

Biscayne Bay Watershed Management Advisory Board

Stephen P. Clark Government Center
Commission Chambers, 2nd Floor
111 NW First Street
Miami, FL 33128

MINUTES June 10, 2022, 9:00 am

MEETING CALLED BY	<p>Roll call was taken – Quorum and established. Twelve members were present, and seven members were absent.</p> <p>Absent Members: Vice-Chair Vince Lago, Commissioner Jean Monestime, Commissioner Rebeca Sosa, Erik Stabenau, T. Spencer Crowley, III, Esq., John Alger, Gene Duncan, and Dr. Diego Lirman</p>	
MEMBER ATTENDEES	<p>Chair - Commissioner Danielle Cohen Higgins Councilmember Crystal Wagar Commissioner Rachel Streitfeld Mayor Tim Meerbott Brett Bibeau Dr. Todd Crowl</p>	<p>Julissa Kepner Jannek Cederberg Gerald McGinley Dave Doebler Roberto Torres Dr. Joan Browder</p>
	<p>Staff support for Biscayne Bay Watershed Management Advisory Board in attendance: Irela Bagué, Pamela Sweeney, Mildred Waxman, Marie Bell, Larissa Aploks, and Ana Fiotte.</p>	

AGENDA TOPICS

REASONABLE OPPORTUNITY TO BE HEARD

Commissioner Danielle Cohen Higgins - Chair

DISCUSSION	<ol style="list-style-type: none"> 1. Elvis Cruz - Spoke against planting mangroves in public waterfronts and parks. 2. Emilio Lopez – a Representative from SOP technologies, offered to answer questions on stormwater technology and noted that Miami-Dade County is using their product in a pilot project. Monroe County has also used their products. 3. Scott Polowitz – A member of Friends of Biscayne Bay. Spoke in support of the stormwater legislation and the Cutler Bay 8.5-acre restoration. 4. Omar Jimenez - Miami Beach resident and President of Park View Island Sustainable Association. Spoke about protecting the public access to the Bay for enjoyment, especially in public parks. 88% of the year, Park View Island water is not safe for recreating. Residents are getting sick and had to be hospitalized for skin lesions and infections. The Chair noted that he should connect with the CBO's office.
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APPROVAL OF AGENDA

Commissioner Danielle Cohen Higgins - Chair

DISCUSSION	<p>Chair Cohen Higgins thanked Mr. Doebler for hosting the Biscayne Bay Marine Health Summit and bringing many stakeholders together. The Chair thanked the County departments participated, including CBO, DERM, and WASD. The Chair asked Mr. Doebler to say a few words about the summit. He stated the summit was a success beyond their imagination and their goals. He added that the summit was founded by Mr. Luiz Rodrigues five years ago. He thanked the County for supporting and sponsoring the event.</p>
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APPROVAL OF MEETING MINUTES

Commissioner Danielle Cohen Higgins - Chair

DISCUSSION	<p>Moved by Eric Stabenau and seconded by Dr. Crowl. Adopted unanimously.</p>
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OVERVIEW OF IMPACTS FROM POTENTIAL TROPICAL CYCLONE ONE

Rashid Istambouli - Interim Director of RER-DERM
and Roy Coley - Director of WASD

