

Quarterly Teleconference for Florida Phase I MS4s

September 13, 2023

Meeting Minutes

The next quarterly teleconference is scheduled for:

- 12/13/2023
- Submit agenda topics to Sharon.Surita@FloridaDEP.gov
- [Subscribe to Phase I MS4 GovDelivery](#)

NPDES Stormwater Contacts:

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Beth Robertson	Phase II MS4 Coordinator	850-245-8495
Ryan Riffle	MS4 Data Steward	850-245-8684
Sharon Surita	MS4 Support	

Attendee Count: 126 (staff 5)

Welcome – Borja Crane-Amores

- New Phase II coordinators, Kristie Beeman and Beth Robertson, 1 vacancy remaining for Phase I MS4 Coordinator
- Review agenda topics

Audit Survey 123 – Matt Irwin

- Contracted with Atkins to build an audit and inspection tool in Survey123, an ArcGIS application.
- Can be used on a tablet and generates reports for each audit and site inspection; we can take pictures and photographs are embedded in the report; also auto populates corrective action for any associated non-compliance noted during the audit.
- Began using it in August and are still working out the kinks.
- It is imperative that permittees have available all SOPs, inspection and activity records for each permit requirement at the time of the audit, because where documentation is not provided during the audit, that requirement will be marked as not fully implementing the program.
- This is part of an initiative to reduce the amount of time between conducting the audit, completing the report, and sending the completed report to permittees, but it will also promote consistency between auditors and individual audits.

Cycle 5 Update – Matt Irwin

- Last week we completed making updates and revisions to the draft template of the new Phase I MS4 permit based on the working group comments we received in February.
- We are currently reviewing the document individually for spelling, grammar, and other edits to the draft, as well as finalizing a comments response document.
- Within the next month or two we plan to send both of these documents out to the permittees for your review and awareness.
- This preliminary draft will be the last iteration; we plan to issue the first draft package prior to the end of the calendar year.
- We will work with permittees on a case-by-case basis to get permits issued in particular timeframes, but we do have to keep things moving and there are timelines built into the formal process that we need to adhere to.
- Our goal is for the effective date to be the first of the month.
- Finally, the new permit will be accompanied by an updated permit resource manual and new Annual Report form.
- Q/A
 - *Anamarie Rivera (Pinellas County)*: We will get another opportunity to review the draft permit and the responses to the comments, but will we be able to provide further feedback?
 - *Matt Irwin (FDEP)*: This will be the last time we do working-group comments, but there will be a period built into the permitting process for formal comments.
 - *Anamarie Rivera*: If inspections frequency is enhanced, is that something DEP initiated, or did it come from EPA?
 - *Matt Irwin*: This will be included in the feedback. Many municipalities had comments pertaining to this.
 - *Anne Capelli (Mock-Roos, Palm Beach County)*: What date did you say you were going to get out the last draft?
 - *Matt Irwin*: Hopefully within the next couple of months, we should have a preliminary draft and our target is to have draft packages out before the end of the year.
 - *Sue Woodberry (TEAM Engineering – Redington Beach, St. Pete Beach)*: Is the general format for the annual reports going to remain the same?
 - *Matt Irwin*: It's going to look different by virtue of the changes of the reporting requirements, but it will still be a table based excel layout.
 - *Shannon Monahan (City of Winter Park)*: Is the working draft available to permittees?
 - *Matt Irwin*: This is an internal working draft but will be shared when finalized.
 - *Cassidy Reichert (City of Jacksonville)*: How many draft permit packages do you plan on sending out at one time? What do you expect the schedule to be from permit-to-permit package?
 - *Matt Irwin*: We are unsure how many will be done at once and who will be first.

Permitting Timeline (not discussed during teleconference)

- The permitting process from draft to final permit issuance lasts around 115 days, depending on how long it takes the applicant to publicly notice the draft and ITI and DEP to review and respond to comments received. See summary table below.
 - We add days to the schedule if due dates fall on a weekend/holiday
 - Our goal is for the effective date to be the first of the month.

