

Regional Watersheds Committee Meeting

SWFRPC

AGENDA

03-17-2011

1. Call To Order
2. Approve Minutes from Last Meeting
3. Review of Committee Activities
4. Adopt Mission Statement
5. Fertilizer Preemption
6. Status of State Stormwater Rule
7. Status of Federal Numeric Nutrient Standards
8. Public Input
9. Identify and Approve a Date for the Next Meeting
10. Adjournment

For item 6:

<p>62-347 Stormwater Treatment Rule (07-0552)</p>	<p>Develop statewide standards regarding stormwater treatment to address nutrient levels.</p>	<p>Eric Livingston, Michael Bateman, Betsy Hewitt, Meredith Fields</p> <p>Draft Rule Information</p>	<p>Published NDR 5/25/07. Presented preliminary draft Applicant's Handbook at the first Technical Advisory Committee meeting on 3/5/08. TAC meetings held throughout 2008 and 2009. Public workshops held May 11, 18, 19, 26, 2010. Next workshops expected to be held in April 2011.</p> <p>Last Updated: 12/28/10</p>
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Statewide Stormwater Treatment Rule Development



To address growing concerns about over-enrichment of Florida's surface waters, ground waters, and springs by nutrients, the Department and the Water Management Districts are developing a statewide stormwater treatment rule. This rule represents a significant step forward in the control of nutrient loadings from stormwater discharges.

A [Technical Advisory Committee](#) was established to assist the Department and Water Management District staffs in developing the first versions of the draft rule and Applicant's Handbook. The TAC met 10 times between March 2008 and September 2009 and provided invaluable assistance in evolving the first drafts. We will be using this web site and a

mailing list to distribute information about the development of the stormwater rule and keep the public informed.

Rule Development Schedule - Revised September 27, 2010

TAC meetings March – November 2008
 Develop revised Applicant's Handbook - December 2008 - June 2009
 TAC meetings - July - September 2009
 Develop revised Applicant's Handbook and draft rule – October 2009 – March 2010
 Post revised AH and draft review on web site – Mid March 2010

Rule workshops – May 2010 [Schedule / Locations / Recordings](#)

Comments due by June 18, 2010
 Identify underdrain filtration and dry detention systems for nutrient removal effectiveness monitoring – July – August 2010
 Obtain permission to monitor sites – September 2010
 Conduct monitoring of sites – October 2010 to October 2011
 Develop revised Applicant's Handbook and draft rule – January - March 2011 (tentative)
 Post revised Applicant's Handbook and draft rule - April 2011
 Conduct public workshops – May 2011
 Comments due - June 2011

Rule adoption - no sooner than July 1, 2011, but more likely in Fall 2011

Revised Draft Rule and Applicant's Handbook (March 2010)

[Draft Rule](#) Word (84 kb)

[Draft Applicant's Handbook](#) PDF (16 MB)

[PowerPoint Slides for Public Workshops](#) PDF (804 kb)

Comments on the March draft rule and Applicant's Handbook will be due by June 18.

Please submit comments via email to:

- Draft Rule: doug.fry@dep.state.fl.us
- Draft Applicant's Handbook: eric.livingston@dep.state.fl.us
- [Comments received on March Draft Applicant's Handbook](#)

We are also seeking data and information on other stormwater treatment BMPs that are effective in reducing nutrient loads, especially in HSG C or D soils. Please submit to eric.livingston@dep.state.fl.us.

Technical Papers and Background Materials

[Background](#)

[Statewide Stormwater Treatment Rule Interested Parties Mailing List Sign-up](#)
[TAC Meetings: agendas, minutes and presentations](#)

Issue Work Groups

Links

[Evaluation of Current Stormwater Design Criteria Within the State of Florida - Final Report 2007](#) (PDF 4.6 mb)

[Urban Stormwater Research Reports](#)

[Urban Stormwater Program Overview](#)

[University of Central Florida Stormwater Management Academy](#)

[Devo Engineering](#)

[Low Impact Development Center](#)

For Item 7:

Federal Water Quality Standards for the State of Florida

You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more.

