



LOXAHATCHEE RIVER MANAGEMENT COORDINATING COUNCIL
MEETING

Monday, January 30, 2017 - 2:00 pm

The River Center
805 N. US Highway 1
Jupiter, FL 33477

MINUTES

I. Call to Order

Tom Howard called the meeting to order at 2:00 p.m. and welcomed everyone.

II. Roll Call

Albrey Arrington, Lox River District
Michael Dillon, South Indian River Water Control District (SIRWCD)
Deborah Drum, Martin County
Michelle Ferree, SFWMD
Sam Heady, Village of Tequesta
Tom Howard, Jupiter Inlet District
Chad Kennedy, DEP
Pat Magrogan, Gulfstream Council
Peter Merritt, TCRPC
Sam Payson, North Palm Beach County Improvement District
Gary Ritter, Florida Farm Bureau
Dick Roberts, Martin County Conservation Alliance
Herb Zebuth, Florida Native Plant Society

III. Approval of Minutes from the June 27, 2017 and September 26, 2016 meetings

Revision to Meeting notes for September 26 under US Highway 1 – FDOT there is an erroneous height reference.

This paragraph needs to be amended as shown:

The two concrete structures at the end of the bridge that hold the weight of the structure have to be demolished and the height clearance (currently at 85 feet) will need to be raised to 125 feet, which will allow two boats to pass at the same time and can be open longer, it will be a wider opening and they are looking at a vertical clearance of about 35 feet which will reduce the bridge openings by 40%. Thus, ~~and traffic over the bridge~~ the traffic over the bridge will be interrupted less times. Detours are preferred instead of staged construction.

Last paragraph under same item, page 4 third paragraph, Mr. Dick Roberts asked if a letter of support was sent to the District on the Lainhart Master Dam refurbishment project.

Meeting of June 2016

Last page, about Science Symposium. Need to clarify, change "they" for "the" Symposium.

Need to read as follows:

Since it's been five years since the last symposium was organized, in 2011, it's important to start focusing on budget funding, possible dates and designating an organization committee.

The last time the symposium was organized, staff was in charge and it proved to be too big of a commitment for them. It was suggested to hire a contractor for distribution of information (FAU took on this task ~~last time in 2008~~ in 2008) and also to review abstracts, settle on keynote speaker. It was mentioned that the SFWMD gave \$5K in support of the symposium ~~the last time in 2008~~ in 2008.

Also, in the same minutes of the meeting, Deb Drum suggested this change:

7. In the St. Lucie BMAP, ag producers ~~were~~ **are not** required to have projects, like local governments are. FDACS is staffing up its Okeechobee office to make sure notices of intent (NOIs) are implemented. We need to look at legislative changes that will require enforcement of FDACS NOIs to implement BMPs in RAPs, similar to the BMAP process.

Both minutes of the meeting approved with these corrections.

IV. Election of Officers

- A. Chair - Tom Howard, Jupiter Inlet District (Third and final term)
- B. Vice-Chair - Sam Payson, North Palm Beach County Improvement District
- C. Secretary - Gary Ritter, Florida Farm Bureau

V. Project Updates

- A. FDEP Update on Reasonable Assurance Plan

Waterbody Identification (WBID) Boundary Changes

Julie Espy of the DEP Water Quality Assessment Program explained that in follow-up to the discussion at the last meeting on October 24, 2016, DEP conducted a teleconference with interested parties on December 2, 2016, to discuss how best to align WBID boundaries with the RAP study area boundary. Julie presented a slide that depicted proposed changes based on the teleconference. She will schedule another

teleconference with interested parties to discuss the proposed changes as well as other information/questions she has received since December 2, 2016 on this topic. She requested that interested persons contact her or Tiffany Busby for placement on the teleconference attendee list.