ACTION

DEP to send Draft Permit Package
Applicant to Publish Public Notice of Draft Permit
Public Comment Period Ends
DEP to send Intent to Issue (ITI) Permit Package

Applicant to Publish Public Notice of ITI Permit
Public Petition Period Ends
Final Permit

TIMELINE

START
no later than 30 days from draft permit package
30 days after publication
dependent on comments received from
applicants and the public
no later than 30 days from draft permit package
no later than 14 days after publication
dependent on whether a petition is received
END

TMDL review – Anna Lomasney

- TMDLs adopted; list of all WBIDs with TMDLs being discharged to
- Prioritization plans to be submitted within 6 months of permit effective date and must include descriptions of factors used to prioritize
- Resources:
 - Chapter 62-302, F.A.C. Surface Water Classification
 - Chapter 62-303, F.A.C. Impaired Waters Rule – 303(d) list is the same as the impaired waters for which TMDLs
 - Chapter 62-304, F.A.C. Adopted TMDLs (WLA point sources and LA nonpoint sources)
 - Links will be provided for TMDL documents and BMAPs along with a TMDL map.
 - October 26, 2022, Teleconference Minutes included a presentation from Kevin O'Donnell – TMDL Program (sent via GovDelivery 11/28)

General Updates – Matt Irwin

- Regulated Phase II MS4 universe is expected to increase by up to 40% and can impact new designations and boundaries. EPA layers depicts the 2020 U.S. Census
 - <https://www.epa.gov/npdes/final-phase-ii-rule-clarification-related-census-bureau-urban-area-designation-criteria>
 - EPA provided notice of the final rule's promulgation in the Federal Register, <https://www.govinfo.gov/content/pkg/FR-2023-06-12/pdf/2023-12494.pdf> on June 12, 2023. The effective date for the final rule is July 12, 2023.
 - EPA has also published the updated Census webpage that includes information on the 2020 Census urban area maps. <https://www.epa.gov/npdes/urban-area-maps-mpdes-ms4-phase-ii-stormwater-permits>.
- Reminder: we have a new program email address NPDES-MS4@floridadep.gov that

replaces ePost. Please send reports, responses, and other routine items to this address. A member of staff is dedicated to receiving, distributing, and filing all incoming messages.

Q & A / Open Discussion

- *Allen Lane (CPH Corporation – Valencia WCD, Eatonville)*: Will this slide show for TMDL be made available? I would like the website links referenced for review.
 - *Matt Irwin (FDEP)*: The presentation will be sent along with the minutes.
- *Jason Maron (City of Apopka)*: Question for all permittees. Curious about how different cities issue SWO [stop work order] and how this is pulled from construction site.
 - *Joseph Thames (Pinellas County)*: We issue through development review but if discharging to county ROW [right-of-way], we pursue through a penalty matrix. That's through the general prohibition of illicit discharges.
 - *Richard Thompson (Fort Myers)*: we do SWOs all the time for illicit discharges of sediment or starting construction without ESC [erosion and sediment control] measures. We require basic protection for any inlet on the street outside of the development in addition to perimeter controls. We will do it informally the first time, then if not corrected, a formal violation will take them to code board.
 - *Sue Woodberry (TEAM Engineering – Redington Beach, St. Pete Beach)*: You must have your code of ordinances in place for it to be legal action of SWO. St. Pete Beach's Building Department refers issues to code enforcement who follows up with a fine or SWO if not corrected within 48 hours.
 - *Heather Maggio (City of Tampa)*: We issue as a civil violation, second offense doubles and thereafter.
 - *Sue Woodberry*: If you find someone blowing grass into the streets, you fine them?
 - *Heather Maggio*: Professional landscaper \$450, resident \$75.
 - Jennifer Thompson with Orange County – We have SWOs as well as hold placement on building permits preventing CO issuance until issue is resolved.
- *Kevin Coyne (Florida Stormwater Association)*: Borja mentioned the enhancement rule, is that happening?
 - *Borja Crane-Amores (FDEP)* – Rulemaking is happening now. There is a [Water Quality Enhancement Area Rulemaking website](#) and email address WQEA_2023@FloridaDEP.gov created for this purpose, and consistent with state rulemaking efforts. We are putting together a GovDelivery announcement to announce the first workshop tentatively in late October.

