

Citizens Environmental Advisory Committee Meeting Minutes –May 3, 2010

Members in attendance

Daniel Alberdi, Jeremy Burris, Hallie Calig, Deborah Cope, Wayne Echelberger, Ph.D., Harold Falls, Melanie Higgins, Ann Hodgson, Ph.D., Joy Ingram, Vicki Kenyon, Kim Koleos, Cam Oberting

Members absent

Roy Davis, David Jellerson, Dale Meryman, Ph.D., George Parker, Jr.

Guests

Erica Santella, TruGreen; Jeff Greenwell, Water Facilities Administrator, FDEP; Bart Weiss, P.G., Division Director, Hillsborough County Water Resources; Charles Walter, P.G., Director, City of Tampa Stormwater Department

EPC Staff in attendance

Dr. Garrity, Executive Director; Richard Tschantz, General Counsel; Chris Dunn, Director Water Management Division; Sam Elrabi, Water Management Division; Ricardo Muratti, Assistant Counsel; Louise Scott, Administrative Specialist.

I. Regular Business

Chairman Alberdi called the meeting to order.

a) Public Comment

Erica Santella, representing TruGreen, asked if she could comment during the scheduled Fertilizer Use discussion. The Chairman inquired if anyone on the Committee had any objections to the request. No objections were noted and Ms. Santella will comment prior to the discussion of the issue.

b) Approval of the April 12, 2010 CEAC Minutes

Chairman, Daniel Alberdi, noted that Mr. Todd Josko, in his communications sent to the Chairman indicated that he was a consultant and the company name was Josko and Associates. Mr. Josko did not sign in as a guest and, in reviewing the tape recording, Mr. Josko indicated that he was representing Scott's MiracleGro but did not mention the name of his company; therefore, for accuracy, the minutes will be amended under the "Guests" section to read: Todd Josko, representing Scotts MiracleGro. The minutes were approved with the proposed amendment.

c) Review of the April 15, 2010 EPC Meeting

Dr. Garrity provided a brief overview of the issues that were addressed at the April 15th meeting.

- The three winners of the EPC Science Fair Awards were recognized at the April meeting. Each of the winners received a savings bond.
- The discussion of the cost recovery recommendations was deferred until the May 20th EPC meeting.
- An update on the progression of the Fertilizer Rule development was provided.
- The Legislative update that was scheduled was omitted.
- A Final Order Hearing on *Evelyn Romano, Warren Dixon and Andrea Braboy vs. City of Tampa, Department of Public Works and EPC* was conducted.

d) Preview of the May 20, 2010 EPC Meeting

Dr. Garrity provided a brief overview of the issues that would be addressed at the May 20th meeting.

- A discussion on the cost recovery recommendations and the budget has been scheduled.
- Air Division staff will update the Commission on activities scheduled for Clean Air Month.
- The Legal staff will provide a legislative wrap up.
- There will be a Fertilizer Rule update. At the April meeting, the Commission set the Public Hearing on the proposed Fertilizer Rule for June 10, 2010.

II. Items for Discussion, Action or Presentation

a) Water re-use discussion

CEAC member, Hallie Calig, invited three speakers to address the water re-use issue: Bart Weiss, P.G., Strategic Water Management Director for Hillsborough County; Jeff Greenwell, Water Facilities Administrator, FDEP; and Charles Walter, P.G., Director, City of Tampa Stormwater Department.

The first speaker, Bart Weiss focused on the County's Re-claimed Water System. After providing some background information, Mr. Weiss spoke about the County's re-claimed water system, the challenge of accomplishing the mission with less revenue, the impact that the TMDL's will have on the wastewater discharge quality, the proposed backflow and cross connection control rules slated for adoption in October, the reduction in discharge and nitrogen to the Bay due to the re-claimed water system, the challenges that the County faces with regard to growth and the incentives employed to encourage water re-use. Mr. Weiss addressed the overall performance and efficiency of the system from the 1980's to present citing to water conservation data and the reduction in water use per person. Mr. Weiss also addressed the alternatives under consideration to augment and or expand the system relative to area growth. Mr. Weiss responded to questions from the Committee members.

