

Meeting Minutes
**WATER QUALITY PROTECTION PROGRAM CANAL
RESTORATION ADVISORY SUBCOMMITTEE**
July 15, 2014

1:00 pm – 4:30 pm
Marathon Government Center, BOCC Board Meeting Room
2798 Overseas Highway, Marathon, FL 33050

Member and Advisory Attendees: Gus Rios - FDEP; Commissioner George Neugent – Monroe County; Commissioner John DeNeale - Key Colony Beach; Susan Sprunt - Islamorada; George Garrett - Marathon; Billy Causey – NOAA; John Hunt – FWC; Steven Blackburn – USEPA

Members not in Attendance: Skip Haring - Layton; Alison Higgins – Key West; Charlie Causey – WQPP SC Member

Advisory: Rhonda Haag – Monroe County; Wendy Blondin – AMEC; Gregory Corning – AMEC; Michael Roberts – Monroe County; Nancy Diersing – NOAA; Annie McGreenery – FWC (meeting minutes).

Permitting Team: Joanne Delaney – NOAA FKNMS (on the phone).

FIU Monitoring Program: Henry Briceno – FIU

1. **Introduction and Approval of the April 11, 2014 Meeting Minutes.** Gus Rios called the meeting to order at 1:05 pm. **Commissioner George Neugent moved** that the Minutes from the April 11th meeting be approved and **Susan Sprunt seconded, all approved.**

Gus Rios reviewed the agenda for this meeting and items that would be discussed. He introduced some of the permitting participant on the phone. Gus pointed out that during Public Comments item each person from the Public has 3 minutes to speak and encouraged the public to keep to the 3 minute time frame. Gus requested members of the public who wished to speak to sign the Public Comment form.

2. **Public Comments # 1:**

- **Cliff Rydell – Conch Records**, he has recently started Marathon Florida TV which is launching in September 2014. His objective is to project the Florida Keys to the world. Commission Neugent has recommended he come and describe to the subcommittee what his business is and to possibly provide support for documenting the Canal Demonstration projects and the Canal Restorations. He sent a proposal into Monroe County and he is here to clarify his proposal. He pointed out that with the proposal he looks forward to addressing the community involvement and let everyone know what is going on with the Canal Demonstration projects and the Canal Restoration. His objective is to encourage public support. John Hunt wanted to know where the money will come to pay for this project/proposal. Rhonda Haag noted that Monroe County may have funds for this proposal. George felt that this recordation for the public would be a positive portrayal of what this subcommittee is doing regarding the Canal Demonstrations and the Canal Restoration. **George Neugent** moved that money from Monroe County for the Canal Restoration be used to document what the subcommittee is accomplishing and for Rhonda Haag to negotiate with Cliff Rydell to bring back a proposal for agreement for review and possible approval from the subcommittee. **Billy Causey seconded, all approved.** Cliff shall bring his proposal to the next committee meeting for discussion.

3. Update on the Progress of the Canal Demonstration (Demo) Projects and Ongoing Issues – Wendy Blondin and Group Discussion

- **Update on Geiger Key Culvert Project – design, engineering, and permitting**

The DEP sponsored project consisted of 2 tasks; 1) Characterization of sediment from 2 canals in Big Pine Key (#266 and #290) selected for organic removal; and 2) design and permitting of a culvert on Geiger Key.

1. The sediment characterization was very extensive with detail profiles with three different cross sections in both canal systems. The muck thickness is 6 feet and it starts at – 6 feet mean low water. So the bottom of the muck is -12 feet mean low water. The volumes that show up there are 4 to 5 times higher than on the original survey that was completed a couple of years ago. Also, sediment samples were tested for different contaminants to determine appropriate disposal options.
2. The design and permitting on the culvert on Geiger Key was the bulk of the grant. The permitting portion was significant being the first one through the permitting process. The first time to complete a formal submittal to the Canal Subcommittee designated regulatory agency staff. This was the fastest permit streamline we could use. The Corp of Engineers was very helpful in discussing the construction methodologies in the culvert installation so we could minimize any impacts. AMEC was able to show that the construction methodology has no effect on the surrounding resources. Joanne Delaney was very helpful in obtaining the permits needed from the FKNMS. Monroe County approved the culvert construction. Final designs with the permits were submitted on April 8th, 2014. **All permits were obtained in 35 days**. Applause was given to AMEC. The project is ready for bidding. **Gus Rios** thanked everyone for their participation in allowing the permit process to go through so quickly.
3. AMEC is looking forward to the next set of permits on the canal demonstration project.