Pursuant to a January 2009 Clean Water Act determination and a consent decree with Florida Wildlife Federation to settle a 2008 lawsuit, EPA proposed numeric nutrient water quality standards for lakes and flowing waters in Florida in January 2010, and established final standards in November 2010. EPA also committed to propose numeric nutrient water quality standards for Florida's estuarine coastal, and southern inland flowing waters by November 14, 2011, and establish final standards by August 15, 2012.

On January 26, 2010, EPA published [Proposed "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" \(75 FR 4173\)](#). EPA conducted [13 public hearing sessions](#) in six cities in Florida and held a 90-day public comment period following publication of the proposed rule. EPA received over 22,000 public comments on the proposal.

On August 3, 2010, EPA published a notice [supplementing the January 26, 2010 proposed numeric nutrient water quality standards for lakes and flowing waters](#) in the State of Florida. EPA received 71 public comments on the supplemental notice.

More information on the [consent decree](#)

More information on the [rulemaking for Florida's estuarine, coastal and southern inland flowing waters](#).

On November 14, 2010, EPA Administrator Lisa P. Jackson signed Final "Water Quality Standards for the State of Florida's Lakes and Flowing Waters." The final standards set numeric limits, or criteria, on the amount of nutrient pollution allowed in Florida's lakes, rivers, streams and springs. This final action seeks to improve water quality, protect public health, aquatic life and the long term recreational uses of Florida's waters which are a critical part of the State's economy. The rule will take effect on March 6, 2012 except for the site-specific alternative criteria (SSAC) provision, which is effective February 4, 2011. EPA extended the effective date for the rule for 15 months to allow cities, towns, businesses and other stakeholders as well as the State of Florida a full opportunity to review the standards and develop flexible strategies for implementation.

- [Press Release](#) (November 15, 2010)
- [Fact Sheet: Final Water Quality Standards for the State of Florida's Lakes and Flowing Waters \(PDF\)](#) (2 pp, 27K)
- [Federal Register Notice](#) | [Print Version \(PDF\)](#) (47 pp, 392K)
- [Frequently Asked Questions \(PDF\)](#) (8 pp, 39K; August 2, 2010)
- [Frequently Asked Questions \(PDF\)](#) (2 pp, 19K; December 15, 2010)
- [Frequently Asked Questions \(PDF\)](#) (3 pp, 53K; January 20, 2011)
- [Letter from EPA to Florida Department Environmental Protection \(PDF\)](#) (2 pp, 520K)
- Technical Support Documents

- EPA has created a technical support document that provides detailed information regarding the derivation of the final criteria. This document is entitled ["Technical Support Document for EPA's Final Rule for Numeric Criteria for Nitrogen/Phosphorus Pollution in Florida's Inland Surface Fresh Waters" \(PDF\)](#) (156 pp, 9MB)
 - [Appendix A \(PDF\)](#) (861 pp, 7.8MB)
 - [Appendix B \(PDF\)](#) (3 pp, 202K)
- To provide information on the potential incremental costs that may result from the implementation of actions related to this rule, EPA conducted an analysis that is fully described in the document entitled: ["Economic Analysis of Final Water Quality Standards for Nutrients for Lakes and Flowing Waters in Florida" \(PDF\)](#) (194 pp, 2.43MB)
- NOTE: Other Supporting documents for this final rule are available to the public at www.regulations.gov, EPA Docket No. EPA-HQ-OW-2009-0596

EPA's Webinars on Florida Nutrient Final Rule

Note: This section is intended to provide you with access to the presentations and audio captured from the webinars. We will be updating this page with the files as soon as they become available.

