

BISCAYNE BAY REGIONAL RESTORATION COORDINATION TEAM

Meeting #29

February 13, 2004
9:00 a.m. – 4:30 p.m.

South Florida Water Management District
Miami-Dade Field Station

Report of Proceedings

WELCOME/CHAIR ANNOUNCEMENTS

Team Chair, Humberto Alonso, opened the meeting and welcomed everyone. He announced that he was still awaiting final approval of the Team's requests for additional members from the Working Group.

Members present:

Humberto Alonso, Jr., Chair, South Florida Water Management District
Daniel Apt, Department of Environmental Protection
Marisa Bluestone, Florida Legislative Representative
Fran Bohnsack, Miami River Marine Group
Joan Browder, NOAA/National Marine Fisheries Service
Rick Clark, Biscayne National Park
Marsha Colbert, Biscayne Bay Aquatic Preserve
Marella Crane, UF Seagrass
Nancy Diersing, NOAA, Florida Keys National Marine Sanctuary
Cindy Dwyer, Miami Dade Planning and Zoning
John Hulsey, South Florida Regional Planning Council
Susan Markley, Department of Environmental Resources Management
M.J. Matthews, Catenese Center
Rafaela Monchek, South Florida Ecosystem Restoration Task Force
Joe Walsh, Florida Fish and Wildlife Conservation Commission

Mr. Alonso then turned the meeting over to the Facilitator, Janice Fleischer.

AGENDA REVIEW/GUIDELINES

Ms. Fleischer reviewed the Agenda for the day (Exhibit A) and Guidelines. The schedule for the day was to spend the morning ranking Goal 3: Ecological and Physical Restoration of the Bay and taking member comments. As with Goal 2 which was ranked at the January meeting, the Draft Combined Objectives would be submitted, along with the Team's comments and their original Chart to a Team of experts who will review the Objectives to assure they are "SMART"

(specific, measurable, achievable, realistic and have a timetable) and will draft action steps to accomplish the Objectives which will be resubmitted to the Team for approval.

Upon request, the Project Manager, Liz Abbott, reviewed the procedure to be used in reviewing and ranking Goal 3 for those members who were not present at the last meeting. An error in the printed Draft Combined Objectives was discovered and a corrected version was distributed to the Team before deliberations began.

Ms. Fleischer reminded Team members that, although it is understandable that members cannot attend all meetings, it is their responsibility to keep up to date on the work and procedures used at meetings which were missed. This can be accomplished by either contacting a fellow Team member or by contacting the Project Manger, Liz Abbott (eabbott@sfwmd.gov, 305-377-7274) or the Facilitator, Janice Fleischer (jfleischer@sfrpc.com, 800-985-4416).

All Reports of Proceedings, Exhibits, Team Guidelines and other pertinent information can be found at www.sfrpc.com/institute.htm, then "Projects", then BRRCT.

REVIEW OF GOAL 3: ECOLOGICAL AND PHYSICAL RESTORATION- RANKING AND DISCUSSION

The process used to review this Goal is as follows:

1. The Goal has several sub sections or sub goals.
2. The Team was first asked to take an initial ranking of the section.
3. The Team then discussed the section and finally,
4. The Team was asked if this information could be delivered to an expert Team and a second ranking was taken on the section discussed.

The results of this work are reflected below.

5 is the highest, 1 is the lowest for all rankings.

DCO= Draft Combined Objective
ONI= Objective Not Included
OAI= Objective Already Included

SUB A : POLLUTION/WATER QUALITY-LAND BASED

Initial Ranking:

5	4	3	2	1
1	4	7	0	1

Mean: 3.30

Team Comments:

- 1) ONI #1 – why isn't it included
- include as Action Item under Objective 3,6
- 2) List of already included – most are already being addressed
- 3) Look at this as a holistic document

