

Meeting Summary
Lower St. Johns River
Technical Advisory Committee Meeting
February 5, 2004
SJRWMD Service Office
Jacksonville, Florida

Attendees

Lori (Lucas) McCloud, SJRWMD	Patrick O'Connor, FDEP
Cliff Gandy, SJRWMD	Fred Morris, Public
Russell Brodie, FWC	Blake Augé, FDEP
Gretchen Ehlinger, FWC	Tom Kallemeyn, FDEP
John Hendrickson, SJRWMD	Dean Dobberfuhl, SJRWMD
Richard Bryant, National Park Service	Ivan Chou, ECT
Cindy Cosper, FDEP-WMS	Dean Campbell, SJRWMD
Erin Hughes, SJRWMD	Jennifer Sagan, Independent Contractor
Michelle Jeansonne, BCI at SJRWMD	Dana Morton, COJ/ERMD/EQD
Don Loop, Stewards of the St. Johns River	Betsy Deurling, City of Jax, ERMD/EQD
Jeremy RiCharde, FDEP-NED	Mike Hollingsworth, USACE
Jim Maher, FDEP-NED	Laila Capers, Dept. of Navy
Dylan McCordless, FDEP	John Abendroth, DEP
Brad Russell, JEA	Doris Marlin, COE
Kraig McLane, SJRWMD	Tiffany Busby, Independent Consultant
John Nooney, Citizen	Pam Livingston-Way, SJRWMD
Marcy Policastro, CCUA	Jeff Cunningham, COJ
Lee Banks, FDEP	Lucy Sonnenberg, JU

Welcome

John Hendrickson, co-chair, welcomed everyone to the meeting and the St. Johns River Water Management District (SJRWMD) offices. The participants introduced themselves.

Mr. Hendrickson asked for comments on the November meeting summary that was transmitted to the technical advisory committee (TAC) members via e-mail in advance of the meeting. Tiffany Busby noted that two comments were submitted by e-mail. One was to add Shauna Ray Allen to the list of attendees. The second was to correct the spelling of Gil McRae's name in the section on discussions regarding biological monitoring. There were no additional comments on the meeting summary.

Alliance Update

Anne Keller gave the update on the St. Johns River Alliance with the following items:

- The paperwork to create a 501(c)(3) organization is in progress;
- The Alliance Board has now met several times;
- April 21st will be the next Board meeting (location to be announced);
- A citizen's workshop for the Lower Basin will be held February 18th from 6-8 PM at the St. Johns County Agricultural Center, near the

intersection of I-95 and S.R. 16. More information about the workshop will be posted on the Alliance website. The following topics will be covered at the workshop:

- Introduce the Alliance, Summit results, previous work in each basin;
- Discuss public involvement and projects; and
- Hold a facilitated discussion
- May 10-12 will be the semi-annual American Heritage Rivers Initiative (AHRI) National meeting, held here in Jacksonville. The first day will be held in Palatka. The second day will focus on trails and the Timucuan. The public is welcome to attend. There will be a registration fee. More information on registration will be available on the Alliance website www.floridariver.org. Ms. Keller will send a notice to Tiffany Busby when the registration information is available on the website so that information can be forwarded to the full TAC.

John Hendrickson asked what is happening with the other TACs (in the other basins). Ms. Keller responded that meetings are being set up through the Florida Department of Environmental Protection (FDEP) and the Water Management District.

TMDL Update

Jim Maher provided a total maximum daily load (TMDL) update. He noted that on December 3rd the Lower St. Johns nutrient TMDL was put in the Florida Administrative Code. Now, the Basin Management Action Plan (B-MAP) process needs to begin. Concurrently with that process we need to review the technical process and support documents for the TMDL development.

U.S. EPA set a TMDL as a proposal (using the TMDL that Florida proposed) while the Florida process was being completed. Florida is now awaiting a response from Kim Pierce, EPA, on whether EPA accepts Florida's TMDL or is going to develop a new one. Daryll Joyner is the main contact with EPA on their review.

The FDEP has hoped to begin holding TMDL meetings again in January but staff time and calendar issues arose as well as meeting space issues. There are some issues with limited staff time. There were some February dates being discussed, but there is a conflict with a workshop in the upper Ocklawaha for those dates.

There are issues with the allocations and proposed reductions, especially for non-point sources.

Follow Up Item: Jim Maher intends to send out the next TMDL Stakeholders and Executive Committee meeting dates in the next few weeks.