Charles Walter, City of Tampa Stormwater Department, was the next speaker. Mr. Walter explained that the general perception of what constitutes re-claimed water is the re-use of waste water; however, his focus would be directed toward stormwater re-use, or as he described it, the harvesting of water already in the system and looking at this re-use from a customer perspective.

Mr. Walter spoke about nitrogen loading to the Bay, providing statistical information on the various contributors to the nitrogen load. He addressed the capital cost to remove nitrogen from the Bay and the strategies to help solve the problem such as stormwater harvesting one subdivision at a time, the expansion of the tree canopy and the reduction of vehicular traffic.

Mr. Jeff Greenwell, Water Facility Administrator for DEP Southwest District, was the final speaker. Mr. Greenwell explained the functions of his department, provided an overview of re-use in the State of Florida, and summarized the different types of treatments and disinfection requirements for the different types of re-use.

Mr. Greenwell informed the group of the five types of water re-use governed by Chapter 62.610, F.A.C.: restricted access, industrial re-use, public access, ground water recharge and indirect potable water recharge. The frame of reference for his discussion regarding these five re-use options was the progressive increase in the level of treatment required and the disinfection requirements.

b) Discussion of Proposed Fertilizer Rule, Chapter 1-15

Rick Muratti, Assistant Counsel, gave a brief update on what has transpired regarding the Fertilizer Use rule development since the April CEAC meeting. Included in his update was a summary of the final legislative action for the 2010 Legislative Session pertaining to the proposed bills that the Agency was monitoring. Mr. Muratti also informed the Committee that the Public Hearing to consider the proposed Rule adoption was scheduled for June 10, 2010.

After requesting clarification on the status of the rule development and what staff would be presenting to the Commission for consideration, the Chairman, Danny Alberdi, in consideration of the impending numeric nutrient standard from DEP, the stricter set of standards adopted in the Pinellas County Ordinance and in order to provide direction from the Committee to the Commission, made a motion that CEAC support the stricter Tampa Bay Estuary Program (TBEP) model as adopted by the EPC staff. The motion was seconded by Ms. Oberting. Discussion on the motion ensued. The Chairman subsequently withdrew the motion and replaced it with a motion that CEAC support the stricter TBEP model as a recommendation to EPC staff in formulating their recommendation for the Commission. Discussion ensued. A vote was called and the motion passed 7-2, with 1 abstention.

III. Other Business

Dr. Garrity discussed the Agency's cost recovery plan and the proposed amendments to Chapter 1-6, Services-Fee Schedule. The Public Hearing is scheduled for June 16, 2010 at 2:00 p.m. Dr. Echelberger made a motion that CEAC strongly support the proposed fee amendments. After discussion the vote was called and the motion passed unanimously, 10-0. Dr. Echelberger requested that the Chair indicate in his report to the Commission that the vote of support was unanimous.

Since CEAC would not be reviewing any PRF applications this year, Ms. Kenyon made a motion to cancel the July 12th CEAC meeting. After discussion the vote was called and the motion failed, 3-7.

At this time, the Chairman addressed an administrative issue regarding attendance. Mr. Alberdi informed the Committee that Mr. Parker had missed four out of five meetings and in accordance with the Bylaws, the Chairman is required to send a letter to the appointing Commissioner. Mr. Alberdi indicated that he would send the required letter to Commissioner Norman's office.

IV. Agenda Items for the June 7, 2010 CEAC Meeting

The Air Division staff will provide an update on Air Quality Standards for Ozone and Lead and on the Office of Sustainability.

A final discussion on the proposed Fertilizer Use and Landscape Management rule will be scheduled for the June meeting.

Before adjourning, Dr. Garrity mentioned that the EPC has placed a link on their website that provides citizens with information about the oil spill in the Gulf.

A motion was made to adjourn, the motion passed unanimously and the meeting was adjourned.