- 4) DCO #2, 5, 6, 9 and 10 –Generally – all are already being addressed – change wording “refine”
Dates are arbitrary and misleading since the work already being done
- 5) DCO #2- Water standards not adopted but must be defined as they pertain to Biscayne Bay – i.e. what constitutes degradation
- Narrative water standards need to be defined
- 6) DCO #2 and #6-Take out “adopt” because covered in #6
- 7) #3 (DCO) – ruptured sewer lines need to be added to contaminants
- 8) #2 (ONI) – should be a stand alone objective and should be included
- 9) #3 (DCO) wording needs changing to be more accurate, just say “reduce contaminants from Bay”
- 10) #2 (DCO) – Park’s perspective – water quality standards – question as to whether ever established for “Outstanding Florida Water designation”
- 11) Anti-degradation narrative standard used for “Outstanding Florida Water” and “Outstanding National Resources Water”
- this narrative non degradation. standard has not been defined in a way that can be implemented
- 12) #2 (DCO) – spirit was not only degradation – what does Bay need in respect to water quality biological requirements of native flora and fauna
- 13) Numbers are being used to define anti-degradation that are not accurate and need to be refined further
- 14) Outstanding Florida Waterway and Outstanding National Resources Water
- 15) Need two separate objectives:
 - a) anti-degradation
 - b) restoration goals and targets
- 16) Not realistic to come up with standards and regulations that apply only to Biscayne Bay – we need to be more open as to how general these kinds of things must be in order to become statutory authority
- 17) Don’t limit objectives by existing constraints – be optimistic and far reaching
- 18) DCO #8 – doesn’t make sense – dates may not be right – two dates don’t coincide
- 19) Air pollution can be reversed, DCO #8 should be stronger
- 20) #8 (DCO) “Evaluate and reduce” (or minimize) change language
-“and minimize or reduce by 2013”
- 21) How much contaminants are coming from air – don’t have measurements for
- need to look at Federal process to see what is being done
- 22) #8 of (OAI) is that really incorporated into #8 of DCO
- doesn’t capture greenhouse gas
- alternative energy sources

The Team was then asked: “Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?”

Second Ranking:

5	4	3	2	1
3	9	0	1	0

Mean: 4.07

Sub B : Pollution/Water Quality-Marine Based

Initial Ranking:

5	4	3	2	1
0	1	8	1	1

Mean: 2.81

Team comments:

- 1) #4 (DCO) – blasting may produce things that degrade water quality – not sure blasting should be included here
 - what about energy
 - turbidity impacts need to be included somewhere
- 2) Impacts from blasting on organisms need to be included somewhere (habitat and fishing impacts)
- 3) #2 (DCO) bilge water – why tolerate until 2010 – needs shorter date (should have said 10% a year until reach 70%)
- 4) May want to address bilge water as a separate objective
- 5) All 4 DCOs – arbitrary dates and percentages
 - #4 specifically – this is already being addressed by 3 levels of government that go beyond Best Management Practices
 - DCO #1 – trash and marine debris – should be on land not on marine based
- 6) But group wanted trash and marine to be land and marine based
- 7) #2 DCO not only cruise ships – should be any kind of boat
- 8) Like wording better in ONI #2
- 9) DCO #1, 2, 3 – all should have been 10% per year up to 70% by _____ (year).
- 10) DCO #2, the information in the parentheses should be in #3 as well so all boats are captured
- 11) #4 (DCO) – implementation may not being done even though there may be BMP, therefore implementation is the issue
 - prefer County level BMP to implement and apply standards
- 12) #1 – assumption that most trash in water comes from marine debris is wrong
 - #1, 2 – 10% per year is unrealistic
 - #3 – unrealistic (smacks of communism)
 - #4 BMPs are being done and reviewed regularly
- 13) DCO #1- the assumption is that most trash in the water comes from marine debris. That is wrong
- 14) DCO #1,2- 10% per year is unrealistic
- 15) DCO #3- unrealistic (smacks of communism)
- 16) DCO #4- BMPs ARE being done and reviewed regularly

The Team was then asked: “Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?”