DISCUSSION	<p>Mr. Rashid Istambouli, RER-DERM Interim Director, presented how the County prepares for upcoming storm events. The secondary canals are opened 48 hours before a storm to alleviate flood waters. The pump stations move the water into the C-4 retention basin. The primary canals are managed by SFWMD, the secondary canals by DTPW, and the tertiary systems are managed by the municipalities.</p> <p>He provided an overview of post-storm event information estimates at 5-7 inches of rain inland and 8-10 inches in the coastal areas, the equivalent to a ten-year rain event.</p> <p>RER-DERM received 94 flood complaints and no documented cases of water in homes. However, there were sanitary sewer overflows with half a million gallons of sewage and over 200,000 gallons discharged into the surface waters. RER DERM sampled and identified four areas of concern: Miami River, Hialeah, Morningside Park, and Center District Treatment Plant Virginia Key. The areas exceeded acceptable Florida State criteria on levels of bacteria.</p> <p>Mr. Roy Coley, WASD Director, presented a review of four areas: 1. Wastewater System, 2. Impacts of Tropical Storm Alex, 3. Sanitary Sewer System Performance, and 4. Wholesale Customers Contributions.</p> <p>Mr. Coley stated that Miami-Dade County has 80,000 manholes (where the lids can be removed to directly access the sewer system). The rain caused flooding that entered the sanitary sewer system. WASD staff reported residents on flooded streets opened many manholes, and the sewer collection system is designed to only handle 4.5 inches of rain in a 24-hour period. The system reached approximately 800,000,000 gallons of wastewater and overwhelmed the system with three times the volume. The system worked as it is designed to perform with over 1,000 pump stations working. WASD staff prepared before and during the storm to mitigate impacts but experienced overflows due to exceeded inflow capacity. WASD is spending \$35M per year to upgrade pump stations.</p> <p>Mayor Meerbott (Cutler Bay) stated that in Cutler Bay, the engineers measured 21 inches of rain.</p> <p>Ms. Marina Blanco-Pape (RER DERM) explained that there was localized rainfall and clarified it was a 25-year event according to SFWMD.</p> <p>Mayor Meerbott commented that according to the ' consultants, it was a 100-year event and requested coordination to get the data right.</p> <p>Mayor Meerbott continued 589 homes affected in the Cutler Bay area with residents unable to leave home for 2-3 days.</p> <p>Chair Cohen Higgins recognized Board Member Jannek Cederberg.</p> <p>Mr. Cederberg commented that the tide was two feet lower in Virginia Key and asked what would have been the scenario if it were to happen during a King Tide event in September or October.</p> <p>Mr. Istambouli (RER DERM) stated it was a long rain event and occurred at the end of the dry season, the groundwater was very low, so it was able to replenish the aquifer. He continued to explain that there will be longer dry periods and longer rain events, and it is important to segregate and keep the water out of the sewer system.</p> <p>Mr. Coley (WASD) responded that plants should not be expected to be built for these scenarios as the cost would be a four-to-five-billion-dollar investment and require several hundred acres of land to build. He stated that it would not be the responsible thing to do.</p> <p>Mr. Istambouli agreed and stated the County would need to explore ways to hydraulically manage stormwater and keep it out of the sewer system.</p> <p>The Chair thanked Mr. Istambouli and Mr. Coley for compiling the information quickly. The Chair continued that there were homes impacted in Cutler Bay, and for the residents of the area, it was a large event. She further added that there seems to be a disconnect on the level of the storm. For example, was it a 10-year event, a 25-year event, or a 100-year event? Residents want to know what will be done to prevent this from happening again.</p>
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	<p>The Chair stated it would be helpful to develop a messaging campaign for the residents not to open the manholes.</p> <p>Mr. Coley agreed and stated that Mayor Levine Cava had assigned a working group led by Mr. Pete Gomez from Emergency Management Operations for all parties to convene and make policy recommendations.</p> <p>The Chair recognized Board member Doebler who asked how long it took for the water to recede.</p> <p>Mr. Istambouli responded approximately 24 hours, except for the areas in the south. Mr. Doebler asked if people opened manholes - why 'didn't the storm drains evacuate the water quicker?</p> <p>Mayor Meerbott answered that most of the water was evacuated within 5-6 hours except for some areas.</p> <p>Mr. Istambouli responded that it is a fragmented system with primary, secondary, and tertiary systems and the primary and secondary systems worked. The issues were found in the tertiary systems that are not connected to the secondary system. The water in the lake in Saga Bay had nowhere to drain, therefore the water ponds.</p> <p>Mr. Doebler asked whether the storm drains not an aggressive cleaning schedule having would have had an impact.</p> <p>Mr. Istambouli shared that the RER DERM teams were in the field monitoring and cleaning stormwater systems before the event.</p>
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UPDATE ON REASONABLE ASSURANCE PLAN