Some issues that have been raised to date:

- Riverkeeper administrative challenge to the TMDL;

- Is the model sensitive enough to run different allocation scenarios? The NED would like to do individual runs, but is the model sensitive enough to do that? Mr. Maher noted that John Hendrickson, JEA, and the FDEP are working on a grant that is due to EPA by next week for funding model runs.
- Submerged aquatic vegetation (SAV)—what are the effects on SAV? There is no current SAV dimension in the model. It might require additional technical work to add that to the model.
- Dissolved Oxygen (DO) was also identified in the Plan of Study. The model shows a DO sag even with the reductions. How do the model results agree with the DO sag? If the DO is less than 5 mg/l, do we need to develop a site-specific standard for the Lower St. Johns? Is that appropriate? EPA has identified this as an issue.

Mr. Maher stated that the FDEP is very interested in maintaining control of the TMDL process, rather than turning responsibility over to EPA.

Dana Morton asked if the B-MAP process would begin through the Stakeholders Group. Mr. Maher responded that, yes, they plan to use a similar process as the TMDL development. The Stakeholders Group will meet first to discuss the more technical issues. The, shortly thereafter, the Executives will meet and will be informed of the discussions and results at the Stakeholders Group.

John Hendrickson noted that they are seeking a grant to expand the model. Currently, they are in discussions with the Army Corps for further work on the model included adding the SAV model and refinements and adding Lake George to the model. Mr. Hendrickson also stated that they are hoping to “parallelize” the code in the model to improve the speed of individual runs. That would make more runs possible. But the Water Management District needs additional funding to help move these technical efforts forward.

John Hendrickson asked what was happening with permits coming up, now that the TMDL is in the administrative code?

Mr. Maher replied that there are several point source permits up for renewal right now, including one for Jacksonville Beach. The current code/TMDL only specifies a waste load allocation and MS4 portion. The B-MAP, which needs to be written, is supposed to provide more specificity with individual (specific) plant allocations. We have to look at whether we really want a 22% reduction from everyone anyway? Should we be looking at technologies in place, their location, and their effect on the river?

Jennifer Sagan asked if the FDEP has to look at current plant efficiencies versus future plant efficiencies with increased loads?

Mr. Maher responded that, yes, increased plant loads will decrease some plant efficiencies.

Anne Keller asked if the FDEP could re-open these permits when the allocations are established?

Mr. Maher explained that all new permits would have language included within them that allows them to be re-opened once the allocations are established.

Mike Hartman asked if the model could look at effects of development and changes in land use or wetland loss on water quality.

John Hendrickson responded that yes, in general, the model can measure those effects if the right information/data are available.

Mr. Maher noted that there is no current regulatory hammer to require no net increase in nutrients from new development, such as “Rivertown,” which is currently under review. Another issue is the possible hydrodynamic issues from pulling water out of the river for a drinking water source.

Don Loop commented that he has concerns about both growth and nutrients. Growth is our toughest enemy. When people buy a waterfront lot, they often cut down all the riparian vegetation and put in a lawn. Then, all the fertilizer applied to the lawn runs into the river and becomes a major source of nutrients.

Mr. Loop noted that one of the Steward’s goals is to develop an information packet for riverfront property owners to encourage them to minimize runoff from their lawns (such as fertilizer and pesticides).

Pam Livingston-Way asked when residential developments are in the design phase, why can’t their BMPs be put in at that time?

Mr. Maher responded that that would be the ideal time. However, the FDEP doesn’t issue a permit for that. The Department reviews the Development of Regional Impact (DRI) and comments on those through the Regional Councils, but does not issue an FDEP permit.

Kraig McLane noted that the DRI review only kicks in for developments of 800 units or larger. Local governments are responsible for enforcement of the DRI, which they don’t already track that closely.

Ms. Livingston-Way asked if there are incentive opportunities.

Mr. Maher responded that he wasn’t sure—he should explore that idea with the Regional Councils.

Ms. Sagan recalled a problem with the Guana basin and that the Water Management District was going to start requiring IFAS-certified landscaping on residential yards in that area. Did that happen?

Ms. Livingston-Way responded that a St. Johns County ordinance was passed to limit fertilizer applications during certain times of the year and limiting the kinds of fertilizers that could be used in that area. The County used IFAS and FDEP model ordinances to write their ordinance.

St. Johns County is responsible for enforcement of the ordinance. The County has the right to check operators' licenses and application amounts, but only in the Guana basin. There was an effort to make the ordinance countywide, but that didn't happen.