Second Ranking:

5	4	3	2	1
2	6	3	0	1

Mean: 3.67

SUB C : WATERSHED/COASTAL DEVELOPMENT

Initial Ranking:

5	4	3	2	1
2	3	5	1	1

Mean: 3.33

Team Comments:

- 1) ONI - #2 – include somewhere else because it should be on use of Bay and not carrying capacity
- 2) Look at group name – Watershed/Coastal Development – so ONI #2 belongs elsewhere
- 3) ONI - #3 should be moved up to DCO
- 4) ONI #5 – if changed to Action Step define what moving UDB means – define moving UDB better
- 5) DCO – all not SMART – need reworking
- 6) #1 – DCO – based on what?, you need a baseline/define lands necessary for Biscayne Bay restoration (Action Step)
- may be an action step
first need to define lands, then develop plan
- 7) #3 DCO – is there a mechanism in place? Is this realistic?
- 8) #5 DCO – needs more specificity
#6 DCO- not realistic – huge area
- 9) All may be optimistic and have constraints but are still worthy and should not be eliminated
- we should find a way to accomplish
- 10) Use pervious pavements – why aren't we using them?
- 11) ONI – #4, 5 -moratoria and move UDB – decide if these are proposed action steps?
- decide if these really need to be done
- 12) #2, 3, 6, 9 (DCO) – so unrealistic as to undermine credibility and folks won't take this seriously
- 13) Use words like “recharge aquifer” or “reduce amount of run off”
- 14) #7 (DCO) – is coastal armoring regulated
- some laws already exist to address this
- 15) Shoreline Development Review Committee – we should have an objective to evaluate their effectiveness
- 16) Development permits – post development pollutant loading should be less than or equal to pre-development loading
- 17) Shoreline Development Review purpose is access, not environment review
- 18) Who controls now?
Where are gaps?
What needs to be done?
- 19) ONI #2 – “Carrying Capacity” Is inappropriate term; and who will make such determinations, and who will be allowed to be a part of what is carried
DCO #3 – eliminate all variances? Not possible.
DCO #5 – What about needs for bulkheads, boats, condo developments using marinas for access, etc.

The Team was then asked: “Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?”

Second Ranking:

5	4	3	2	1
2	4	5	2	0

Mean: 3.46

SUB D : FISHING IMPACT

Initial Ranking:

5	4	3	2	1
0	2	7	2	0

Mean: 3.0

Team Comments:

- 1) DCO #2 – dependent on habitat and not just catches
important to preserve and expand habitat for all species
- 2) Want to see evaluation marine reserves and “no take” zones to serve as replenishment
- 3) OAI – historical – is #1 (DCO) enough to cover this?
- 4) Add something about restaurants and working with them to promote consumption of sustainably harvested species
- 5) Make consumers aware of over harvested species
- 6) OAI – all of them are not truly included above
need to get historic view of species and fishing itself – should be an objective (catch per unit effort) – rough way of estimating abundance – keeper currently is National Marine Fisheries Service
- 7) #5 DCO – are there some regulations that allow immature species and that should be addressed?
- 8) #2 DCO – sustainable take for all species – should focus on target species
- 9) #4 DCO – date is arbitrary
many species spend lives outside area – need to take ecology of entire stock and what happens elsewhere
- 10) #5 DCO – rewrite – how effective or adequate the ones we have are
fish tissue contaminate levels and health impacts
- 11) develop DCO #5 further – very little information exists
- 12) Greg Graves – Florida Bay only
no information on Dade County
3 to 4 papers exist on fish abnormalities in Biscayne Bay and this needs to be explored
- 13) Biscayne National Park Fisheries Management Plan – include managing fishery stock as one biological unit beyond agency jurisdictional boundaries

The Team was then asked: “Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?”

Second Ranking:

5	4	3	2	1
4	8	1	1	0

Mean: 4.07

SUB E : WATER MANAGEMENT (TIMING AND FLOW)

Initial Ranking:

5	4	3	2	1
0	1	8	1	1

Mean: 2.81

Team Comments:

- 1) #1 DCO – not sure where data came from and percentages and times are arbitrary
#4 DCO – moving target, arbitrary generally – all are not a better way to articulate ONI and OAI
- 2) Biscayne Bay minimum flow and levels need to be developed – then review and see if adequate for native flora and fauna for restoration
- 3) Don't want minimum flow and levels to be defined as "life support" – want it to be "a healthy functioning Bay"
- 4) Flows and levels need to be at a restoration level
Existing levels are not sufficient
#1 and #4 DCO – very important and need to be sure it is "RESTORATION" levels
- 5) ONI - #2 – not included above and needs to be
Need to go for reservations
Identify quantity of water needed for entire Bay
- 6) #1 DCO - "to restore a stable mesohaline estuarine zone in the near shore and the nearby coastal marshes"
- 7) MFLs legally are not defined as restoration
- 8) #4 DCO – Water storage capability very important for Biscayne Bay health

The Team was then asked: "Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?"

