



Council Minutes

October 11, 2010
10:00 a.m.

REPRESENTATIVES PRESENT

Chair, Commissioner Jack Mariano, Pasco County
Vice Chair, Ms. Jill Collins, Hillsborough County Gubernatorial Appointee
Secretary/Treasurer, Commissioner Larry Bustle, Manatee County
Commissioner Ron Barnette, City of Dunedin
Commissioner Kevin Beckner, Hillsborough County
Mayor Scott Black, City of Dade City
Commissioner Neil Brickfield, Pinellas County
Vice Mayor Woody Brown, City of Largo
Council Member Alison Fernandez, City of Temple Terrace
Commissioner Al Halpern, City of St. Pete Beach
Council Member Bill Jonson, City of Clearwater
Mr. Robert Kersteen, Pinellas County Gubernatorial Appointee
Ms. Angeleah Kinsler, Hillsborough County Gubernatorial Appointee
Councilman Bob Langford, City of New Port Richey
Councilor Bob Matthews, City of Seminole
Mayor Bob Minning, City of Treasure Island
Council Member Wengay Newton, City of St. Petersburg
Mr. Andy Núñez, Pinellas County Gubernatorial Appointee
Mayor Kathleen Peters, City of South Pasadena
Ms. Barbara Sheen Todd, Pinellas County Gubernatorial Appointee
Ms. Laura Woodard, Hillsborough County Gubernatorial Appointee
Mr. Waddah Farah, Alt., Ex-Officio, Florida Department of Transportation
Ms. Michelle Miller, Ex-Officio, Enterprise Florida
Mr. Todd Pressman, Ex-Officio, Southwest Florida Water Management District
Ms. Pamala Vazquez, Alt., Ex-Officio, Department of Environmental Protection

REPRESENTATIVES ABSENT

Commissioner Nina Bandoni, City of Safety Harbor
Mayor Shirley Groover Bryant, City of Palmetto
Past Chair, Vice Mayor Bill Dodson, City of Plant City
Mr. Julian Garcia, Jr., Hillsborough County Gubernatorial Appointee
Vice Mayor Michele King, City of Gulfport
Mr. Harry Kinnan, Manatee County Gubernatorial Appointee
Council Member Janice Miller, City of Oldsmar
Councilwoman Mary Mulhern, City of Tampa
Councilman Patrick Roff, City of Bradenton
Vice Mayor Robin Saenger, City of Tarpon Springs
Vice Mayor Ed Taylor, City of Pinellas Park
Ms. Kim Vance, Hillsborough County Gubernatorial Appointee
Mr. Charles Waller, Pasco County Gubernatorial Appointee
Mr. Earl Young, Pasco County Gubernatorial Appointee

OTHERS PRESENT

Shawn College, Executive Planner, Hillsborough Planning Commission
Holly Greening, Executive Director, Tampa Bay Estuary Program
John Healey, Planner, Hillsborough County
Trisha Neasman, Planner, SWFWMD
Jason Mickel, Planner, SWFWMD
Andy Squirez, Coastal Manager, Pinellas County
F. Aberneby, Planner, Wilson Miller

STAFF PRESENT

Mr. Manny Pumariega, Executive Director
Mr. Donald Conn, Legal Counsel
Ms. Suzanne Cooper, Principal Planner
Ms. Lori Denman, Recording Secretary
Mr. Marshall Flynn, Principal Planner
Mr. John Jacobsen, Accounting Manager
Ms. Wren Krahl, Director of Administration/Public Information
Ms. Jessica Lunsford, Senior Planner
Mr. John Meyer, Principal Planner
Mr. Greg Miller, Senior Planner
Mr. Patrick O'Neil, Senior Planner
Ms. Amanda Shaw, Senior Planner
Mr. Brady Smith, Senior Planner
Mr. Avera Wynne, Planning Director

Call to Order – Chair Mariano

The October 11, 2010 regular meeting of the Tampa Bay Regional Planning Council (TBRPC) was called to order at 10:09 a.m.

The Invocation was given by Vice Chair Jill Collins, followed by the pledge of allegiance.

Roll Call -- Recording Secretary

A quorum was present.

Voting Conflict Report -- Recording Secretary

Vice Chair Jill Collins filed a voting conflict form on Consent Agenda Item #3.D.2., Development Order Amendment Report DRI # 260-Wiregrass Ranch (2 Amendments), Pasco County, and refrained from voting.

Announcements: - Chair Mariano

Housekeeping Items were distributed in the Council folders and Council members were asked to fill out their Committee Assignment choices, Contact Information update, and if they would be willing to provide the Invocation in 2011.

Staff will be available prior to and after the November Council meeting to take a photo of each Council member which will be included in the Annual Report.

New Employee Amanda Shaw was introduced. She is replacing Erika Wiker as the RDSTF Planner and

will be working with the District 4 Regional Domestic Security Task Force and the Council's Local Emergency Planning Committee (LEPC).

1. **Approval of Minutes** – Secretary/Treasurer Bustle
The minutes from the September 13, 2010 regular meeting were approved (Kersteen/Beckner).
2. **Budget Committee** – Secretary/Treasurer Bustle
The Financial Report for the period ending 08/31/10 was approved (Kersteen/Núñez)
3. **Consent Agenda** – Chair Mariano
Council Member Bill Jonson, City of Clearwater, pulled Consent Agenda Item #3.H.1. due to several changes to the proposed amendment as a result of an “Alternative Compromise Recommendation” between the Pinellas Planning Council and the City of Clearwater.

A. Budget and Contractual - None

B. Intergovernmental Coordination & Review (IC&R) Program

1. IC&R Reviews by Jurisdiction - September 2010
2. IC&R Database - September 2010

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

C. DRI Development Order Reports (DOR) - None

D. DRI Development Order Amendment Reports (DOAR)

1. DRI # 145 – Southbend/NRI Equity, Hillsborough County
2. DRI # 260 – Wiregrass Ranch (**2 Amendments**), Pasco County
3. DRI # 263 – Hillsborough County Mine Consolidation S/D, Hillsborough County

Action Recommended: Approve staff reports

Staff contact: John Meyer, ext. 29

E. Notice of Proposed Change (NOPC) Reports

1. DRI # 145 – Southbend/NNP, Hillsborough County
2. DRI # 203 – Beacon Woods, Pasco County
3. DRI # 266 – Wolf Creek Branch S/D, Hillsborough County

Action Recommended: Approve staff reports

Staff contact: John Meyer, ext. 29

F. Annual Report Summaries (ARS)/Biennial Report Summaries (BRS) - None

G. DRI Status Report

Action Recommended: None. Information Only.

Staff contact: John Meyer, ext. 29

H. Local Government Comprehensive Plan Amendments (LGCP)

Due to statutory and contractual requirements, the following reports have been transmitted to the Florida Department of Community Affairs (FDCA) and the appropriate local government in accordance with Rule 29H-1.003(3), F.A.C.