AUDIO DISCLAIMER: By downloading the following audio files you are agreeing to the terms of its usage. Due to the significant interest in obtaining the audio portion of the webinars, EPA is providing these audio files in order to further extend the outreach opportunities to all interested parties. As explained during the webinars, the webinars were intended to provide the opportunity to learn more about EPA's Final Numeric Nutrient Criteria Rule for the State of Florida as well as an opportunity to ask questions of EPA staff and management regarding EPA's Final Rule. This audio does not represent final Agency action, guidance, policy, or rule.

The audio files are divided into two files for each webinar, one for the presentation portion and one for the questions and answer (Q&A) portion. Given the significant interest in the responses to the Q&As, EPA will be providing formal written Q&A responses to ensure that the answers reflect the complete response required to fully answer the question. The audio responses do not represent the complete or full response and are not, nor do they represent, final Agency action, guidance, policy, or rule.

[Region 4 Florida Nutrient Ruling: Clarifying Points/Rule Development \(PDF\)](#) (15 pp, 1.6MB)

Tue, Nov 30, 2010 9:00 AM – 11:00 AM EST

[Clarifying Points/Rule Development – Presentation Transcript \(PDF\)](#) (18 pp, 104K)

[Clarifying Points/Rule Development – Presentation](#) (mp3, 40 minutes)

[Clarifying Points/Rule Development – Q&A](#) (mp3, 78 minutes)

[Region 4 Florida Nutrient Ruling: Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria \(PDF\)](#)

(31 pp, 200K)

Thu, Dec 2, 2010 1:00 PM – 3:00 PM EST

[Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria – Presentation Transcript \(PDF\)](#) (13 pp, 105K)

[Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria – Presentation](#) (mp3, 28 minutes)

[Focus on TMDLs, 303\(d\) listing, and Site-specific Criteria – Q&A](#) (mp3, 67 minutes)

[Region 4 Florida Nutrient Ruling: Focus on POTWs and Stormwater \(PDF\)](#) (21 pp, 194K)

Tue, Dec 7, 2010 9:00 AM – 11:00 AM EST

[Focus on POTWs and Stormwater – Presentation Transcript \(PDF\)](#) (10 pp, 85K)

[Focus on POTWs and Stormwater – Presentation](#) (mp3, 22 minutes)

[Focus on POTWs and Stormwater – Q&A](#) (mp3, 78 minutes)

[Region 4 Florida Nutrient Ruling: Focus on Agriculture \(PDF\)](#) (29 pp, 255K)

Tue, Dec 7, 2010 1:00 PM – 3:00 PM EST

[Focus on Agriculture – Presentation](#) (mp3, 35 minutes)

[Focus on Agriculture – Presentation Transcript \(PDF\)](#) (15 pp, 109K)

[Focus on Agriculture – Webinar Q&A \(PDF\)](#) (3 pp, 56K)

[Focus on Agriculture – Q&A](#) (mp3, 78 minutes)

Water Quality Standards for the State of Florida's Lakes and Flowing Waters; Supplemental Notice of Data Availability and Request for Comment

EPA published a supplemental notice of data availability and a request for comment related to EPA's January 26, 2010 notice of proposed rulemaking, "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" ([75 FR 4173](#)). This notice reflects a review of comments and new information received by EPA as part of the public comment process after the January 2010 proposed rule. EPA requested further comment on possible revisions and new information related to specific approaches and issues identified in the January 26, 2010 proposal. EPA published this supplemental notice to ensure that the public has full access to the information the Agency is considering as it prepares the final rule for signature.