Second Ranking:

5	4	3	2	1
3	7	2	0	0

Mean: 4.08

SUB F: NATIVE BIODIVERSITY AND IMPERILED SPECIES

Initial Ranking:

5	4	3	2	1
1	1	9	1	2

Mean: 2.86

Team Comments:

- 1) #1 DCO – "imperiled" is a broader meaning word than listed, it includes: threatened, endangered and species of special concern
#3 – do not put a qualifier on species, just say "species"
- 2) #4 DCO – say "native" instead of "imperiled"
- 3) Name of subgroup itself is a problem
issues of each are related but not exactly the same
Need separate objectives for each – native, imperiled
- 4) #2 and #4 DCO – should they be separated?
- 5) #3 DCO – focusing on activity not species so take off qualifier
- 6) #3 DCO – belongs in this section just fix wording
real question whether existing requirements are adequate
"assess effectiveness of BMP and reduce impact of dredge and blasting on wildlife, fish"
- 7) Whole section of "critters" that are being left out
Do we change the entire subgroup name to "Wildlife and Flora and Fauna"?
- 8) #3 DCO – can we say "native flora and fauna"?

- 9) Need to maintain listed species
Broaden subgroup title
- 10) #2 – error – “suitable habit for imperiled species...”

The Team was then asked: “Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?”

Second Ranking:

5	4	3	2	1
3	6	4	1	0

Mean: 3.78

SUB G : HABITAT

Initial Ranking:

5	4	3	2	1
0	0	9	1	2

Mean: 2.58

Team Comments:

- 1) #4 DCO – not feasible – “completely remove” – put qualifiers use “control spread of” in place of
- 2) #3 DCO – associated date missing – suggest 10% per year until water quality standards met then by December 31, 2016 (to coincide with Subgroup A)
- 3) #2 ONI – reinclude as objective
- 4) #2 ONI– at least as action step
- 5) DCO #1 – if successful in mesohaline you may in fact lose some seagrass so this needs to be reworded to account for seagrass for restoration
DCO #2 “no net loss of productive benthic communities”
Transition period needs to be considered
Ending is arbitrary “until quality is restored”? what does that mean?
DCO #3 – water quality standards are met so this is not well worded objective, say “this water needs to be cleaner than it already is”
- 6) Are the standards in existence really meeting Bay’s needs
may be “water quality restoration targets”
- 7) DCO – in all – they may not be SMART
#6 – revise with water quantity – not historical levels – use “Stable mesohaline”
- 8) #3 DCO – expand to look at plastics, etc. not usually included in this wording
- 9) No one is addressing the issue of water quality standards for Biscayne Bay adequacy
standards from other places may not be comparable
BIOASSAYS for toxicity and reproductive capacity used elsewhere not applicable here
- 10) #1 and #2 DCO – let’s not use concept of quality – change to “full functionality is restored”
- 11) #2 DCO – objectives for enhancing coastal wetlands
Diversity of habitat types
- 12) Standards discussion
i.e. question is whether the standards used here really get this area, change to narrative standards so they apply to Biscayne Bay
- 13) ONI #3 – good as action step to Objective #2
There is a review by OPAGA
this is to define “what constitutes mitigation” but sets a statewide standard which may not help restoration of Biscayne Bay

14) OAI #3 – lost the words “exotic animals” – insert “exotic animals” again

The Team was then asked: “Taking this Draft Document, Your Chart and these comments, does the Project Manager have enough information to take to an Expert Team to work on this?”

Second Ranking:

5	4	3	2	1
2	8	3	1	0

Mean: 3.79

The exercise above lasted through lunch. Prior to breaking for lunch, public comment was requested. Two scientists addressed the group and made suggestions.