1. ~~DCA # 10-2AR, City of Clearwater (proposed)~~ (Pulled from agenda)
2. DCA # 10-2AR, City of Oldsmar (proposed)
3. DCA # 10-2, Pasco County (adopted)
4. DCA # 10-1, Pasco County (adopted)

Action Recommended: For Information

Staff contact: Jessica Lunsford, ext. 38

I. Local Government Comprehensive Plan Amendments (LGCP)

The following report(s) are presented for Council action:

1. DCA # 10D-3, (Beacon Woods DRI #79) Pasco County (proposed)
2. DCA # 10-1, Hillsborough County (adopted)

Action Recommended: Approve staff report(s)

Staff contact: Jessica Lunsford, ext. 38

The consent agenda was approved. (Matthews/Minning)

4. Item(s) Removed from Consent Agenda and Addendum Item(s) - None

5. Review Item(s) or Any Other Item(s) for Discussion - None

6. Estuarine and Freshwater Nutrient Criteria

Director Deborah Getzoff, DEP Ex-officio Member; Deputy Director Drew Bartlett; and the Southwest District Water Facilities Program Administrator Jeff Greenwell presented information on DEP's role in water quality standard setting and permit criteria for nutrients in Tampa Bay and surrounding areas. The presentation summarized the Tampa Bay Reasonable Assurance process, the Water Quality-Based Effluent Limits, and the Numeric Nutrient Criteria process for fresh and saline waters.

A number of water quality standard issues are currently underway in the State of Florida. Some are being carried out by the Department of Environmental Protection (DEP) and some are being carried out by the Tampa Bay Estuary Program (TBEP). This is mandated by the federal Environmental Protection Agency (EPA). The League of Cities and the counties have been circulating information which relates to numeric nutrient criteria that the EPA wants to impose in the State of Florida. These have been separated for freshwater and for marine and coastal waters and that's created a fair amount of interest and some concerns. There is also the issue of the Total

Maximum Daily Load (TMDL) process which is a process that EPA is requiring. DEP is carrying that out throughout the state, on EPA's behalf, and a number of you heard at the last meeting from Ms. Greening about what's being called the Reasonable Assurance process in Tampa Bay relating to one of the nutrients (nitrogen). Today we will discuss each of these issues and answer any questions you may have.

Ms. Getzoff thanked Ms. Greening for her presentation last month on Reasonable Assurance. What is Reasonable Assurance? What does that mean? Tampa Bay is a water body that has been deemed impaired for nitrogen. EPA has asked that a TMDL for nitrogen in Tampa Bay be established. They asked for this back in the 1990s. In lieu of EPA establishing that TMDL the TBEP offered a process called Reasonable Assurance to provide reasonable assurance to DEP and to the federal EPA that the Estuary Program, which is composed of local governments and local interests, can address this on their own and come up with their own process. They have put together a process demonstrating nitrogen input to Tampa Bay, through its tributaries and through direct discharges, which should be sufficient to provide that reasonable assurance that nitrogen is being reduced and the EPA and Florida do not have to establish a TMDL for Tampa Bay. The TBEP Policy Board is composed of elected officials of participating member governments. It includes the counties that are around Tampa Bay and major municipalities. They have representatives on the policy board who set policy and who vote. I chair that board as the DEP representative. There is also a Management Board with members of local governments and other interests such as Tampa Bay Water, the Phosphate Council and other stakeholders who participate on a more technical level.

A list of representatives from the participating local governments to the Nitrogen Management Consortium (NMC) was distributed to Council Members. The NMC is an arm of the TBEP and has been the entity establishing the reasonable assurance for Tampa Bay. I would encourage you to check with your representative if you have any concerns for the reasonable assurance for Tampa Bay. In 1998, EPA had accepted a Reasonable Assurance document from the TBEP to represent the nitrogen input to Tampa Bay. At this point EPA has said in order for us to credit this, and to re-adopt it, we need to see allocations for all the dischargers that discharge nitrogen into Tampa Bay. How are you going to allocate a load for nitrogen for each of those discharges? Who are the dischargers? The dischargers are those who have EPA, through the state of Florida, water quality discharge permits. That includes sewage treatment facilities that discharge directly to surface water, both in the tributaries and Tampa Bay, and includes a number of the phosphate companies, and all of the governments who have what is called MS4 permits (multi-sector permits) for stormwater that go into Tampa Bay and its tributaries. What the TBEP has done is step forward through the NMC and said, rather than having DEP or EPA independently set those allocations we would like to create that on our own. We would like to get a group together and work together to come up with those allocations. That is what has been happening in Tampa Bay for the last year and a half. DEP has been a participant at the table and EPA has attended a number of these meetings. DEP and EPA do not vote because once this allocation process is done it comes back to DEP. DEP is required to adopt a final order for the allocations that have been mapped out by the NMC and once we adopt that as a final order DEP will then adopt a second final order that adopts the Reasonable Assurance, based on these allocations for Tampa Bay for nitrogen. That will then go forward to EPA and EPA will determine if they will accept the document, which we expect and hope that they will do. That's the process that is occurring just in the Tampa Bay area for nitrogen and it substitutes for a TMDL for nitrogen for Tampa Bay.

At this point, the NMC has worked for a year and a half and DEP has worked with them because DEP knows that when these allocations are adopted by the NMC, not only does DEP adopt them as a final order but they will then be inserted into the individual permits as they come up for renewal by these NMC members, local governments, phosphate council, and other industries. This

is a very successful process that we've been participating in. At this point we are in the process of adopting that final order and have put out the Intent to Issue Final Order. A couple of members of the NMC have asked for an extension of time to file petitions contesting the allocation order and we are working with those parties to try to bring this in for a landing, hopefully within the next couple of weeks, so that we can move forward and adopt the Reasonable Assurance Order and forward this to EPA. That, at this point, is the situation for nitrogen in the Tampa Bay area which is separate from TMDLs that are being adopted by the DEP pursuant to EPA direction for the rivers and streams in this areas. That is separate from the TMDL that's proposed for Hillsborough River, Alafia River, Withlacoochee River and a number of rivers and streams in the area. Those are undergoing a separate rulemaking process by DEP. That again, is separate from what a number of you have been hearing about, the Numeric Nutrient Criteria that EPA is demanding in Florida. EPA was involved in a lawsuit with an environmental organization in federal court and before that case went to litigation EPA entered into a settlement with the organization to adopt numeric nutrient criteria in Florida by date certain.