Mr. Maher suggested that new dock construction is also a concern in the Lower Basin.

Mr. Morton described a document of possible interest to the committee members: NOAA Coastal Services Article. It describes a University of Connecticut study, tracking several years worth of data, on the effectiveness of best management practices (BMPs) in a subdivision.

Follow-up Item: Dana Morton offered to send an on-line link with the report to Tiffany Busby so that the link could be forwarded to the TAC members.

<http://www.canr.uconn.edu/jordancove/>

Bylaw Discussion

Kraig McLane led the discussion on the proposed TAC by-laws. The process he and the TAC co-chairs propose is for the TAC to discuss the revised by-laws today. Then, a comment deadline of March 31st is set so that any TAC member can send in additional comments by that date. An electronic version of the by-laws will be sent to the entire committee tomorrow. At the next TAC meeting, an agenda item will be added to adopt the TAC by-laws.

There were no objections to this process from the members present.

Mr. McLane then reviewed the provisions of the revised by-laws.

Mike Hartman asked if the by-laws address how information presented at TAC meetings could be utilized outside the TAC.

Mr. McLane responded that that issue is not specifically addressed in the by-laws.

After some general discussion, John Hendrickson suggested that the best way to address that issue is to ask members and presenters to qualify their statements and presentations. Members should use their best professional judgment to advise their behavior on how they use the information presented during TAC meetings.

Updates

SJRWMD Proposal

Pam Livingston-Way provided an update on a grant proposal that was submitted to U. S. EPA by the St. Johns River Water Management District. The proposal outlines a project to take “controlled release fertilizer” (CRF) technology from the plot-level to the field demonstration level. The proposal is to measure crop yields, environmental benefits, loads in runoff, and load reductions.

A second part of the proposal is to conduct a feasibility study to see if there may be opportunities for pollutant trading between storm water in urban areas and agricultural areas. The proposal is to examine the economic aspects of load reductions. The Water Management District is working with the City of Jacksonville and the University of Florida-IFAS on this project. Jeff Cunningham is the contact at the City.

Ms. Livingston-Way noted that 12 eligible proposals were forwarded to the EPA regional office in Atlanta. A few will be selected and forwarded to EPA Headquarters for further consideration. We should know by the end of April or May whether the project has been selected for funding.

County Representation

On a side note, the co-chairs asked Tiffany Busby, the TAC facilitator, to check and see if all the counties in the basin have a representative on the e-mail distribution list for the TAC.

Follow-up Item: Tiffany Busby should check to see if all the counties in the basin have a representative on the TAC distribution list and report any missing representation to the co-chairs.

Break

John Hendrickson called a 10-minute break.

Reasonable Assurance Plan Update

Dana Morton provided an update on the reasonable assurance plan for fecal oviform bacteria in certain tributaries. He outlined the plan highlights:

- 51 impaired waters were prioritized;
- Detailed action list for the top 8 WBIDs (water basin IDs);
- Set a timeline of 14 years to achieve attainment (not to exceed 400 counts per 100 ml in 10 percent of the samples);
- Complete sanitary surveys as needed [conducted by Florida Dept. of Environmental Protection-Northeast District (DEP-NED), Duval County Health Dept. (DCHD), and City of Jacksonville-Environmental Quality Division (COJ/EQD)];
- \$84.5 million in capitol improvement projects including water quality components from public works;

- Detailed actions by JEA including SSO reduction programs and infrastructure rehabilitation;
- Implementing the existing *Water and Sewer Infrastructure Task Force Report*;
- Implementation of the septic tank phase-out program; and
- Annual reporting of progress (by WBID) including holding public meetings.

Mr. Morton explained that the final reasonable assurance package was submitted to FDEP in Tallahassee on January 6, 2004. The plan is under review and needs to be adopted by the Secretary of FDEP. It will also require EPA approval. He noted that the partners are committed to implement the reasonable assurance plan even in the event that EPA does not approve the plan.

Mr. Morton also updated the TAC on other City of Jacksonville activities. The Environmental Protection Board (EPB) funded the U.S. Geological Survey (USGS) tributary study at their last meeting. The March 8th EPB agenda includes consideration of Lucy Sonnenberg's proposal and Brian Bendis' MARFIN platform. Mr. Morton noted that Travis Pigg, FMRI, has assumed responsibility for the management of the platform.

Florida Department of Environmental Protection

John Abendroth reported that the verified list for Group 2 waters in the Lower St. Johns is under review by Department attorneys. When their review is complete, FDEP will adopt the list and then a challenge period opens. Once the challenges are addressed the list is forwarded to EPA for comment.