- **Update on Monroe Demo Projects, Status of the permit applications, and next steps**

AMEC wanted to firm up their access of where the equipment would go on the canals during the canal demonstration projects in order to finalize the conceptual plans. July and first week in August they will finish up their field work.

Monroe County has agreed to accept maintenance and operations for the canal demonstration project for two years. They have also agreed to sign as the responsible entity for submerged lands not identified as state owned or privately owned. Wendy wanted the subcommittee to know that there are a lot of submerged lands that have no owner identification, which is an issue with the permitting process. Having Monroe County act as responsible entity will help facilitate the permitting process tremendously.

AMEC will use any general or nationwide permits whenever possible. In going through the general permit it allows us to accelerate the permitting process.

Wendy Blondin and Rhonda Haag met with Monroe County Growth Management and Planning and Environmental Resources and two issues were raised. 1) In order to use a residential vacant lot for any type of staging of equipment we will need to have a temporary use variance. Currently the zoning does not allow the storage of equipment which does not relate to a home on the canal. There are several canals where the only place to store equipment is a vacant lot. We also need a place to pile the fill that will be used to back fill the

canal. If we can't gain a temporary use variance then the fill or equipment would have to be brought into the canal using a different method, such as a barge. The costs would increase substantially.

Mike Roberts reported that the land that was acquired by Monroe County would need to be investigated. If the language was funded by "preservation funding" it might be prohibited to use as a staging land or allow pumping. Those lands have been rezoned as "conservation land use" then storage of debris, or fill, or equipment would not be allowed on "conservation land use." We are limited as to conditional uses for a variance on the land.

George Neugent stressed that this could apply to almost every instance not just fill and muck removal but also equipment. **Wendy Blondin** pointed out that this issue really affects the debris removal and back fill in these canals as the other technologies have only limited equipment staging requirements and maybe able to use existing ROW or a remote location.

John DeNeale stated that Key Colony has a similar issue on building a Tiki Hut. They just passed a resolution that you were going to break the code and why and send it to the Building Department for a permit and it should not be a problem.

Rhonda Haag pointed out that this is a Monroe County issue.

Mayte Santamaria is the Assistant Planning Director for Monroe County. What we are discussing is an ordinance not a variance. A temporary use ordinance would allow the temporary storage of fill, debris, or equipment. We are having a similar problem with the sewer projects. They have to go to a commercial site. If you go into a residential site it creates conflicts with the neighbors. They are currently working on a blanket temporary ordinance that will cover what is being discussed. The other issue is removal of the debris from the canal. They are working with the Florida Department of Economic Opportunity (DEO), on a draft policy amendment to address a Monroe County Comp Plan prohibition for maintenance dredging below -6 feet MLW. She is trying to specifically focus on the Canal Demonstration project that would allow the removal of the organic removal below the -6 foot mean low water level. Amending the Comp Plan can be a long process, and they are working on ways to facilitate and expedite approval by DEO. Anticipated timeframe: If the comprehensive plan goes through in July it will be sent to DEO. DEO will have 60 days to review and will send back a report on the plan. The County has 180 days to respond. If they are unable to submit it in July they have a backup plan to go through in October. Chapter 380 is the Florida Statute that governs the Monroe County Comp Plan and any amendments. A rough estimate is in early 2015 will be the estimated date for these changes to occur on the comprehensive plan. The comprehensive plan will only address the Canal Demonstration projects. Later once we have data to back up the canal restoration; the comprehensive plan will be changed again by including the data to back up the recommendations. She reminded the subcommittee to understand that this is a sensitive and complex topic that usually requires public input and multiple meetings.

Wendy Blondin pointed out that some of the canals that have been cored go down 12 to 14 feet and the debris in the canal has accumulated up to 6 foot. With the ordinance as it stands we can't remove any of the debris. Minus 6 feet might be too definitive and perhaps should focus on protecting the resources.