What are Numeric Nutrient Criteria (NNC)? The nutrients involved are nitrogen and phosphorus. Different water bodies in Florida are limited for nitrogen or phosphorus and its not predictable, its not uniform. Different water bodies may naturally have nitrogen or phosphorus inputs based on vegetation, based on soils, based on limestone. There are different things that can naturally contribute to this: civilization, farming, and local governments contribute these nutrients through stormwater, development, sewage treatment facilities. EPA settled with the environmental organizations in their federal court case and said we will adopt NNC for all the water bodies in the State of Florida. They have separated out fresh water from saline waters, or salt water. At this point they have set the deadline for adopting the NNC for nitrogen and phosphorus for freshwater for November 15, 2010. They have delayed the date for the coastal waters and the estuaries until 2012 for the final adoption. That means that the state of Florida, through DEP, has an opportunity to step in and work with individual situations in the affected water bodies and work through its rulemaking process and come up with appropriate and acceptable numbers for coastal and marine waters, and estuaries by the 2012 deadline. Last year when EPA entered into its lawsuit settlements and set the date, DEP tried to do that for fresh waters and very quickly realized that under the state's administrative law process we would not be able to meet the EPA deadline. In order for us to go to rulemaking and have an opportunity and time for that rulemaking to be challenged we would not be able to meet EPA's deadline. Therefore, DEP was forced to step away from the rulemaking for fresh water and are now focusing most of our effort on the coastal and estuarine numbers to have that process as a state process that we can guide and participate in through state rulemaking. We are working with EPA on their fresh water criteria and get this a more cooperative, collaborative process. We are not in total agreement with the numbers that they are proposing, or the methodology that they are using to come up with the numbers for fresh water. Based on that we are hoping to continue to have discussion with them and to influence EPA to try to approach this somewhat differently to come up with numbers that we believe will be more reasonable and appropriate to the fresh water bodies in Florida. There are a number of different things happening being driven by EPA deadlines. The DEP is involved in each of these to the extent that we can be and it is confusing. As we move into one process the EPA's time frame may change as it happened with the fresh water nutrient criteria. As a result DEP had to step away from leading that process and give it back to EPA.

Historically, in Florida, DEP's water quality standard for the nutrients (nitrogen and phosphorus) has been a narrative one. It has not said "this is the target number." It's been a narrative one that was adopted back in the 1970s that talks about the impacts and affects of nutrients on different water bodies and when there is too much in a particular water body and having an adverse affect. We have not had a target number and that is the NNC that EPA now wants to establish in Florida,

pursuant to the settlement in the lawsuit. To explain this in more detail we asked Drew Bartlett to attend the meeting. He is the Assistant Division Director for the DEP Division of Environmental Assessment and Restoration in Tallahassee, the division of the DEP that establishes water quality standards and is carrying out the TMDL (Total Maximum Daily Load) process throughout the state and works very closely with local governments on these types of processes and with EPA. He will provide more information on these various processes, particularly about the NNC and what EPA is contemplating in that regard for the November adoption that they have currently set for fresh water and what we are hoping to do at the state level to affect a state adoption of coastal and estuarine waters by 2012.

Mr. Bartlett's presentation was provided to help everyone understand how all of these pieces fit together and what might be the next steps, and how to manage this issue.

The Clean Water Act provision, adopted at the federal level, is laid out as follows:

- Set Water Quality Standards
- Monitoring and Assess Water bodies
- List Impaired Water bodies
- Develop Total Maximum Daily Loads (TMDL)
- Implement Loads NPDES Permitting and Non point Source Controls

All of those things require EPA involvement. The Goal of the Clean Water Act is: "wherever attainable, provide for the protection and propagation of fish, shellfish, and wildlife and provide for recreation in and on the water."

NNC is the first step in the process. DEP has been trying to research NNC for some time now. We have been holding technical advisory committee meetings around the state to find out what levels of nitrogen and phosphorous can occur in streams, rivers, lakes and estuaries and still maintain that goal. However, in August 2008, EarthJustice (representing Florida Wildlife Federation, Sierra Club, St. Johns River Keeper) filed suit to compel EPA to establish criteria. That declaration created a duty. In January 2009 EPA issued a letter to the Secretary of DEP saying NNC is necessary in the state of Florida and we will work toward establishing that criteria. When they make that determination it puts it in their court (EPA's court). DEP was certainly in a position to try to set it using the state and local science. In November of 2009 they entered into a consent order containing implementation dates. EPA proposed criteria for fresh waters, rivers and streams and lakes in January 2010 and in November of this year EPA must finalize numeric criteria for nitrogen and phosphorous. In November 2011, EPA must propose numeric criteria for estuaries and coastal waters. In August 2012 EPA must finalize numeric criteria for estuaries and coastal waters. That's under consent order, punishable by contempt of court.

We have been trying to review their science and we are providing our science, data, and analysis to try to make sure they establish the best criteria possible.

In setting nitrogen and phosphorous numbers there are two approaches. The first approach is called Plan A where you attempt to find the amount of nutrients that causes harm to waterways. DEP's research found how many nutrients are necessary to maintain in a lake to keep it healthy. Plan B is to identify the amount of nutrients in the healthy and undisturbed waterways and streams and try to mimic that concentration in the next stream. That's the criteria that is controversial.

What EPA is going to do next month is set nitrogen and phosphorous criteria for lakes, streams, and fresh water bodies. The question you have to ask yourself is, what about Tampa Bay? In Tampa Bay, what you have is that relationship, that Plan A relationship. You know how much nitrogen is necessary to protect the bay. You are in good shape for Tampa Bay and you have been achieving that recently. The Reasonable Assurance Plan that was mentioned is basically the equivalence of your NNC in Tampa Bay. That is what DEP is pursuing with the help of the TBEP/Nitrogen Management Consortium making EPA well aware that the nitrogen numbers are set for Tampa Bay.

As far as the NNC is concerned, the attention right now is set for the stream criteria (Plan B) where you go around the state, identify all of the healthy sites, and identify the numbers. A chart of numbers that EPA recently proposed as being the proposed criteria for rivers and streams was shown (page 5 of the presentation). They are relatively difficult to achieve if you are discharging wastewater. The criticism of this criteria is that the true level of protection is not known. You know how much nitrogen and phosphorus are in your healthy streams but when you move to the next stream you are not sure what level is necessary to protect that stream. It could be higher. In DEP's rulemaking we have to take into account that criticism and that uncertainty. As we are moving forward with our rules we also intend to sort out EPA's rules, and is there an opportunity to correct that. As you are implementing at your local level there's an opportunity to correct and figure out what is the true level necessary for protection for your water bodies in question.

Accounting for Plan B criteria. The first thing you have to do is understand your water body. Most local jurisdictions in this area have scientists and biologists that can go out and measure (count the bugs in the stream). By doing that you can figure out whether the water body is healthy or not. If that stream or river is healthy what you can do, and what DEP provided for, is set site-specific criteria for that stream. Just last year we modified DEP regulations so that you could modify the goal of that water body to its intended goal and manage it accordingly.. The EPA is trying to set it up so it is manageable at the local level and it empowers the local level as much as possible to make the right decisions for their streams.