After lunch, the Team was asked to clarify and finalize their Consensus Rules. The newly adopted rules are attached as Exhibit B. For voting purposes until all vacant seats on the Team are filled, the Interim Quorum shall be counted based on the membership of the following groups: (11 are needed for a quorum)

- Biscayne National Park
- NOAA-National Marine Fisheries Sancturay (NMFL) and Atlantic Oceanographic and Meteorological Lab (AOML)
- NOAA- Florida Keys National Marine Sanctuary
- Florida Fish and Wildlife Conservation Commission
- FWS
- Florida Department of Environmental Protection
- Biscayne Bay Aquatic Preserve
- South Florida Water Management District
- Seagrant- IFAS
- Miami Dade Department of Resource Management
- Miami Dade Planning and Zoning
- South Florida Regional Planning Council
- Florida Legislature
- Tropical Audubon
- Dade County Farm Bureau
- Miami Marine Council
- Miami River Group
- Citizens for a Better South Florida
- Keith Revell- At Large

SMALL GROUP WORK- OVERARCHING THEMES OBJECTIVES DEVELOPMENT

Due to the time necessary to complete the discussion of Goal 3, there was no time to develop Objectives for the Overarching Themes at this meeting. It was decided that the Team would work on this task at the next meeting. A suggestion had been made to add two new categories to the Overarching Themes in addition to Funding and Coordination; they were Monitoring and Evaluation and Getting Information into the hands of Managers. After some discussion, it was

decided the Team would work on the original two sub goals of Funding and Coordination and if these additional sub goals began to develop as separate entities, they would then be addressed; otherwise they would become part of the Objectives or actions steps of other Objectives.

MEMBER COMMENT CARDS:

As of the start of today's meeting, there is NO MEMBER present who is not associated with a government-oriented agency. This is continuing evidence that there is a fundamental problem with the composition and/or function of the committee, and is likely to result in some stakeholders' rejection of the work products. If the regulated community (developers or users) was represented in these discussions and rankings, the outcome would likely be very different!

Susan Markley, Miami Dade DERM

Review of application of Water Quality Standards should include the SFWMD Basis of Review to see how engineers use "95%" reduction of pollutants to satisfy the "antidegradation" standard of Outstanding Florida Waters Chapter 62.302 (I think) of Florida Statutes.

Marsha Colbert, Biscayne Bay Aquatic Preserve

Two concerns:

- 1) Team of experts is underrepresented with experts in economic activities of the bay, especially with regard to vessels and marine-related issues.*
- 2) Issues were discussed affecting marine-related issues at a meeting where no individuals with expertise were present (due to the boat show).*

Fran Bohnsack

OBSERVER COMMENT CARDS:

- 1) National water quality standards are poor, if not useless, standard to apply to Florida state waters because natural communities here co-evolved with the extremely low nutrients found in a natural carbonate platform, therefore very small increases in N & S (especially) have much greater impact than elsewhere.*
- 2) If statutory limitations are insufficient, change them!*
- 3) Increasing ground water recharge in the coastal areas is not a good idea!! Doing so will increase ground water nutrient loading to the Bay and increase the likelihood of saltwater encroachment (especially in light of ???(could not read) use).*
- 4) Sub-Group E #1: 75% should be earliest target data because the longer we wait the less likely of obtaining H₂O.*
- 5) Sub-Group E #4: If we don't lock up water storage capacity is the next year or two, SFWMD & DERM will allow the land needed to be developed.*

John (Jack) Meeder, (305) 282-9376, meederj@fiu.edu

3B:1 Historical dumps are marked on nautical charts north of Julia Tuttle Causeway and sunk (abandoned) boats fit this item.

3B:2 Ships also produce paint droppings, they discharge massive amounts of hot water (engine cooling), laundry effluent and other fluids while at the dock. Ships also hydraulically erode the bottom and sides of the ship channels.

- 3B:3 *Not listed is the significant impact by boat waves – this should be quantified better and the industry should be “encouraged” to make better boats with less impact.*
- 3B:? *Beach restoration introduces huge quantities of loose sediment into Biscayne Bay – sand and mud both! Not addressed in entire document?*
- 3C:7 *Term “armoring” is misleading because rip-rap (for example) is also a form of armor to protect shoreline from erosion.*
- 3C:8 *Makes no sense as written. What was intention? Man made “natural” shoreline? Nature growing on previously altered shoreline? Neglected shoreline that returns to pseudo-natural?*

Peter W. Harlem FIU-SERC, cobra6@aol.com