Bacteria Impairments as a Topic in the RAP

Julie reminded attendees that in Florida, a RAP has never been prepared specifically for bacteria impairments since attainment of water quality criteria cannot be clearly demonstrated for bacteria. However, with the direction she received at the October 24, 2016 meeting, she spoke with the U.S. Environmental Protection Agency (EPA) regarding inclusion of bacteria impairments in this RAP. EPA stated that bacteria impairments can be included in the RAP as a restoration objective, but not as a direct, quantifiable objective. Tom Howard asked if a separate plan for bacteria should be prepared parallel to the RAP. Julie responded that a separate plan is not needed, that bacteria can and should be included in the RAP. How the bacteria impairments are addressed in the RAP will be different than how the nutrient impairments are addressed. Nutrient impairments will have quantifiable reduction projects identified to achieve water quality criteria. Bacteria impairments will be addressed as restoration objectives, without quantifiable projects. Albrey Arrington stated that the RAP could contain text along the lines of, "...improve water quality in nutrients and bacteria, but uncertainty exists regarding bacteria..." Herb Zebuth stated that he is not comfortable "sloughing off" the bacteria concerns. Julie responded that the RAP will absolutely acknowledge bacteria, but it will be addressed differently than nutrient impairments. Tiffany elaborated that there is a technical limitation on what is known of bacteria. A separate bacteria plan would not be any more specific than the RAP.

Watershed Modeling Update

Julie reminded attendees that at the October meeting, she mentioned that upon further review of the existing U.S. EPA model, DEP determined that significant work effort would be required to calibrate and update the model at a cost of ~\$350,000 and take two years to complete. Therefore, as an alternative, DEP determined that it could use portions of the existing model in a simpler platform to calculate the pollutant loading. The initial results that Julie received in mid-January from the DEP modeling team indicate that the relationships of total nitrogen (TN) and total phosphorous (TP) to chlorophyll-a are weak and the team recommends looking at the relationships of salinity and temperature to chlorophyll-a. Also, the team needs to look at the data itself as there appear to be some statistical outliers. Julie stated that she will provide a thorough model update at the March meeting that will assist with the path forward on development of the RAP.

Monitoring Plan Update

Julie and Bud Howard stated that the monitoring network plan has not yet been revised, pending further data analysis, which is discussed below.

Water Quality Data Review for the Town of Jupiter and Village of Tequesta

Upon a request received at the October meeting, David Tyler of the DEP Water Quality Assessment Program provided a presentation on the nutrient data evaluation he completed on WBID 3226C (Lox River, Southwest Fork) based on data from Jupiter and WBID 3226 (Jupiter Inlet) based on data from Tequesta as well as DEP data. The purpose of the evaluations was to determine if the RAP monitoring network should include the sampling stations maintained by Jupiter and Tequesta in these WBIDs.

The WBID 3326C evaluation was a comparison of Jupiter's reverse osmosis (RO) wastewater treatment facility (WWTF) monitoring data to the DEP impaired waters rule (IWR) data. David concluded that inclusion of Jupiter's data would not change the overall TN, TP, or chlorophyll-a assessment for the WBID. Albrey asked how the town's data are collected at the monitoring stations. Rebecca Wilder responded that samples are collected by boat, one-foot below the water's surface on outgoing tide. She said the monitoring locations are specified in the WWTF permit. Jon Perry and David discussed why the evaluation was for the entire WBID rather than for specific stations. Rebecca clarified that "ND" stands for "not detected" rather than "no data." David responded that he will reevaluate the data since he now understands that "ND" means no chlorophyll-a detected.

The WBID 3326 evaluation was a comparison of Tequesta's RO WWTF monitoring data to the DEP IWR data. David concluded that inclusion of Tequesta's data would change the chlorophyll-a assessment to impaired for the WBID. Sam Heady stated that the location of the single monitoring station for Tequesta (SWD-1) is depicted in the wrong location on David's slide.

Tom asked the attendees if there are any recommendations regarding the monitoring sites; Tom asked if the sites should be included in the RAP monitoring plan. Albrey responded that the Jupiter and Tequesta data should be added into the water quality data set/overall monitoring plan. There is no evidence the data are erroneous and they appear representative of conditions. He said that the SIRWCD data have not yet been presented, but he assumes that it too is representative of conditions. Julie stated that David will complete a similar evaluation on recently provided data from SIRWCD. Julie inquired as to the addition of a new station south of the S-46 structure, a concept that was brought up several months ago. Albrey responded that a new station is not needed since now including Jupiter's stations in WBID 3226C. Tom stated that he is concerned regarding the lack of uniformity in sample collection. Albrey said that ideally, all samples would be collected on outgoing tide, but it is not feasible for Loxahatchee River Environmental Control District (LRD) to do so with 40 stations in the study area. David Brown said the town can add a site to the monitoring regime near the S-46 that is sampled during outgoing tide. Bud assured Tom that LRD's dataset is comprehensive and can delineate tidal effects, wet/dry conditions, storm conditions, etc.