In the meantime we are setting those TMDLs. After you find an impairment you set a TMDL. EPA is setting those for nutrients. Why? Almost every step of the Clean Water Act process EPA is under a consent decree in one form or another to take action in the State of Florida. In the TMDL process they have a consent decree and they are under the consent decree to set TMDLs every year, on a schedule. Last year a number of these came up in the Tampa Bay watersheds. What they are mandated to do is, if DEP doesn't set that TMDL, they are obligated to set it. We were poised and proposed TMDLs to be set on September 30th and most local jurisdictions did not agree with our TMDLs. We told DEP that we are negotiating through a process to figure out what is necessary to protect these rivers and streams in the Tampa Bay watershed. We are working with local governments to do that. We met last week and talked about all of these water bodies and set forth plans to do further evaluation on them. We have talked with EPA about withholding their obligation to set these TMDLs and will be meeting with them shortly. I believe we have them delaying for one year. EPA has two or three more years left with the consent decree and they would like to get out from under that decree.

We have TMDLs happening and NNC, how do you sort it all out? It gets back to the goal: protecting the health of the water body, making sure you can recreate and fish on it. If we can get

that goal set and understand that goal like we have in Tampa Bay so we know how many nutrients are allowed in those water bodies, then we can set our standards to that same goal and set our TMDLs to that same goal. The important thing is that while we have TMDLs and standards coming for nitrogen and phosphorous we have to align them. In DEP's rulemaking process we are going to take all of the TMDLs, re-review them, see if they are still applicable, see if the science needs to be updated, and then set those as the criteria for that stream so you are not stuck with the Plan B criteria. Once you have the goals aligned you can proceed and not have all these competing discussions occurring. You know the goal and you go for it.

Questions & Comments:

Councilman Newton:

We passed neutral zones in the City of St. Petersburg. I know that the work that the NMC is doing is really helping this along. The mandate by DEP for the TMDL and the nutrients, is there funding available to help cities and counties come into compliance? How are they supposed to do that?

Mr. Bartlett:

The way EPA envisions their funding sources is a revolving fund or through other grants and the Department (DEP) has grants as well for local governments to manage their stormwater. It's not a lot of money, but it is some money. The way its being rolled out now these criteria will come into place and there will have to be some exploration of funding sources.

Councilman Newton:

So one governing body proposing to another governing body without funds - it's not an unfunded mandate?

Mr. Bartlett:

I'm not saying its not.

Councilman Newton:

Delaying for 30 days, does that have anything to do with the funding or non-funding mandate status? Or, is it just to give you time to negotiate with municipalities as to what is agreeable? Which one is it?

Mr. Bartlett:

The thirty day extension that you heard about recently, I believe that EPA entered into that just because they hadn't been able to get through all of the comments. And there were substantial comments on their proposals. I think they are still trying to answer those comments before they go final. What we have requested in our comments to them is that the effective date be delayed. What happened when they proposed in January is they had a sixty day effective date. They came out originally in October and it will be final in December. Now it's November and January. We asked that the effective date be delayed to the same effective date as the estuary criteria which would be two or three years out. The reason we did that is we think we need to go through state level rulemaking to really get at implementation and it gets right at the costs you are talking about. In our rulemaking we have provisions that would account and allow us to get out there with our scientists and local jurisdictions to get out with your scientists to really figure out if the goals are right or not for these water bodies. That two or three year delay would allow that to happen. We really want to avoid an unnecessary expense of public funds, whether it is state funds, local funds, or federal funds and so we get the numbers right at what they need to be. I think that is going to take some process. That's going to take DEP setting standards and paving a route to get those numbers and to explore whether the numbers are right to implement them, and then be able to adopt them at the state level. We implement correct

science to the best extent possible and preserve public resources when they don't need to be spent.

Councilman Newton:

You said the thirty days is to review the comments, are any of those comments related to funding?

Mr. Bartlett:

Yes.

Councilman Newton:

Also, when you do a lawsuit with settlement normally you try to seek fulfillment of that settlement, whatever is being requested. Was funding taken into consideration when they settled?

Mr. Bartlett:

No. This lawsuit is simply a lawsuit that EPA gets sued on time and time again and I think every consent decree in the State of Florida is based on the same provision, and that is the Clean Water Act directs EPA to take action and if EPA doesn't take those actions then third party interests can compel them to. In this situation, EPA made a determination, which is being challenged by both municipal and all kinds of interests, has filed against that determination saying that they are necessary. That has yet to be decided in court. It has been argued, but it hasn't been decided. When they made that determination it basically said we have to adopt these standards.

Mr. Greenwell:

I am the Water Facilities Administrator in the SW District. Mr. Bartlett has been speaking about the state as a whole. Within the Tampa Bay area what the state looks for is to propose a reasonable assurance as a site specific alternative criteria to the numeric nutrient standards which would supersede those numeric nutrient standards. If we are able to do that everybody will be in compliance with their present nitrogen load. That's what the Nitrogen Management Consortium through the TBEP has been attempting to do over the last several years. That's just for Tampa Bay, but it is the first step in making sure we get everyone's financial resources in the right place.

Mr. Núñez:

The first speaker used reference several times to reasonable and appropriate and I think your answer answered my question as to what is reasonable and appropriate. We have a hard deadline to make to come up with some kind of numerical value that may or may not be attainable? What if its neither reasonable or appropriate and what happens if you are not in compliance? I did not hear anything about fines or what happens if you are found not in compliance.

Mr. Bartlett:

I will try to explain how it unfolds after they are set. These standards apply to the ambient water bodies in their condition. What the Department does routinely and I think your jurisdictions do routinely is go out and measure what the concentrations are in those streams and lakes, the bay and bayous and try to determine whether they are above or below this number. That's what it will be. If they are above the number there is not a fine or any kind of imposition right away. What happens is that it launches a process the way DEP has constructed it and intend to construct it once we try to incorporate EPA's numbers into a process in Florida rules. You would double check. So its above nitrogen or above phosphorous, but is it really unhealthy? We have biological measures which I talked about before to try to figure out if they are or not. If they are in fact healthy, then there's no further action needed. You don't need to implement any restoration activities. If you can't conclude that then it may take some further analysis and attainment. Let's say it is not healthy

and its due to nitrogen and phosphorous. Then we go through a process of figuring out where the sources are, where is it coming from, and figure out whether those reductions can be obtained. If you can't obtain those reductions there are procedures under state rule where you can seek relief. Standards are set and then there is a process that builds from those standards to see whether further action is needed.

Mr. Núñez:

Setting up the values ahead of time, is that to bypass?

Mr. Greenwell:

It's not to bypass, its to find the value that is appropriate. In most cases we might anticipate in a flowing stream that it might be higher. There are several moderating provisions which allow permitted entities to seek an alternative water quality standard. You can seek a site specific alternative criteria. If you were not in compliance with the standard I wouldn't see any kind of enforcement. We would probably initially under the next permit cycle enter into what we call administrative order which would give you relief from that standard for the first five years of your permit and if you demonstrated that you were moving in a timely manner towards compliance with those standards.