Gus Rios concluded with a general consensus: the subcommittee will support the Monroe County with the comprehensive plan as needed. The subcommittee will have to wait until the

comprehensive plan is approved before proceeding with the organic removal demo projects that require maintenance dredging below -6 ft MLW. The subcommittee will have a subset group to work with Monroe County and the Planning Department staff and other agencies and to schedule a teleconference with DEO to see if anything can be done to expedite and facilitate the process. This will be a fact finding meeting and determine what the issues are. **Steven Blackburn** agreed to participate in the meeting/teleconference.

- **Revised conceptual design for #278 pumping project and next steps**

Greg Corning from AMEC discussed the revised pumping project (#278 Edin Pines). The original design created a flushing into the Big Pine Slough which was a Restoration area that the Fish and Wildlife Service were reluctant to allow without final design data. Alternative designs are being considered.

Two pump systems were evaluated the Geysier Inertia Pump system and the Venturi Pump system. The Venturi Pump system is the recommended system because it is most versatile. The new design with a Venturi Pump System will add oxygen to the water, by taking air from the atmosphere.

Water circulation is very important to move the oxygenated water throughout the canal system. The solar panels recommended for this unit is 250 square feet for each pump site. The ultimate goal is to affect the whole finger canal north of Watson Blvd.

Additional modeling will be completed to determine how many pumps will be required. Additional evaluation will be done comparing the costs and benefits between solar and electric. How much for each solar panel per pump and the additional maintenance versus the cost of electric installation and service?

Wendy Blondin suggested that if the subcommittee felt that this type of design of aeration versus the original design of flushing in water then AMEC can move forward and refine the whole design. We will be able to do comparisons and whether we can even gain access to the land. We need a buy in from the subcommittee before we move forward with the two alternative designs. AMEC will show capital cost and operation and the maintenance for both concepts regarding electric vs. solar. AMEC will show a complete assessment of the numbers.

Public Comment:

Donna Lorenzo clarified that the system would add air into the canal. **Wendy** stated that it adds air but also pushes water in big loops so it moves water around the canals. Donna said she preferred solar but wanted to know the costs of solar vs. electric in short term vs. long term. The big picture is one more cost effective than the other. The Neighbors were leaning towards solar but wanted to know the big picture.

John DeNeale motioned to have AMEC moved forward on conceptual design of the circulation design project #278 so that they can bring additional information to the subcommittee for review.

John Hunt pointed out to the group that by changing the design of Canal #278, we are no longer testing the pump flushing technology but creating a sophisticated aeration water movement system.

Susan Sprunt suggested that even though we are not going to be able to complete the pump flushing on the #278 canal perhaps finding another canal that could be more suited to the flush pumping system.

Wendy Blondin pointed out that there is a 3rd canal in Key Largo that may be a candidate for the possible pump flushing.

George Neugent stressed that by aerating the canal and not flushing could be very beneficial for the #278 canal. He felt that there is an accomplishment using this as a demonstration project.

Gus Rios emphasized that if we go with this aeration project on #278 canal it will need to be sustainable. Previous experience has shown that installing aerators in canals can increase the dissolved oxygen (DO) in the water column. However, one must caution that turning the aerators off after they are installed and operational could result in the return of low DO conditions and fish kills. The neighborhood has to be cautious that once this system is in it should be maintained and not turned off due to costs, in order to yield long-term water quality benefits.

John DeNeale motioned to continue to have AMEC move forward on conceptual design of the circulation design project #278 so that they can bring additional information to the subcommittee for review. **Billy Causey** seconded. **All approved.**

John Hunt motioned to pursue a conceptual approach to add Key Largo #47 and Indian Water Ways as a pump flushing demonstration project and how it feasible becomes within the constraints of the funds we have available and within the timeframe. **Georg Neugent** seconded. **All approved.**

- **Update on Islamorada Village Island Demo Projects**

Wendy Blondin gave an update on the Islamorada demonstration project, Treasure Harbor #137 Plantation Key. Due to a very supportive homeowners association things are moving very quickly. AMEC feels that this project will be completed this year. Islamorada has offered to be the supporter/owner on the application. One question arose as to whether the equipment will be turned over to the homeowners or held by the Village or the County with a minimal lease cost to the homeowners association.

Terry Peters Treasure Harbor, Homeowners Association president provided very positive votes 31 of 45 votes which are greater than 50%. The neighborhood is very dedicated and very positive.

