to move forward the BMAP, and Joy Blackmon expressed concern that there should be some agreement among other decision-makers (i.e., a named BWG) before the BMAP goes before their respective boards. She stated the need for the two groups and will decide among them (Chips/Joy/Lloyd) who may be best served where. Kathleen explained the difficulties we face in smaller communities that often have one person or staff member that serves multiple functions, or in both capacities (technical and decision maker); but the strict ruling from the OGC regarding sunshine law leads us to pursue other options for this BMAP. When asked if they had any problems with changing

their responsible charge from Basin Working Group members to technical, fact-finding, participants in the process. In this revised process DEP would hold technical meetings that are open to all interested parties to attend and participate in. DEP will ask for attendees' individual thoughts, suggestions, concerns, etc. but will not ask attendees for any group consensus. There appeared to be a general understanding among the members. Tim Haag asked if each entity's board would vote on the BMAP for approval. Kathleen stated that the vote would be more so a commitment (to the projects identified in the BMAP), and not to approve the BMAP. That process would be DEP's responsibility & DEP Secretary to adopt. Kathleen also stated that, due to this change of plans, we will likely need to extend the timeframe for the BMAP development by a least another 6 months.

Kathleen also relayed that FDEP is still looking into industrial entities to Bayou Chico; we had been assuming that most of industries discharges are no longer wastewater discharges (now tied into ECUA), but that there may be other reasons (conveyance systems) which may be a reason to have them represented. No decision yet has been made as to who will be included.

- FDOT: Information regarding a stormwater conveyance system outside the Bayou (Jim Kapinos mentioned last meeting), but that may outfall to the Bayou, is still needed, as well as any other planned projects or updates to the project list.

The agenda was then moved forward. Bonita reviewed the planning parameters (handout) established for this BMAP.

Bonita then gave a presentation on the "purpose and application of the decision support tool". This is a decision matrix that was developed for the Hillsborough River BMAP by DEP's consultant and may prove useful here as a screening tool. (It was being brought to this group at the request of Escambia County and City of Pensacola, who saw a similar presentation at a FSA conference). Its benefits and possible application for this BMAP was discussed and an overview of the decision matrix concept was given. Bonita mentioned how its use has other practical applications for municipalities who might choose to use it to prioritize or establish county-wide or city-wide monitoring of (fecal coliform) impaired waters. A preliminary look at the current (raw) data (2006-present) along with a summary of exceedances of surface water quality standards (>400cfu/100mL) from the TMDL impaired waters rule (IWR) runs (25 & 36) was also presented, which indicates that the Bayou is still impaired. (This presentation will be available on the ftp site and provided to the stakeholders). She explained that with water quality data readily available, it would be fairly easy to determine the percentage of exceedances to define the MQWA categories for the period of time after the verified period– and with our future watershed tour plans to ground-truth land use and source categories within each WBID, steps 1 and 2 (contaminant source assessment) of this tool can be readily accomplished. Bonita also proposed that we wait until the Group 4 monitoring and sampling was completed (December 2009) and use an IWR run (or min-run for the Bayou) after this data is entered before we utilize this decision tool for our purposes. This way if we determine that there is particular sampling we need before the end of December, then we can collect that data while Group 4 is under review.

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Chips Kirshenfield asked what the TMDL verified dates were? Bonita replied from January 1, 1998 (*though 1999 is the correct year*) through June 30, 2006. Restoration projects since mid-June 2006 would be used for the BMAP.

J.D. Brown of the BREAM Fisherman's Association asked about how we will distinguish between animal and human fecal coliform. He said that it seems the TMDL only addresses the bacterial contamination from human and not animals, and wanted to know why we are not addressing both potential sources. Bonita responded that, as stated in the planning parameters, it is only the anthropogenic sources that stakeholders can respond to, and that we will have to do our best to address sources that we can address, with the understanding that there are other factors, like wildlife, that are not under our control. Kathy provided further clarification with respect to differentiating sources and the requirements of 403.067 to address human sources with stakeholders.

Bonita then reviewed with the group 'BMAP project eligibility' and went over a few slides of examples of the types of projects that have been accepted in adopted (fecal) BMAPs around the state. This included: OSTD-related efforts; sewer infrastructure, stormwater-related efforts, and other programs, research, monitoring and source assessments.

Tim Haag stated that ECUA is implementing a fats, oils & grease program that is very critical to eliminate or reduce SSOs and clogs in the distribution lines. (*Bonita will add that to slide*)

Bonita then turned to the handout of compiled projects provided by the stakeholders to date. Which of these projects would actually address or reduce potential sources of fecal coliforms in the Bayou? That is what this group will need to discuss in future meetings. Kathleen asked the stakeholders to look over the projects list they submitted (and others) to evaluate which projects they believe would actually address the sources and result in fecal coliform reductions to the Bayou.

Chips recommended that DEP add a column to the projects table for comments, and perhaps have each rank them in terms of high, medium or low, in terms of anticipated reductions, or at addressing the problem.