Council Member Fernandez:

The City of Temple Terrace is one jurisdiction that the Hillsborough River flows through. We are a smaller jurisdiction. We do not have direct representation with most of the river. We are represented by primarily Hillsborough County. Who specifically is going to come to us and say you need to take these steps and it's going to cost you. We don't necessarily have our own biological department. It seems that Temple Terrace doesn't have a lot of say with regards to studies and I know that there have been complaints concerning setting numeric levels and some of them are arbitrary. Also, the area of river that flows through our area also encompasses the City of Tampa drinking water reservoir. What does that require on the city's part when it's not really the City of Temple Terrace that's providing drinking water to the City of Tampa? It flows through agricultural areas to the north of us.

Mr. Greenwell:

You have your MS4 permit for stormwater, or are you under the county?

Council Member Fernandez:

Our stormwater does go directly into gutters and retention ponds. Our wastewater is treated through the City of Tampa.

Mr. Greenwell:

So your wastewater will be dealt with through the city. Your stormwater would be the concern you would have for the Hillsborough River. That would be the permit vehicle where you would be able to discuss those criteria, if they show up. We don't really know yet.

Mr. Bartlett:

It all gets down to the details of what is happening in your watershed. If you are dealing with just stormwater discharges then that whole process is managed through the - the first question is: is the Hillsborough River obtaining that standard? If the answer is yes, then there won't be any further reductions necessary. If the answer is no, then you get into the process of why. Why is it not attaining it? And, is it really a concern? Or, is it actually healthy? Then you get into that process of figuring out if the numbers are right. In our Department's rulemaking we were incorporating that process into our standards. I don't anticipate that they will be directly incorporated in the EPA standards, although there probably will be some flexibility there. You have a stormwater discharge, it does not meet the standards. There are technical issues associated when that stormwater doesn't discharge all the time, only when it rains. The

criteria applies all the time. You can't automatically assume the stormwater is causing these violations.

Council Member Fernandez:

Is it going to be DEP or EPA, who specifically?

Mr. Bartlett:

It would be DEP. And it would probably be through our assessment process where we go out and assess. I think we came through this area a couple of years ago. We measure all of the water quality and tell you what it is, and then if it's a problem we go into our restoration process or evaluation.

Commissioner Beckner:

Could you clarify the different dates as far as some of the standards? I heard a date of November 2010 and I heard another one of 2011, what were the two different standards?

Mr. Bartlett:

November 2010, EPA will set nitrogen and phosphorous standards for freshwater bodies. November 2011 they will propose for marine - bayous, coastal waters. August 2012 those will get promulgated.

Commissioner Beckner:

You were talking about that you first looked at healthy bodies of water and what they looked like. I didn't catch how you set that criteria and how you defined that.

Mr. Bartlett:

It's a narrative definition of propagation of fish, shellfish and wildlife. The way we try to measure that for streams is we can go in and catch bugs and see if the bugs that we would expect to be there in a healthy system are there. We have ways of measuring this and it's a biological process and our biologists do this. There are other mechanisms to do that, measuring algae, and other measurements. There are fields of scientists that figure that out. The Plan B criteria for the streams is differentiated based on geology for phosphorous and then its differentiated based on geographic areas for nitrogen. What we tried to do is figure out where you would expect higher or lower phosphorous concentrations in the state. As you might be aware, in this area there are higher phosphorous concentrations in the soils so this area has a different delineation - not in Pinellas but on the other side of the bay, so you can expect a different phosphorous number.

Commissioner Beckner:

Are you looking at best management practices across the state right now whether its at DEP or EPA as far as what communities are doing to reduce nitrogen and phosphorous in the waterways? In other words, if we came to a point where we had to meet certain standards perhaps something that could be suggested is adopting the best management practices, like some communities have adopted stricter fertilizer ordinances and then perhaps part of the criteria would be based on whatever that community is doing to reduce that load. I didn't know if you had looked at what other communities are doing, especially around the stricter nitrogen ordinances.

Mr. Bartlett:

The answer is yes. The way that takes affect is that as we monitor and assess a water body if they are attaining them, then that's great. If they aren't, what we do is go through and try to implement what's necessary. As the jurisdictions implement best management practices we will capture that in the form of an action plan and then as long as you are implementing what is in the plan then you are covered.

Commissioner Beckner:

Is the stricter nitrogen fertilizer a part of your best management practices?

Mr. Bartlett:

It's something we give credit for.

Ms. Todd:

To Ms. Getzoff - it seems in listening to the discussion today and the one we had at our previous meeting, and discussions with Suzanne Cooper, it seems there are two or three things that we, as a RPC, could do to help you and help our cities and counties come to some positive resolution. The way it is now, there is so much mis-communication that it will end up with people suing each other. I want to make a couple of suggestions and see how you feel about that. Suzanne Cooper has worked with a group of people who are in the watershed and that includes the stakeholders and the Estuary Program. That doesn't necessarily include Dade City or Temple Terrace or some of the other cities that will be impacted. There are two ways that we could approach this. First of all, our RPC could send a letter to EPA and to DEP or to whoever you think it would be important to express our concern in supporting what Suzanne and that group have already set as some of our TMDLs and nutrient enrichment standards. There has been a consensus that has been built by all of the supporters. Is that not true? Beyond that, statewide and for the cities that are not a part of that watershed, this drilled down idea I think is repugnant to those people on the local level who want to be a part of the process and ultimately are going to have to help in implementation. Would it be helpful to you if also we encourage the EPA to work with the DEP in setting up grassroots stakeholders groups around the state to establish the TMDLs and the nutrient qualifications that they require rather than setting up time limits. It could take two years to come up with something, but you could come up with a product that would work.

Ms. Getzoff:

Certainly the Department is always appreciative if a body such as an RPC would encourage EPA to work with DEP. In terms of, for example what Tampa Bay has done, they worked with an outside consultant on the NMC and the Estuary Program acted as the facilitating entity in this process. The outside consultant came up with a way of calculating the nitrogen load to go into Tampa Bay and how that should then be allocated among the various dischargers. That process was something that was not part of our rules or process or EPA's rule or process, it was unique, it was created by the NMC and their consultant. DEP has said they will accept that in this process. Because of the success that has had in moving forward that same consultant has now been engaged by the Sarasota Bay Estuary Program and by the Charlotte Harbor Estuary Program to do similar analysis for those estuary programs to come up with appropriate reasonable assurance documents for not just the TMDL situation, but also for what they are going to propose to DEP over the next couple of years as estuarine numeric criteria because that's delayed beyond the fresh water and DEP is trying to work with that. We are encouraging those efforts. We are working with them in that process and we are hopeful that this will expand throughout the other estuarine areas in Florida. Tampa Bay has been a leader, they were the first. They were the first group in the nutrient issue to step forward and say, let's try to create our own process, see if DEP will use it for allocations, and hopefully as this goes forward EPA will use these same numbers in the NNC adoption for coastal and estuarine areas in Tampa Bay. That's the hope we are looking for. Not only will it be the Reasonable Assurance issue and turn up in the DEP permits, but ultimately over the next couple of years these numbers will be accepted as the NNC for Tampa Bay and some of its tributaries where we have these discharges. We would love to see that expand because not only is it grassroots, but it represents the type of work

that DEP is doing in the TMDL process. Once the TMDL is established, in order to implement it we look toward the local stakeholders to come up with a basin management action plan. That has been a large stakeholder effort throughout the state that we've been engaged in and that's the implementation part of the TMDL process. We are very much in favor of moving in that direction.