4. **FDEP Water Quality Protection Program Funding for FY 2014-2015 – Gus Rios and Group Discussion**

- **Status Report**

Gus Rios provided a status report on the FDEP Water Quality Protection Program funds and indicated that if the funds went directly to a local government, an RFP is not required. The good news is that the money is again in the budget. We have up to \$100,000 for fiscal year 14/15. We will need to move forward very quickly. Gus is asking the group to review the funding criteria and select a project.

- **Criteria for the Funding / Readiness to proceed**

FDEP Water Quality Protection Program funds for the new Fiscal Year starting on July 1st and the selection of a canal restoration project that is ready to proceed. Here are the criteria that we should use to select the canal project that will be funded by FDEP:

1. Priority shall be given to the **construction** of water quality improvement technologies recommended in the Monroe County Canal Management Master Plan developed by AMEC.
2. Acceptable projects shall result in hydrological improvements that will increase dissolved oxygen and improve water quality to address impaired waters in the canals.
3. Ease of permitting and construction are important considerations. At a minimum, the projects shall comply with all applicable federal, State and local regulations.
4. The selected project(s) must be ready to proceed at the time the funding becomes available (expected to receive notice after June 30th and no later than July 31st 2014). This means that all required federal, state and local permits must be obtained by July 31st, 2014.
5. The project construction must be completed by June 15, 2015.
6. Preference will be given to a construction project that is ready to proceed, and meets the above referenced criteria, but has not received funding to date (a project other than the selected demonstration projects).
- 7.

- **Wendy Blondin** announced that the Geiger Key culvert demonstration project is permitted and ready to go. **Rhonda Haag** announced she has the bid specification ready to go.
- **John Hunt** motioned to select the Geiger Key culvert demonstration project. **George Neugent** seconded. **All approved.**
- **Gus Rios** stated that the FDEP needs a budget and scope of work from AMEC to start working on the Grant Agreement with Monroe County.

5. Update from FIU and USEPA on the Status of the Canal Monitoring Program – Steve Blackburn and Henry Briceno

- **Henry Briceno** reviewed the testing process, methodology and the control canals with the statistical data which have been going on since November, 2013. The group congratulated Henry for doing such a thorough and good job.
- **Gus Rios** stressed that with this information we have science to back up the organic removal project. The organic removal is not considered dredging, but the permitting process has to be followed.

6. Meeting with State Representative Holly on July 10 – Rhonda Haag

Gus Rios updated the subcommittee on a recent meeting sponsored by Holly Raschein, the State Representative, and all the local governments. The purpose of the meeting was for the State Representative to solicit input on water quality priorities for the next legislative session and to make sure everyone is working together in unison in a team fashion. She referred to constitutional amendment #1 that will be in the November ballot to voters as a potential vehicle to provide money for the Keys. She wanted input from the group and a list of priority projects.

7. Public Comment #2: there were no speakers at the end.

Gus Rios and Rhonda Haag discussed how people are contacting them requesting to be placed on the funding lists for Canal Restoration projects for their canals. There is a process that this subcommittee has followed and they need to continue following this process. Discuss what the priorities are for Monroe County for the next legislative session.

Rhonda Haag suggested that the subcommittee resurrect an editorial comment and combine an opinion. **Billy Causey** said that he has written one before and would help Rhonda work on it. **John Hunt** pointed out that \$5 million is bolstering the infrastructure in an appropriate way. We agree with the Citizen that we are enhancing water quality in the canals and we are moving down that path and this is why it is a good use of funds. This change is expected to contribute to our economy in multiple different ways. With good water quality management the habitat resources improve.

8. Next meeting date, place, and agenda topics:

Gus Rios pointed out that the subcommittee will want to address long term maintenance cost, homeowners' participation, the costs and who will be paying as a topic on the next meeting agenda. Also to have local governments address this issue. We also announced the upcoming meeting of the WQPP Steering Committee on August 14, 2014. AMEC and Gus Rios will work on a presentation on the progress of the canal demonstration projects for the Steering Committee meeting.

The next meeting has not been scheduled; we will schedule the next Subcommittee meeting after the WQPP Steering Committee Meeting.

Meeting adjourns at 4:45 pm.