Funding of Lox River Projects

Deborah Drum reminded attendees that she would like to receive funding data for Lox River projects so that she can recommend to DEP an optimal period for projects to receive reduction credits. Right now, DEP suggests that projects are acceptable from 2009 to present, based on 2009 being the last year of verified data in the watershed model. If significant funding (and projects) occurred prior to 2009, she would like to

have those projects eligible for reduction credits in the RAP. Julie responded that DEP is receptive to a start date other than 2009 and that it would be duly noted in the RAP. The starting load will need to be adjusted in the RAP to coincide with the project year if a year earlier than 2009 is selected.

An ancillary discussion occurred regarding RAP projects. Pattie Gertenbach asked if the projects can occur anywhere in the RAP study area. Julie responded affirmatively. Tiffany briefly explained the difference between the WBID and RAP boundaries and stated that if the RAP boundary is proposed to change, the change will need to be approved by the LRMCC. David Brown stated that projects in the Town's stormwater master plan are appropriate for inclusion in the RAP. Albrey stated that the Lox River Protection Initiative (LRPI) project list submitted for legislative funding this year is also pertinent to the RAP. Tom asked when substantive activity will occur in RAP development and project collection since the goal is to have a final plan by the end of 2017. Julie responded that the March meeting will be pivotal in determining the path forward based on the model assessment.

Stormwater Best Management Practice (BMP) Efficiency Handout

Tiffany provided an update on the DEP BMP handout she distributed at the October meeting. She said that DEP is evaluating the questions and comments posed at the October meeting and a revised handout should be available for distribution in the near future.

B. Assessment of Implementation of 2010 LRMCC Plan Objectives - Tom Howard

Review of the spreadsheet is done every quarter. Deb Drum reminded the Council that this item was to remain on the agenda as a reminder as projects in the watershed were completed their status should be updated in the spreadsheet.

VI. Watershed Status Updates

A. Loxahatchee River Dashboard Overview, Albrey Arrington, LRD

Minimum flow of the Lainhart both in November and December have been 24 cfs which is not 35 cfs. About 20 days in November the flows were less than 35 cfs.

B. Water Quality, Bud Howard, LRD

The targets set was 20-day moving average, 35 cfs during an extended period of time. Dry season preferred restoration flow range (50~110 ... Supplemental flow methods to get to the river, presently water comes from the west to Grassy Waters, C-18 canal, C-161, up to the north-west fork. What happens at Grassy Waters, which is the water surface supply for the City of West Palm Beach and trying to get those flows are very challenging.

<http://loxahatcheeriver.org/wqresults.php>

VII. Member Issues (brief, verbal status update)

A. No Jet Ski policy, Horse Ordinance and Motor Boats on the River (Herb Zebuth)

Questions arose about jet skis being operated in the river. After talking to Riverbend Park staff and others, it was determined that there are no issues with jet skis. Mr. Bailey who rents canoes has seen motor boats in the river racing and raising waves that could affect the shoreline. They have reportedly witnessed these boats intentionally creating waves big enough to tip over canoes. Riverbend insists that it is impossible that a boat could come to the park from the north but they might come from the side since there are some properties that have access. The issue needs to be addressed by the Park and the County. Rules and regulations need to be strengthened to protect the public. Need direction on what authorities (Commissioner and Park Director) can do in order to regulate and/or prohibit specific vehicles from entering the park. It was assured that there are no signs prohibiting motor boats to enter the park.

Include in agenda for next meeting, to follow up.

B. Land Management

Intent to get land managers together at least twice a year in order to discuss issues and potential projects, emergency responses, etc. Need to include this in next agenda.

C. Flood Control

Update on Lainhart Dam Project great impact on the vegetation in the project area. Getting close to starting construction. Terrie Bates updated that contracts are on-going through bid and it's in process. Expect to have a contract signed by mid-February.

VIII. Public Comment

IX. Adjourn

Next regular meeting is scheduled for Monday, March 27th, 2017 at the River Center.

Meeting adjourned at 4:45 p.m.