In terms of the freshwater nutrient criteria that EPA is currently looking at for November 15 for Florida, once they establish that, how is that implemented? It would be implemented in state issued permits. The DEP issues its discharge permits pursuant to federal law. We have a federally delegated program just for discharge permits in Florida. But, even though the EPA would adopt that standard, its not yet adopted at the state level. We are still hopeful of moving ahead and adopting state level freshwater nutrient criteria even after this is in place, if its in place, in November before we believe we have the authority to put those numbers in state issued permits. That's not yet been totally sorted out with EPA. It's our belief that we need to do our own state water quality criteria before we can put it into the state permit. For example, if in November they do adopt their number, where does it go?

Ms. Todd: That was the point I was making, that we would encourage EPA in a letter from our Chair and the board to support what we've already done. But going beyond that, to what you are referencing, the state needs to have this kind of a grassroots participation. You can go out and set standards and then you will be viewed by the cities and counties as the big bad wolf. You want to find a way in adopting these other standards to involve the people who have to work with you. That was the point I was making. I don't think November 15 is long enough to do it.

Ms. Getzoff: It doesn't seem to allow time for any of that. Our rulemaking process allows for all of that participation from any citizen or entity in the state. They can participate in the rulemaking process, come to the workshops, provide comments, provide input, suggestions, and contest the proposed rulemaking if it doesn't meet their needs. They have an opportunity to have that reviewed by an independent administrative law judge. The federal process doesn't anticipate that at this point. That's why we are trying to work with EPA to see if they will agree that we still need to adopt state rules for whatever they plan to adopt in November.

Mr. Bartlett: The Secretary of DEP has engaged EPA with the request that they not set the effective date for this criteria for sometime after that to allow for that state level rulemaking. In our rulemaking effort we have recognized that you can set criteria for an individual stream in a local area as you've done with the Tampa Bay NMC, but it takes time and the broad-based criteria - you can do it that way but there has been an enormous amount of resistance to broad-based criteria in this effort. The state level rulemaking always recognizes that there is so much uncertainty in the broad-base that you have to allow for local developed criteria to supersede it. We have asked for a delay to allow that to happen.

Chair Mariano: It's interesting to hear about the struggle you are having with EPA. What scares me is, in Tallahassee or Leon County they have just put in the latest technology to clean their water and with the latest technology that's out there they can't meet EPA's standards right now. If they are looking

at setting standards at that level which is cleaner than rainwater it's going to be scary with what we will be impacted with down the road. At minimum they need to delay this. It's too bad that when you do something good, like TBEP taking this step forward with a grassroots position, then you get penalized because you are the first out of the box. We've all seen the pictures of the Mississippi River that shows the dead zone in the Gulf and why they don't attack that area first and what goes on up and down that river compared to how we are being hammered here it really concerns me to what the economic impact is going to be. If a mandate is not funded, it's unfunded. How are we going to deal with it in these tough economic times?

Ms. Getzoff:

I appreciate your concerns. I want to give a little information out that may be somewhat good news for some of you. Years ago the state legislature passed criteria that applied initially just to this part of the state for discharges to Tampa Bay, Pinellas, Pasco and it has expanded. It's a law that has been locally referred to as the Grizzle Figg Act over the years and Representatives Grizzle and Figg were instrumental in the law and its amendments. The sewage treatment facilities that discharge directly to water bodies in this region of the state have been subject to that law for the last two decades and at this point have the most stringent water quality standards and compliance of any wastewater treatment plant anywhere in the State of Florida, possibly throughout the country. The Grizzle Figg Act has resulted in the discharges that go into the water bodies and the tributaries and the water bodies here, Tampa Bay, Manatee, Sarasota, Pasco County. These are the cleanest direct discharges from sewage treatment facilities anywhere in the State of Florida. The criteria that are being met by the local sewage treatment facilities are many, many times more stringent than anywhere else in the state. We look at the numbers, for example, that are being discussed in the St. Johns area, up around Jacksonville, and in many cases they are two orders of magnitude greater than the numbers that the facilities here have been meeting for over a decade. In looking at this issue we don't necessarily anticipate that the facilities that have direct discharges to water bodies, we don't think they are going to be looking at dramatic, more stringent, expensive situations to change those discharges. Those discharges have been squeezed pretty hard in the last two decades to be exemplary in Florida and throughout the nation. They are very tight. In terms of direct discharges we aren't looking to see any major changes for those facilities in this particular area of the state. That's one thing that's a little different here than in other parts of the state. I know what happened in Leon County. The City of Tallahassee has large infiltration basins for its sewage treatment facility and the groundwater flow has been determined to go towards the south. It's affected Wakulla Springs. They have a large nitrogen problem there. I don't honestly know how they are going to be addressing that. I have seen some of the media reports that have been coming out on this. People are talking about reverse osmosis, which is a very expensive process and its not a normal treatment for sewage treatment facilities. I don't frankly expect to see that here. That's not what we are looking to see come out of this process.

Mr. Greenwell:

If you were to do a reverse osmosis you will have to do an underground injection well so you might as well just inject your treated sewage into the well.

Ms. Getzoff: We simply don't expect to see it here because most of our major discharges are already way advanced beyond anywhere else you would see in Florida, or in most cases nationwide. I think statutorily it is the strictest in the nation.

Chair Mariano: With the technology that we have at the Howard Curran Plant, compared to the City of Tallahassee, are they equal?

Ms. Getzoff: They are very different. The Howard Curran Plant is discharging to meet the Grizzle Figg requirements and its much more stringent than what's happening in Tallahassee, which doesn't discharge directly to a water body. It infiltrates into ground water.

Commissioner Halpern: What I'm concerned with in my city is the stormwater. This is going to be an issue and what is the criteria on how we have to treat the stormwater coming from? That's a great concern to me because the more stringent the criteria the more money our city is going to have to spend putting in processing facilities for the stormwater. I think that affects all of the smaller cities in this Council, especially the ones bordering the intercoastal waterway or the Gulf of Mexico.