Commissioner Danielle Cohen Higgins - Chair

DISCUSSION	<p>The Chair stated that the CBO and RER DERM staff have been working with the 'County's consultant and meeting regularly with FDEP staff on the development of the RAP for Biscayne Bay phase 1. The map of the initial area of the northern first phase of the RAP was presented, and it was stated that the Florida Department of Environmental Protection (FDEP) and County staff agreed to start in the northern area. The final RAP for the first phase will be presented to FDEP for final review and adoption by secretarial order.</p> <p>The CBO stated that Pamela Sweeney (RER DERM) was available to answer questions virtually.</p> <p>The CBO shared information on the plan's development and stated the process allows the County to work with stakeholders and municipal partners within the northern boundary area to present a plan to reduce nutrient loads. The deadline to submit the plan is September 2022. In addition, the Governor has announced that the State grants are open.</p> <p>The CBO reiterated that the plan is the first RAP phase for Biscayne Bay and will include the entire watershed within a few years.</p> <p>The CBO shared that the Biscayne Bay Commission meets on July 27 and will provide an opportunity to present an update of the RAP to the public and receive input.</p> <p>The Chair stated that on June 8 the Governor announced that the State of Florida had surpassed their four-year goal for Everglade's restoration and the protection of water resources.</p> <p>Dr. Crowl added that the RAP map is consistent with the parts of the Bay that are most vulnerable and the area registering the highest-level inputs of nitrogen and phosphorous.</p>
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DISCUSSION	<p>The Chair recognized Cutler Bay Mayor Meerbott, who thanked the Chair for adding the item to the agenda.</p> <p>Mayor Meerbott provided an overview of the Town of Cutler ' 'Bay's Wetlands Restoration Project. Development threatened the 8.4 acres of sensitive lands, and the Town decided to protect the green space and purchased the land.</p> <p>Mayor Meerbott continued the land was purchased for \$8.5M and would like support from the State and the County to help with the purchase cost. Mayor Meerbot mentioned the land had been identified on the Environmentally Endangered Lands (EEL) program B List. The Chair asked the County Attorney's Office (CAO) to comment on what action the BBWMAB can take.</p> <p>Mr. Christopher Wahl (CAO) asked for clarification on the Board's intention. The CAO stated the BBWMAB could make the recommendation to the BCC to direct the Mayor or her designee to seek funding.</p> <p>Mayor Meerbott made a motion to recommend the BCC request funding for the \$250K requested. Seconded by the Chair.</p> <p>Discussion: Board member Eric Stabenau (Biscayne National Park) asked to abstain from the vote because he represents the federal government.</p> <p>The CAO clarified the rules of the BCC, all board members must vote on items if they are present but can leave the room. Mr. Stabenau left the room.</p> <p>Vote called: motion passed. Chair Cohen Higgins asked the CAO how they would work procedurally. The CAO stated that the directive could either be expedited and transmitted to the BCC or they could draft a resolution for the Chair to be brought to the BCC. The Chair asked Mayor Meerbott what he would prefer. The Chair suggested that it would be best to transmit the \$250k to the BCC and draft a resolution for the \$4 million which could come back to the BBWMAB at their next meeting. Mayor Meerbott agreed.</p> <p>Dr. Crawl made a motion seconded by the Chair to recommend to the BCC to recognize the Town of Cutler Bay/Mayor Meerbott for the purchase of land and environmental restoration. Motion passed unanimously.</p> <p>The CBO added she is working with Cutler Bay, the Office of Resilience, and SFWMD on an application for a federal grant from National Fish and Wildlife for \$330K.</p>
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DISCUSSION OF DRAFT STORMWATER LEGISLATION AND COUNTY BUDGET PROCESS