Cindy Cospers, who is with the Watershed Monitoring and Data Management Section, commented that the Department is now working on the statewide 305(b) report. The report will include the results of the first three to four years of probabilistic water quality sampling (statewide). She also noted that sampling had been conducted in six resource categories including confined underground waters, unconfined underground waters, large lakes, small lakes, large rivers and small rivers. Ms. Cospers commented that the river categories might be changed in future years to "managed rivers" and "small streams."

St. Johns River Water Management District

Dean Dobberfuhr reported that the District has recently started several tributary projects. With the University of Alabama (Art Banke), 20 different watersheds in the Lower St. Johns with urban to rural land uses will be assessed. Measurements will be taken for water quality parameters, carbon exports, invertebrates, and stable isotopes. The study will quantify how the tributaries are affected as a function of development pressure.

In other watersheds, the District will be assessing different land uses such as natural forested, forested, and silviculture and measuring invertebrates and water quality. This study will quantify how important the land uses are and what level of development they could handle.

Florida Marine Research Institute

Russ Brodie explained that monthly fish sampling continues in the St. Johns, St. Marys, and the Nassau Rivers. For the St. Marys, they are currently working on a report on species composition, based on one year's worth of data. For the Nassau River, a new poster (displayed at the meeting) has been developed using the first three years of data. They are finally at a point with the Nassau data where there is enough data to look at trends.

FMRI is looking for funding within the budget for several projects including a proposed pompano study, and flounder study, a drum/cyanid and Atlantic croaker study (especially in the downtown area).

There was discussion about whether there was now enough information to tie the fish population data to the other data such as plankton, SAV, Oxygen, and Dean Dobberfuhl's data.

Army Corps of Engineers

Mike Hollingsworth reported that phase I and phase II evaluations are now complete for the harbor deepening project and phase III is underway. They are now working on the water quality certification for phase III.

In an adjacent project, there is a contaminated sediment area near JEA/Kennedy with PAH contamination. A clean up project is beginning shortly, which will take four to five months. Sediments will be removed and the contaminated storage site will be manufactured.

Under the Corps "continuing authority projects" (CAP), the City of Jacksonville has a list of 15 projects submitted. Of those, three have been approved for the development of a preliminary management plan: Hogan's Creek, Big Fish Wier Creek, and White Shell Bay.

Hogan's Creek has been studied and tested. No hazardous waste was found but there was widespread PAH contamination. Historically, the fill that was used in that area had a lot of contamination. It should be possible to remove the material and landfill it (as opposed to the expense of hazardous material disposal).

Big Fish Wier Creek—they are still listing potential alternatives.

White Shell Bay—this project is in the even more preliminary state. All comments will be considered pertaining to the project and concerns by the National Park Service have been received.

There is even a bigger issue—the new President's budget for the Army Corps. The President's budget has reduced the CAP 206 Aquatic Habitat and Restoration budget nationally by 54 percent. So it is unclear how the Lower Basin projects will be effected that this point.

National Park Service

Richard Bryant reported that there are continuing issues with the Fort George River, which is gaining sand every year as the jetties catch sand. This sand shift is affecting Highway A1A to the point that the Florida Dept. of Transportation (FDOT) has put down riprap. The sand is now blocking the flow of the Fort George River; the flow has changed eight percent in one year. Mr. Bryant noted that the Fort George River is very clean and fortifies part of the Timucuan Preserve, so the Timucuan needs that river to flow.

The solution seems to be to remove some of the sand and relocate some on Little Talbot Island, and put some downstream back into its natural cycle. Also, the Army Corps is very interested in taking some of the sand in 2005 and putting onto Jacksonville Beach. In the meantime, the National Park Service is taking water quality samples and measuring tidal prisms to document the effects of the sand.

Public Comment

John Nooney, a resident of Jacksonville, reported that he is working on saving the old Fuller Warren Bridge in downtown Jacksonville. The bridge is 1,300 feet long and 45 feet wide. If the bridge remains in tact, it would provide public access to the river and agencies could put educational kiosks there to educate the public about the river. The main reasons to save the bridge: 1). Public access to the river; and 2). Downtown Jacksonville overlay rezoning.

Adjournment

John Hendrickson adjourned the meeting at approximately 1:45 PM.

Summary prepared by Tiffany Busby, Independent Consultant, and Ivan Chou, ECT, Inc.