- [Fact sheet | Print Version \(PDF\)](#) (2 pp, 40K) (July 2010)
- [Federal Register Notice | Print Version \(PDF\)](#) (5 pp, 69K) (August 3, 2010)

Proposed Water Quality Standards for the State of Florida's Lakes and Flowing Waters

Overview

EPA proposed numeric nutrient water quality standards for lakes and flowing waters, including canals, within the State of Florida and proposed regulations to establish a framework for Florida to develop "restoration standards" for impaired waters. EPA issued this proposed rule pursuant to a determination that EPA made on January 14, 2009, under section 303(c)(4)(B) of the Clean Water Act. The determination states that numeric nutrient water quality standards for lakes and flowing waters and for estuaries and coastal waters are necessary for the State of Florida to meet the requirements of Clean Water Act section 303(c). EPA signed the proposed rule addressing lakes and flowing waters on January 14, 2010, per the terms of a consent decree. This proposed rule was published in the Federal Register on January 26, 2010.

- [Press Release](#) (January 15, 2010)
- [Fact sheet](#) (January 2010)
- [Federal Register Notice | Print Version \(PDF\)](#) (54 pp, 541K)
- [Docket Folder containing Technical Support Documents](#)

If you have questions about the proposed rule contact [Danielle Salvaterra](mailto:salvaterra.danielle@epa.gov) (salvaterra.danielle@epa.gov) at 202-564-1649.

Public Input on the Proposed Rulemaking

EPA extended the public comment period for the proposed rule for an additional 30 days. The extended public comment period closed on April 28, 2010.

- [Federal Register Notice](#) | [Print Version \(PDF\)](#) (2 pp, 52K) (March 10, 2010)
- [Press Release](#) (March 4, 2010)

Public Hearings

EPA's public hearings in Florida afforded an opportunity for the public to provide oral and/or written comments on EPA's proposed rule. EPA held public hearings in Tallahassee, Orlando and West Palm Beach on February 16, 17 and 18, 2010, respectively. EPA held additional public hearings in Fort Myers, Tampa and Jacksonville on April 13, 14, and 15, 2010, respectively. Below are the transcripts and attendee lists for each of the sessions held in those cities.

Public Hearings Held in April 2010		
HEARING DATE	TRANSCRIPT	ATTENDEES LIST
April 13 in Fort Myers	FL Hearing Afternoon (PDF) (83 pp, 185K) FL Hearing Evening (PDF) (51 pp, 115K)	Attendee List Afternoon (PDF) (11 pp, 152K) Attendee List Evening (PDF) (5 pp, 140K)
April 14 in Tampa	FL Hearing Afternoon (PDF) (104 pp, 210K) FL Hearing Evening (PDF) (62 pp, 128K)	Attendee List Afternoon (PDF) (16 pp, 171K) Attendee List Evening (PDF) (3 pp, 133K)
April 15 in Jacksonville	FL Hearing Afternoon (PDF) (82 pp, 170K) FL Hearing Evening (PDF) (19 pp, 41K)	Attendee List Afternoon (PDF) (9 pp, 152K) Attendee List Evening (PDF) (2 pp, 119K)

Public Hearings Held in February 2010		
HEARING DATE	TRANSCRIPT	ATTENDEES LIST
February 16 in Tallahassee	FL Hearing Morning (TXT) (144K) FL Hearing Afternoon (TXT) (264K) FL Hearing Evening (TXT) (135K)	Attendee List Morning (PDF) (10 pp, 159K) Attendee List Afternoon (PDF) (11 pp, 169K) Attendee List Evening (PDF) (4 pp, 148K)
February 17 in Orlando	FL Hearing Afternoon (TXT) (233K) Volume 1 FL Hearing Afternoon (TXT) (232K) Volume 2 FL Hearing Evening (TXT) (230K)	Attendee List Afternoon (PDF) (26 pp, 203K) Attendee List Evening (PDF) (7 pp, 157K)

Public Hearings Held in February 2010

HEARING DATE	TRANSCRIPT	ATTENDEES LIST
February 18 in West Palm Beach	FL Hearing Afternoon (TXT) (35K) FL Hearing Evening (TXT) (200K)	Attendee List Afternoon (PDF) (18 pp, 185K) Attendee List Evening (PDF) (4 pp, 146K)