Dave Doebler

DISCUSSION	<p>The Chair recognized Mr. Doebler to present the stormwater item.</p> <p>He explained the resolution calls for updates to the current guidelines. The resolution took input from RER-DERM, the CBO, other County staff, and stormwater experts. It addresses the following:</p> <p>Section 1. While the County currently issues permit for sewer but does not issue permits for stormwater therefore, the County has no regulatory authority over the 32 municipalities that are on the MS4 permit – the policy would amend Chapter 24, creating standards.</p> <p>Section 2. The public works and stormwater manual was last updated in the 1980s, and technology and pollutants have changed considerably.</p> <p>Section 3. Focuses on a clean neighborhood community engagement program with volunteer cleanups and teaches citizens what happens on the street impacts the Bay.</p> <p>Section 4. Addresses many municipalities that do not know what stormwater assets they have, and while the County issues sewer permits, it does not issue stormwater permits; and</p> <p>Section 5. States that DEP standard requirements for pollution control are insufficient for a County as large as Miami-Dade. Therefore, the County should request that FDEP strengthen the design, maintenance, and auditing requirements.</p>
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	<p>The Chair asked for discussion and comments.</p> <p>Mr. Bibeau suggested an amendment to include increased maintenance.</p> <p>Mr. Doebler commented that the standards need to be set first.</p> <p>Mayor Meerbott disagreed with Mr. Bibeau's recommendation because all municipalities perform differently.</p> <p>RER Director Lourdes Gomez stated the work of the BBWMAB helps the community recognize the difference between flood management and water quality management. The drainage and stormwater infrastructure previously focused solely on moving water quickly off the streets to address flooding. RER DERM has been working on incorporating the water quality with stormwater management and upgrading infrastructure for some time.</p> <p>RER Director Gomez thanked Mr. Doebler for incorporating the work of the department into the resolution and shared what was stated earlier that jurisdiction of the water management system is fragmented: the primary (SFWMD), secondary (County), and tertiary (municipalities).</p> <p>The Chair asked if RER supported the legislation, and RER Director Gomez agreed.</p> <p>Dr. Crowl asked about plastics. Mr. Doebler explained there is a size specification for plastics modeled after states with a TMDL.</p> <p>Mr. Bibeau asked the CAO if a change in the County code automatically changes a city code like Cutler Bay. The CAO replied in the affirmative.</p> <p>Commissioner Streitfeld (North Bay Village) commended Mr. Doebler for bringing the item to the BBWMAB, asked to see the proposal, and fully supported the effort. She continued that North Bay Village is in the process of redesigning its stormwater infrastructure and added she would like to see septic failure incorporated in the resolution.</p> <p>Mr. Doebler responded that he had originally looked at septic tracing in the original scoping of the resolution.</p> <p>RER Director Gomez explained the legislation is focused on the stormwater system separated from the sewer system. As previously explained by RER DERM, water quality sampling is conducted following every rain event or accident.</p> <p>Mr. Cederberg asked if design conditions for the one-inch storage requirement and sea level rise would be included.</p> <p>Mr. Doebler explained the decision would be up to RER DERM as they modify Chapter 24 and update the public works manual to include design criteria.</p> <p>Chair Cohen Higgins stated she would gladly sponsor the legislation, co-sponsored by Commissioner Monestime and bring it to the BCC. She will bring back the administration's recommendation to the BBWMAB for review.</p> <p>Councilperson Crystal Wagar asked if the BBWMAB could be notified when the legislation comes to the BCC so that the board members could make themselves available to speak in support. CBO volunteered to inform the Board. Motion made by Dave Doebler -Seconded by Brett Bibeau. Item passed.</p>
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INNOVATION PRESENTATIONS – DEFERRED FROM APRIL 20TH AGENDA