Teleconference minutes and videos can be accessed on the shared drive at:
\\deppubfs\PUBFDS\DWRM\NPDES_Stormwater\MS4\Teleconference Minutes\PhaseI

List of permittees required to be audited and/or inspected by September 30, 2023

*not inclusive of all audits/inspections that may be conducted

**strike through indicates audits/inspections already completed

Bradenton - Audit

(Matt Irwin)

Broward County - Audits

(Anna Lomasney)

Broward County

Lauderdale Lakes

Lauderhill

Lighthouse Point

North Lauderdale

Sunrise

Miami - Audit

(Matt Irwin)

Miami-Dade County - Audits

(Matt Irwin)

Golden Beach

Palmetto Bay

Pinecrest

Palm Beach County - Audits

(Matt Irwin)

Palm Beach County

Boynton Beach

Gulf Stream

NPBCID

Ocean Ridge

Palm Springs

Riviera Beach

West Palm Beach

Sarasota County - Audits

(Matt Irwin)

Sarasota County

North Port

Sarasota

Venice

FDOT - Audits

(Michelle Bull)

District 3, Leon

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Permittee's Respective Coordinator Contact		
Permit #	Permit Name	MS4 Coordinator
FLS000002	City of Miami	Vacant
FLS000003	MIAMI-DADE COUNTY	Vacant
FLS000004	SARASOTA COUNTY	Vacant
FLS000005	PINELLAS COUNTY	Matt Irwin
FLS000006	HILLSBOROUGH COUNTY	Anna Lomasney
FLS000007	City of St. Petersburg	Matt Irwin
FLS000008	City of Tampa	Anna Lomasney
FLS000009	City of Temple Terrace	Anna Lomasney
FLS000010	Reedy Creek Improvement District	Vacant
FLS000011	ORANGE COUNTY	Vacant
FLS000012	City of Jacksonville	Matt Irwin
FLS000013	City of Jacksonville Beach	Matt Irwin
FLS000014	City of Orlando	Vacant
FLS000015	POLK COUNTY	Anna Lomasney
FLS000016	BROWARD COUNTY	Anna Lomasney
FLS000017	City of Ft. Lauderdale	Anna Lomasney
FLS000018	PALM BEACH COUNTY	Matt Irwin
FLS000019	ESCAMBIA COUNTY	Matt Irwin
FLS000020	City of Hollywood	Anna Lomasney
FLS000023	City of Hialeah	Vacant
FLS000032	PASCO COUNTY	Vacant
FLS000033	LEON COUNTY	Matt Irwin
FLS000034	City of Tallahassee	Matt Irwin
FLS000035	LEE COUNTY	Anna Lomasney
FLS000036	MANATEE COUNTY	Vacant
FLS000037	City of Bradenton	Vacant
FLS000038	SEMINOLE COUNTY	Vacant
	FDOT	Michelle Bull



TMDL Resources

Anna Lomasney

Water Resource Management / NPDES Stormwater
Florida Department of Environmental Protection

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TMDL PRIORITIZATION PLAN

- For permittees whose MS4s discharge into receiving waters with a Total Maximum Daily Load adopted by DEP or established by EPA
- Identify and list all WBIDs with TMDLs to which the MS4 discharges either directly or through a point of interconnection
 - Identify TMDL WBIDs addressed in previous permit cycles
 - Prioritize a different WBID in each permit cycle
 - Permittees are encouraged to collaborate
- Submit Prioritization Plan within 6 months of permit effective date.
 - Include description of factors used for prioritization



DEP RESOURCES

- Surface Water Quality Standards – Chapter 62-302, F.A.C.
 - Classification of Surface Waters
 - Numeric and Narrative Surface Water Quality Criteria
- Impaired Waters Rule – Chapter 62-303, F.A.C.
 - Assessment pursuant to Sections 403.067 (2), (3), and (4), F.S.
 - Planning List – to determine if waterbody is impaired
 - Study List – as needed, to determine causative pollutant(s)
 - Verified List – the list of impaired waters for which TMDLs will be developed; also submitted to EPA as a “303(d) list”
- TMDLs – Chapter 62-304, F.A.C.
 - List of adopted TMDLs organized by geographic region
 - Includes Wasteload Allocation (WLA; point sources) and Load Allocation (LA; nonpoint sources)



DEP RESOURCES

DIVISION OF ENVIRONMENTAL ASSESSMENT AND RESTORATION (DEAR)

- TMDLs: <https://floridadep.gov/TMDL>
 - [Table](#) of Final TMDL documents (sorted by Waterbody)
 - [TMDL Prioritization 2.0](#) – new TMDL development framework; biennial cycles
 - [Bacteria TMDLs](#)
- BMAPs: <https://floridadep.gov/dear/water-quality-restoration/content/basin-management-action-plans-bmaps>
- Interactive [TMDL Map](#) (Open in Map Viewer for best results)
- October 26, 2022 Teleconference Minutes – presentation from Kevin O'Donnell (sent via GovDelivery 11/28)



THANK YOU

Anna Lomasney

Water Resource Management / NPDES Stormwater
Florida Department of Environmental Protection

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