Mr. Bartlett: If you look at what's discharged out of a stormwater pipe, its generally higher than those numbers. Here's the difference in stormwater. It's a regulatory difference and it's a criteria difference. The criteria apply to the ambient water body, they don't apply to the outflow. The ambient water body is there year round and the outfall doesn't flow year round. We measure the criteria over time and you average it and you see whether it's attaining or not, whether it's discharging stormwater or not. If that ambient water body is OK then you can conclude the stormwater discharge is not causing the problem. Let's say the ambient water body is not OK, then you have to sort out where the sources are coming from and it may or may not be the stormwater. Let's assume it is the stormwater, just to get to the worst case scenario. And if it is the stormwater then the permitting program for the MS4 permits attain the standard at the pipe, and then you implement the activities to reduce pollution to the maximum extent practicable. It doesn't get to the end point of each pipe has to obtain those standards, its still a technology driven process.

Mr. Pumariega: Thank you for providing additional information and clarification this morning. To recap some of the information; the freshwater criteria is going to be issued in November. Based on what is promulgated we can go ahead and begin a dialogue with DEP and the Estuary Program and determine how we should react. If the Council wants to authorize the Chair for us to draft a letter we can bring it back to the December meeting for approval. That's the immediate need at this moment. As far as the two year estuarine criteria, as you recall last month we received a contract from TBEP for TBRPC to educate and hold various workshops and develop some videos. That's the one we will be working with the communities and stakeholders to try to educate before that criteria comes out and to be ready in 2012. (Todd/Kersteen)

Councilor Matthews: What is the reason that we don't communicate to our constituents something positive that EPA does and what DEP does. Ms. Getzoff just said we have the best in the country but you couldn't find a person on the street that knows that. Give us some credit in public so the people can

relax and understand that we are the standard and we probably won't be any worse off when it's all said and done than some of the other ones. Lake Seminole will have to be treated and it has \$36 million in it. It's all stormwater drain-off. We are fixing to spend a lot of money but when it's all said and done there is no standard in place that is going to make that lake any better.

Ms. Getzoff:

I appreciate your comments. With what the TBEP and the NMC have generated we are about to adopt it. We have issued an intent to adopt the allocation process for nitrogen that they've come up with and once that's adopted we are going to move and adopt the Reasonable Assurance for nitrogen for Tampa Bay. That will then go to EPA. Hopefully they will adopt it and once that's done, that's an enormous success story for this area. I am really hopeful that the TBEP will be putting out in a public way, to local governments, and have some discussions with the St. Pete Times and the Tribune and put out that good story because once that's accepted through DEP and EPA, it's the first time that this has happened where you not only got your Reasonable Assurance in lieu of TMDLs, you have allocations for all of the dischargers including the stormwater allocations for the counties and cities, with no reductions. That's a big, big story. Not only that, but beyond that, if over the next couple of years we are successful in using those numbers and moving to EPA and saying we'd like to look at this as the numeric nutrient criteria for Tampa Bay and these will be acceptable allocations for all these dischargers. That would be an amazing story. I think you are on the very edge of having an entre for that story to go public and as part of that it would be helpful to stress what Grizzle Figg has done in the last couple of decades because in terms of sewage treatment discharge there isn't anywhere else in the country like this. The numbers that are applicable, through the statute, that apply to the direct dischargers in this area are two orders of magnitude lower than what we see throughout the rest of the state of Florida for other direct dischargers. And we see other sewage treatment facilities in other local governments that have those other numbers in other parts of the state and I read the newspapers and they are saying we are discharging at thirty, how can we ever get down to ten? Well, down here we're three. The numbers that they are running for the cost of that, because they are way behind us, they are large numbers. There is a lot here and it's because not only is the legislature stepping forward and making these requirements but also the local governments here, over the last twenty years, have put an enormous amount of resources into implementing this - making it happen and bringing it to life to where we have that story to tell and it makes the work that the NMC and Ms. Greening's work with the TBEP a lot easier because you are starting with this wonderful baseline. Additionally, a lot of people don't realize that nitrogen is also added to water through air discharges. What we've seen in the last ten years with the Gannon Plant shutting down, going to natural gas at Bayside with TECO, with the TECO Power Plant at Apollo Beach doing all of the discharge scrubbers, the emission requirements they have done under their settlement with DEP and EPA it's made a huge difference in the amount of nitrogen that's being emitted to the atmosphere that eventually gets into the water body and into Tampa Bay. The Estuary Program accounts for that. They've come up with a formula where they account for that numerically and how they track the loads that

are coming from different sources of nitrogen into Tampa Bay. And we will see a further large reduction in the coming years as Progress Energy at Weedon Island, St. Pete also switches to natural gas. We are going to see other things that are beyond just what you currently have as stormwater. We are going to see other ongoing issues that will contribute to the reduction of nitrogen that comes into our water bodies.

Council Member Jonson: You talked about Tampa Bay, what about the other water bodies like St. Joseph's Sound, Clearwater Harbor, Boga Ciega Bay that aren't a part of the Estuary Program?

Mr. Bartlett: We are working with the local scientists all around the state who have knowledge of these bays to try to generate the criteria that works for those bays. It is a scientific based analysis and we aren't going to treat it any differently than what we talked about today - getting the locals together and figure out what the numbers are. We are generating all the science we can to get the numbers right for each of these bays individually in that time frame. We have draft reports out right now on our website and we hope to tidy those up over the winter so that EPA will have them.

Chair Mariano: There was a motion on the floor to draft a letter to bring back to the Council at the December meeting. The motion was called and approved unanimously.

Mr. Pumariega: The Council and the Agency on Bay Management were instrumental to the passage of the Grizzle-Figg legislation.

Council presentations can be found at:

www.tbrpc.org/council_members/council_presentations.shtml

Taken out of order:

9. Other Council Reports

One Bay - Mr. Avera Wynne, Director of Planning, provided an update on One Bay.

The diverse coalition of partners consists of the Southwest Florida Water Management District, the Tampa Bay Estuary Program, Tampa Bay Area Regional Transportation Authority, the Urban Land Institute/Tampa Bay, the Tampa Bay Regional Planning Council and the Tampa Bay Partnership. These six entities have come together to create the One Bay Regional Visioning. We started back in May 2007, and even earlier than that when we began planning for Reality Check. We went into a major public input campaign using the internet, television, PSAs and got input. We further refined that by doing a Mason Dixon survey poll. The vision was unveiled in April of 2010. It's been about six months since then.

We had 32 tables of 10 people each for the Reality Check Tampa Bay. We also had additional people come to the luncheon to hear the reports. People placed Legos on where they thought the population and jobs in the year 2050 should be. We gathered a lot of information and from that information we created Guiding Principles. Those principles were utilized to help create a vision and recommendations for the region. One of the things we learned when we had the large tables with game boards is that the folks from Brooksville didn't know Sarasota very well. We had a regional audience place these Legos and ribbons for transit and road improvements. We wanted to take this out and show Hernando County and Sarasota and Pinellas Counties to show what the region thought about them in the future.