Bonita then discussed future needs and data collection efforts. She asked if all the stakeholders could provide GIS and infrastructure information before our Walk the WBID (watershed tour) in October. This will be used in the table top exercise prior to the tour to get an idea of where the group should look. She would like to combine all the information later for a bigger picture and potential conflicts or problem areas, but bringing maps (from each stakeholder) on infrastructure plans to the next meeting.

Tim Haag asked FDEP if we could provide information or map which shows the boundaries of the WBIDs. Bonita will provide shape files of WBID boundaries to all stakeholders ASAP.

Bonita then discussed the Walk the WBID tour. It was suggested that we have a brief maps- on the-table meeting in the morning prior to the field tour, and conduct the tour in the afternoon.

Bonita is working on the details, but the dates have been tentatively set for October 14th for the watershed tour, and October 15th at City Hall for the BMAP meeting.

Boats may be provided by Chip (Escambia County), Tim (ECUA), Brad (DEP). [also, Sam Foreman later offered some help, from the Pensacola Yacht Club).

Everybody was also asked to look over their project lists for completeness, and Bonita will send out combined list with new column assigned that they can comment on, by ranking them high, medium, or low, in terms of potential pollutant load reductions (coliforms).

Bonita will also send out the map/GIS shape files of the WBID boundaries and the stakeholder projects map for their review.

Escambia County/ECUA and City of Pensacola to provide shape files or other file type of infrastructure within watershed boundaries to Bonita.

DOT to check on stormwater basin discussed by Jim Kapinos (last meeting) which is located outside of basin, and any additions to project list they may have – DOT representative, Thomas Rogers, acknowledged the request.

The meeting adjourned at 12pm.

A summary of all action items follows:

Actions Items:

All

- Review project table and categorize each as low, medium, or high for its potential to reduce fecal coliform loadings.
- Update project table with information on projects (related to fecal coliform impairments) that have a likelihood of being accomplished.
- Provide GIS information for infrastructure relevant to fecal coliform impairments (as applicable to each entity - storm sewer and sanitary sewer lines, lift stations, etc.

Bayou Chico Association

ECUA

- Coordinate with DOH to provide information on sewerage areas to DEP: maps and data regarding households that have hooked up to the sewer systems. Also provide history of hook-ups (timing of different implementation phases) and GIS information on where the sewer system can't be installed.

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- Continue to provide updated semi-annually.
- Provide summary data from the ECUA sanitary sewer overflow (SSO) response system for Bayou Chico to DEP.
- Provide information to DEP on the location and ownership of private lift stations and low pressure systems in the Bayou.
- Check on the availability of a boat for the field trip.

Escambia County

- Get shape files for sub-watersheds within the Bayou Chico basin to DEP .

Escambia County Health Department

- Provide DEP with information on failure and repair of septic tanks within the Bayou Chico basin (more detailed information than previously provided).
- Coordinate with ECUA on houses that have hooked up to the sewer system.

FDEP

- Continue to conduct research on industrial discharges into the basin: Reichold, Armstrong World, Ashland Newport, Trans Montaigne. What was discharged from these properties during the period of record, what has been discharged since. Determine if these entities should participate in the BWG or have any other type of role.
- Contact FWC and DEP about a possible presentation regarding efforts to control ‘live-a-boards’ in the Bayou at a future meeting.
- Continue to analyze recent fecal coliform monitoring data for Bayou Chico to identify:
 - Changes in the level of fecal coliform in the channel and at hot spots
 - Changes in salinity
 - Correlation between data trends after period of record and external factors (e.g., sewer installations/hook-ups, dredging, major storms).
- Provide data set to working group to review, provide local knowledge and support a discussion at the next meeting.
- Determine the relative timing for all major monitoring efforts in the Bayou (e.g., period of record for TMDL, UWF study).
- Coordinate with Frank Baker (USEPA Region 4) regarding the monitoring data he is reviewing.
- Update project list and distribute to the working group for additional input on relevance to the fecal coliform impairment.
- Draft a summary of the superfund sites and sediment contamination within the basin and explain how they are/are not related to the fecal coliform impairment.
- Define the outer boundaries of Bayou Chico BMAP planning area (impaired WBIDs) on a map and provide a formal request to the working group for information on infrastructure within the basin.
- Continue to update basin map to include overlays from ECUA, Escambia County, Health Department, etc. on top of the impaired WBID boundaries.
- Create template for background data such as lift station locations.

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- Update BWG (i.e., decision-making) and Technical Working Group (i.e., fact finding) descriptions for distribution at the next meeting.
- Send electronic copies of the following to Mark Gibson (NAS): project table shell, BMAP project eligibility (i.e, example from other fecal coliform BMAP) slides from PowerPoint presentation, and a jpg of the map of the basin.

FDOT – District 3

- Provide information to DEP regarding the stormwater facility that is located outside of the basin but pumping into the basin.