Brett Bibeau

DISCUSSION	<p>Mr. Bibeau introduced Sophie and Marc Mastriano, owners of the Scavenger 2000 Decontamination Vessel. Ms. Mastriano, President of Water Management Technologies, Inc., played a short news clip and presented how the vessel worked and described how it removes surface debris, injects oxygen into the water, and destroys other contaminants in the water without leaving residue or byproducts. Ms. Mastriano shared that the company is a small family-owned Florida corporation with over twenty years of experience and a proven track record working with FDEP.</p> <p>The company further presented the work they provide for the City of Miami and Miami-Dade County, covering the areas that include 27th Avenue, Miami River Bridge to Grove Key Marina, and 79th Street.</p>
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Mr. Bibeau commented he had previously provided the Board with five independent analyses of the vessel's work. There is currently ~~two~~ one vessel servicing the Bay and Miami River, and the City of Miami and Miami-Dade County each pay for their share of hours per week of service.

He requested Miami-Dade County fund a ~~third~~ second vessel for an additional 40 hours per week.

The Chair asked if he wanted to make a motion to ask the BBWMAB to make a recommendation to the BCC to look at the feasibility of contracting additional services from the Scavenger Vessel.

Councilperson Wagar commented she would support the motion as a representative of the League of Cities. Still, she also represents Miami Shores, and her city is overloaded with trash from the Bay.

Mr. Doebler added that the technology is needed to pick up the debris and oxygenate the water and suggested the Board engage in a future discussion about the spoil islands.

Commissioner Streitfeld stated she was uncomfortable with the Board acting as a procurement arm and would support increasing the budget for the 'vessel's services, but there are many other similar technologies.

Mr. Cederberg suggested that before the Board recommends additional funding, they review the scientific data to determine the return on investment. He also asked if the company would be able to recommend strategic areas of need. Water Management Technologies offered a list of their recommendations to the BBWMAB.

Board member Torres asked if the technology could be used to clean up fish kills. The company stated they participate in the Fish Kill Prevention Program with Miami Waterkeepers.

The Chair asked how long Water Management Technologies had been contracted with the City of Miami and Miami-Dade County.

Water Management Technologies stated they began a pilot project with the City of Miami in 2003 and have had a contract with Miami-Dade County on and off since 2008, 09, or 10.

The Chair inquired regarding the cost of purchasing a vessel. Water Management Technologies stated manufacturing costs are approximately \$1.5M.

The Chair requested a report on the contract with the County and asked what department managed their contract.

RER-DERM Director Istambouli clarified they are under contract for trash pickup only. The Chair asked if she could be provided a report on their effectiveness since 2008.

The Chair welcomed Mayor Levine Cava to the BBWMAB meeting. The Mayor clarified the relationship with Waste Management Technologies is not contractual. However, there is an existing agreement with the Miami River Commission, which contracts directly with the company and manages the work.

RER Director Gomez further explained it is a board directive to reduce trash and debris on the Miami River. RER DERM will provide a report on the efficacy of the aeration technology. Director Gomez offered to provide a future report.

Mr. Bibeau made a motion for a resolution to the BCC to consider increasing the funding for increased services of this nature from the Scavenger Vessel or otherwise. Mr. Doebler seconded.

The Chair asked the CAO that the resolution be drafted and brought back to BBWMAB. Motion carried. The CAO asked for clarification, the Chair asked that the item be brought back in written form to the Board.

The Chair officially welcomed and introduced Miami-Dade County Mayor Daniella Levine Cava, who addressed the BBWMAB.

The Mayor stated she had followed the work of the Board closely and is pleased with the accomplishments to date.

The Mayor discussed the recent storm and how it demonstrated some of the vulnerabilities in the system. She mentioned Pete Gomez, the new director of the Office of Emergency Management, who worked around the clock during the storm coordinating with the many departments that prepared and responded.

