

Documentation in Support of NNC Exclusion Request

[Highlighted areas need to be addressed]

Purpose of Documentation

The purpose of this documentation is to support the determination of the applicability of the stream nutrient thresholds for waterbodies assessed under Chapter 62-303, Florida Administrative Code. Unless it is demonstrated that a Class III stream-like waterbody meets the criteria in either one of the exclusions for the definition of a “stream” as described in 62-302.200(36)(a) or (b), F.A.C., the stream Numeric Nutrient Criteria in Paragraph 62-302.531(2)(c), F.A.C. apply. As per Paragraph 62-302.200(36)(b), F.A.C., ditches, canals and other conveyances (or segments of conveyances) can be excluded from the stream definition if they are demonstrated to:

1. Be man-made, or predominantly channelized or predominantly physically altered,
2. Be primarily used for water management purposes, such as flood protection, stormwater management, irrigation, or water supply; and
3. Have marginal or poor stream habitat or habitat components, such as a lack of habitat or substrate that is biologically limited, because the conveyance has cross sections that are predominantly trapezoidal, has armored banks, or is maintained primarily for water conveyance.

If a waterbody meets this exclusion, the waterbody is still covered by the narrative nutrient criterion. The waterbody will be assessed for impairment using the 20 µg/L chlorophyll-a impairment threshold for streams (expressed as an annual geometric mean, not to be exceeded more than once in a three-year period), a statistically significant increasing trend in the annual geometric means in TN, TP and chlorophyll-a over the assessment periods, and other information indicating an imbalance of flora or fauna due to nutrient enrichment (including, but not limited to, algal blooms, excessive macrophyte growth, decrease in the distribution (either in density or areal coverage) of native submerged aquatic vegetation, changes in algal species richness, and excessive diel oxygen swings shall also be considered.

Waterbody/Watershed Identification

<i>Organization</i>	City of Fort Myers
<i>Point of Contact</i>	Richard H. Thompson, P.E., rthompson@cityftmyers.com , (239) 822-8566
<i>Waterbody(s)</i>	WBID 3258G1 Ten Mile Canal
<i>Watershed(s)</i>	Everglades West Coast 3258

Description of Proposed Exclusion(s)

<i>Map</i>	See attached documents. Propose to exclude all conveyance canals from the MS4
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Documentation for Proposed Exclusion(s)

<i>Evidence of Channelization</i>	Please see attached documents All conveyances man made
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Submitted by: City of Fort Myers to Florida Department of Environmental Protection
Division of Environmental Restoration and Support – Watershed Assessment Section

DATE 10-15-2021

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<i>Primary Purpose</i>	The primary purpose of all the water bodies is to provide drainage and in some instances water quality areas to serve the City of Fort Myers MS4 area
<i>Demonstration of Maintenance</i>	Please see previous MS4 annual reports that demonstrate maintenance of all conveyances
<i>Point Sources and Indirect Source Monitoring (Sites)</i>	See attached MS4 annual report from last year which includes the monitoring sites. Also, the attached link is the current Pollution Reduction Plan the city is currently completing. https://storymaps.arcgis.com/stories/09a474d5a8104dbfb49c94cbd43d03b8 The entire area is regulated by a Municipal Separate Storm Sewer System (MS4) permit FLS000035-004.
<i>Nonpoint Sources</i>	Please see attached link to Planning and zoning GIS page. https://cfm.maps.arcgis.com/apps/webappviewer/index.html?id=dec55d321b704ed598029043a3732344
<i>Habitat Assessment</i>	NA
<i>Current Restoration Conditions</i>	Waterbody proposed for exclusion(s) is not included in a Total Maximum Daily Load (TMDL) or a Basin Management Action Plan (BMAP).
<i>Downstream Protection Considerations</i>	Ultimate discharge WBID 325I Estero Bay