The Voice It campaign took place the following summer. We created four scenarios: A was the “business as usual” scenario, B was the people’s choice - how people played the game, C was called “planners gone wild”- it was compact development and a lot of the things that we can do to help these rules we are now currently faced with on the nutrients, and D was a takeoff on B but it was the environmental scenario. We built maps for each of those scenarios (A through D) and created images and stories as to what life would be like in each scenario. Scenario A had more traffic congestion, scenario C had more transit options. We also helped people understand each scenario by generating indicators which showed agricultural land impacted, electricity usage, vehicle miles traveled, wetlands impacted, water demand, and this helped people visualize what those scenarios did. 3500+ folks filled out the VoiceIt! Survey which was available on line and in brochure format. Out of the 3500+ people who completed the survey, 2500 gave open ended responses by writing out a response. We then cataloged all of those entries and found out what was important to folks.

The highest issue of importance is preserving drinking water resources, which we were discussing earlier. Throughout all of the work that has been done in the last 3 ½ years, in the end drinking water is what most people are concerned about. Jobs was number one, and the second is water to drink. Through the VoiceIt! Campaign scenario C received 54%. Scenario A received only 4%. A blend of more than one was 17%. They told us why they liked the blend in the open ended responses. At the time the cost of living was the second most important. That might have increased now for various reasons. Employment was up as well as mass transit. I think people think we have been doing a good job with our drinking water because of Tampa Bay Water generating drinking water sources. The things they said we need to do is improve the cost of living, improve employment opportunities, and improve mass transit. Those needed the most work. What’s the number one thing that needs our attention? Mass transit.

We had the responses and people said they were from people who participated in the process. Because of that we went out and did 1100 telephone responses from the Mason Dixon folks, demographically valid and scientifically valid. The key from that is that the residents rejected scenario A - business as usual. We received a little bit of differences between scenario B, C and D than we got before. Primarily people did not like A. We looked at the differences between the survey and the polling and found that we needed to blend between the B, C and D scenarios based on the input. We knew scenario A was not the way to go. We regenerated the scenarios to obtain a draft One Bay Vision. We went out and met with a lot of folks, and presented to a lot of people. At this point we’ve got about 10,000 people involved in the process. Mr. Wynne showed a graphic of the two scenarios (current trend A and One Bay). The current trend A is much less compact than the One Bay scenario. No one ever placed development on the environmental green print. People sometimes placed game pieces on MacDill AFB, and they put them on a golf course, but they did not place them on the green print. What that tells us is that there is plenty of Tampa Bay left if we allocate the resources to accommodate future growth and development and we have the opportunity to spread it out and manage it the way we see fit. The indicators show the difference between the current trend and One Bay.

A Congress of Regional Leaders unveiled the scenario on April 16, 2010. Attendance was 300+ folks. A brochure was distributed which contains the six recommendations. A lot of these things that we plan to do and that we’ve been talking about doing then some of the nutrient loading issues may take care of itself because people are realizing that you can’t develop the way we were if we

want the quality of life and the quality of drinking water that we want in the future. As a region we've been planning on doing that, now it's just a matter of setting the bar and being comfortable on where we set that bar.

At the Congress of Regional Leaders we continued the planning process and asked three questions, which are available on www.myonebay.com. People can answer these questions and be involved in the process. For the catalyst projects that will shape our region we used the Tampa International Airport (50 years ago) and USF in Tampa.

Next steps:

- Periodic e-newsletters and social media
- Resolutions of support and/or affirmation from those already committed. A sample resolution was included in the mail out and it was requested that each local government join One Bay and support its efforts
- There will be a One Bay award as a part of the Future of The Region awards program
- Integrate One Bay vision into the Strategic Regional Policy Plan (SRPP) and local government comprehensive plans. Several local governments have already integrated quite a few of the recommendations into their plans. After these principles and recommendations are in the SRPP then local governments will be able to respond to those and incorporate as well.

Chair Mariano pointed out that a quorum has been lost so on this item rather than ask for a motion and without objection asked Mr. Pumariega to forward the sample resolution to all of the local governments.

Mayor Peters: I know it talks about our population growing but I don't know if that's still accurate. I think based on my experience for the last couple of months presenting on Amendment 4 I would like to have more in the "whereas" in the beginning to the degree that One Bay would like to take this considerable effort to come up with positive responsible growth management. It says it at the bottom but it isn't up there in the front and I would like to see it that more in the front rather than focus on population.

7. Council Member Comments

Councilman Newton: Did you want us to take the resolution for approval to our Council?

Mr. Pumariega: We would like for you to adopt the resolution and if you want a Power Point presentation at your Council meeting before adopting the resolution we can schedule.

Councilman Newton thanked Council members for the St. Pete Council Chair Leslie Curran. She is improving but is still in the hospital. St. Pete also has a firefighter in the ICU who was in an accident last week. Also, St. Petersburg now has curbside recycling.

Mr. Núñez: For information purposes - the newest appointee to the statewide Florida Rail Presentation Commission is Doug Henderson, a resident of Pinellas County.

8. Program Reports

A. Agency on Bay Management (ABM) – Chair, Mr. Robert Kersteen

The Agency's Natural Resources/Environmental Impact Review Committee will meet this Thursday.

Representatives of Tampa Bay Water will provide updated results of the water quality and biological effects monitoring of the surface water withdrawal activities - Tampa Bypass Canal, Hillsborough River and Alafia River - and the results of the monitoring of effects of the desalination operation at the Big Bend power plant on the eastern edge of Middle Tampa Bay.

Dr. Aubree Hershorin of the U.S. Army Corps of Engineers will describe the process underway to update the disposal plan for Tampa Bay channel maintenance and request Agency input on locations to be dredged, beneficial uses of the dredged material, and other resource issues that should be considered in the update.

Also, Ms. Lindsay Cross of the Tampa Bay Estuary Program will review the Tampa Bay Dredge Hole Study and discuss its update.

You are all welcome to attend.

B. Clearinghouse Review Committee (CRC) - No Report

C. Local Emergency Planning Committee (LEPC) – No Report

D. Emergency Management - No Report

E. Legislative Committee – Mayor Scott Black, Chair - No Report

F. Regional Planning Advisory Committee (RPAC) – No Report

G. Economic Development - No Report

H. Regional Domestic Security Task Force (RDSTF) - No Report

10. Executive/Budget Committee Report – Chair Mariano - None

11. Chair's Report

Nominating Committee

Chair Mariano thanked Councilor Bob Matthews, as Chair, Mayor Scott Black, Mr. Robert Kersteen, Ms. Angeleah Kinsler, and Vice Mayor Bill Dodson for agreeing to serve on this year's Nominating Committee. The Committee will be meeting prior to the November Council meeting. Council members interested in serving as an officer were reminded it is a three year commitment.

Those sitting on the Committee are ineligible to serve. Please contact Wren or Mr. Pumariega by Friday, October 22nd if you would like to be considered for the 2011 Secretary/Treasurer position.

12. Executive Director's Report - None

Adjournment: 11:59 a.m.

Next meeting, November 8, 2010



Jack Mariano, Chair



Lori Denman, Recording Secretary