	<p>The Mayor mentioned she spent time in Cutler Bay with Commissioner Cohen Higgins and Mayor Meerbott during the flooding event.</p> <p>The Mayor commented on the importance of working with municipal partners and mentioned a workshop being hosted by the CBO and RER that afternoon. The purpose is to improve storm preparations and cooperation. The Mayor stated that we all need to work better, harder, faster, and more collaboratively to do the best job possible with stormwater and protecting our Bay.</p> <p>The Mayor thanked CBO Irela Bagué, One Water Czar Hardeep Anand, Office of Resilience, and Jimmy Morales Chief Operating Officer coordinating with all departments focused on infrastructure to forge a comprehensive approach that can later be formed into legislative proposals.</p> <p>Chair Cohen Higgins thanked the Mayor for her attention, immediate response, and resources to the South Dade area.</p> <p>The Mayor shared a few recommendations from the internal team, including working on a regulatory framework for stormwater that would be analogous to the sewer system, enhanced enforcement of illicit discharges, regular testing, certification of private laterals, evaluation of pump stations, and developing legislation to accelerate permitting for County inflow.</p> <p>Chair Cohen Higgins thanked the Mayor for her comments.</p>
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BISCAYNE BAY TASK FORCE RECOMMENDATION 5A - MARINE DEBRIS PROGRAM

Brett Bibeau

DISCUSSION	<p>Mr. Bibeau stated that a core group has been identified by RER DERM to work to make recommendations on reducing marine debris and requested to be part of the group of stakeholders. Director Gomez agreed to invite Mr. Bibeau.</p> <p>Mr. Bibeau inquired about the derelict vessel removal program.</p> <p>The CBO stated the information was provided in the BBWMAB packet and introduced Lt. Michael Barrios (MDPD) Marine Patrol Unit.</p> <p>Lt. Barrios stated Florida Fish and Wildlife (FWC) are the point of contact for derelict vessel removals in coordination with MDPD and RER DERM.</p> <p>Mr. Bibeau inquired about the number of vessels currently tagged on the list managed by RER DERM.</p> <p>Mr. Istambouli reported four derelict vessels on the current list, and RER DERM is working on them through the State process. He mentioned the State recently released additional funding of \$150K for derelict vessel removal. To date, there have been fourteen removed and there will be more at-risk vessels to be tagged.</p> <p>The CBO added that an At-Risk Vessel Interagency Task Force was created under County Commissioner Heyman's leadership, including the City of Miami.</p> <p>The CBO further reported that the County has provided weekly trash removal services for decades weekly for the spoil islands. The islands are owned by the State of Florida (DEP), and some have been deeded to cities (City of Miami, City of North Miami, and City of Miami Beach) since the 1960s.</p> <p>The CBO stated she has been working with State Senator Ileana Garcia, who is working directly with the State to identify ownership, maintenance, and management responsibilities for the islands and derelict vessels. The CBO offered to set up a meeting with the State Senator and Mr. Bibeau so that he could offer his recommendations and solutions.</p> <p>Mr. Bibeau asked if the CBO would consider increasing the spoil islands' clean-ups.</p> <p>Chair Cohen Higgins stated that the question went out of the 'Board's purview and that the CBO is not in charge of funding.</p> <p>The Chair asked Mr. Bibeau to make a motion to move forward with the rest of the agenda.</p> <p>Mr. Bibeau made a motion for a resolution from the BBWMAB to recommend the BCC immediately increase funding for marine debris pickup.</p>
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	<p>Mr. Doebler stated that although he agreed that maintenance of the spoil islands is insufficient, the County is generously providing a service that the individual deed holders (cities and State) should be paying for.</p> <p>The CBO reiterated that there are ongoing discussions with the State and cities.</p> <p>Director Gomez stated legislation should not be imposed on a municipality without discussion with partners. Everyone has budget constraints. The issues are important, and the CBO is currently working on messaging to get the individual buy-in.</p> <p>Mr. Bibeau retracted the motion.</p> <p>Chair Cohen Higgins opened the discussion on future agenda items.</p> <p>Commissioner Streitfeld requested that the BBWMAB receive an update on the work of the Biscayne Bay Commission. Chair agreed.</p>
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ADJOURN

Commissioner Danielle Cohen Higgins - Chair

DISCUSSION	<p>The Chair thanked the BBWMAB for their service. The meeting was adjourned the meeting at 11:59 am.</p>
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