

Biscayne Bay Commission Minutes
Apr. 17, 2024, at 9:00 am EST
Florida International University – Biscayne Bay Campus and GoToWebinar

General subject matter overview: The Biscayne Bay Commission meets to review and discuss plans to address water quality impairments as well as the priority projects and financial resources that could address these plans.

Attendee Name	Title	Status
Noah Valenstein	Chair	Present
Adam Blalock	Vice Chair	Present
Danielle Cohen Higgins	Commission Member	Present
Kevin Cabrera	Commission Member	Not Present
Micky Steinberg	Commission Member	Present
Tim Meerbott	Commission Member	Not Present
Scott Wagner	Commission Member	Not Present
Dr. Thomas Reinert	Commission Member	Not Present
Spencer Crowley III	Commission Member	Present

Welcome and Introduction

Jon Moore from the Florida Department of Environmental Protection’s (DEP) Southeast Regulatory District welcomes the room and asks all to stand and recite the Pledge of Allegiance. He informs the audience that the meeting is being recorded, a copy of the agenda is available for in-person and virtual attendees and that public comments are due by Apr. 24, 2024. Public comments may be emailed to BBCommission@FloridaDEP.gov. Mr. Moore thanks Florida International University (FIU) for hosting.

Commission Procedural Items

Chair Valenstein takes roll call.

New Staff Introduction

Commissioner Valenstein introduces Hampton Hotard, the new Biscayne Bay Commission Coordinator for DEP, and Loren Parra, the new Chief Bay and Water Resources Officer for Miami-Dade County. Loren Parra introduces herself and let the room know that the Biscayne Bay Report Card was just released.

Update from DEP’s Watershed Information Network (WIN)

Kim Shugar, the Director of the Division of Environmental Assessment and Restoration (DEAR), presenting on behalf of the DEP, reviews WIN and Florida STORET databases. Ms. Shugar highlights the legal requirement for the DEP to maintain a water quality database and notes the high utility of WIN and Florida STORET for state government agencies and external stakeholders, but also for the public to have access to information that can answer their questions and give them an understanding of water bodies in their areas. There are several requirements to upload the data which helps ensure integrity of the

water quality data. Ms. Shugar explains that with more users importing comprehensive data, the more effective protection and restoration efforts will be.

The Commission discusses water quality and the distribution of monitoring stations in the Bay, as well as necessary collaborations between Miami-Dade County (MDC), the DEP and Florida Gulf Coast University. Crowley asks for baseline water quality coverage within the Bay. Ms. Shugar responds that she can provide a map with all the water quality stations within the Bay. Commissioner Crowley notes the importance of tracking nutrient enrichment and tributary/stormwater outfalls for baseline nutrients. Commissioner Blalock requests a map of the monitoring stations utilized by the MDC, DEP and Aquatic Preserves to identify where data gaps are. Commissioner Steinberg requests a list of the 8 local water quality data providers and the qualifications in becoming one. Commissioner Blalock explains the stringent requirements needed to be a provider and Ms. Shugar lists the 8 local data providers. Commissioner Valenstein suggests shifting focus from monitoring to investing in data work to finish the Reasonable Assurance Plan (RAP). Commissioner Blalock requests an update from those groups that received initial funding for increased monitoring, along with a progress report of water quality from initial funding to present.

Update from Biscayne Bay Law Enforcement

Captain Rafael Almagro, of the Florida Fish and Wildlife Commission (FWC), presents an update on recent law enforcement efforts in Biscayne Bay. The update highlights new employees: 10 officers filling 10 vacant positions in MDC starting in May along with a second Derelict Vessel Officer. New processes to handle derelict vessels are also being finalized. Captain Almagro provides a broad summation of recent events within the FWC.

The Commission discusses collaboration between the FWC and other law enforcement agencies, as well as the difficulty in hiring new staff and the necessary number of officers on the water at a time. Additionally, the Commission suggests an increased focus on marine debris, illegal discharge, and derelict vessels in the Bay. Commissioner Crowley asks how many officers are on the Bay at any given moment, to which Captain Almagro responds between six to ten in South Florida. Commissioner Crowley requests the Commission to consider what is the right number of officers manning the Bay. Commissioner Higgins thanks the FWC and states she is pushing for allocating additional resources to the MDC Marine Patrol to include enforcing marine debris, derelict vessel removal and tightening the process of vessel registration and titling statutes. Commissioner Higgins echoed the sentiments of the other commission members and will also advocate for funding the Marine Patrol program. Commissioner Blalock asks for the severity of illegal discharge in the Bay. Captain Almagro discusses two illegal discharge violations found during a recent detail. Commissioner Blalock and Steinberg bring up pump out programs and their feasibility in the Bay.

Update on Water and Sewer Department Projects

Roy Coley, the Director of MDC's Water and Sewer Department (MDC-WSD), provides an update on various MDC-WSD projects around the county with a focus on Connect 2 Protect. Updates are given for the Lateral Expansion Program, Commercial Corridor Connection Program and OJUS Urban Area District Project, as well as projects in the Little River Adaptation Action Area, El Portal and Schenley Park. Mr. Coley provides financial updates pertaining to Florida DEP grants, appropriations and county funding. A final update is provided on two Wastewater Infrastructure programs in MDC: the Consent Decree

Program and the Ocean Outfall legislation objectives. Additionally, Director Coley updated the Commission on the South District plant expansion to meet the growing demands of the Bay.

The Commission commends Mr. Coley for his hard work and the hard work of the MDC-WSD . Commissioner Blalock asks how MDC-WSD gained governmental and homeowner permission to convert to septic tanks on private property. Mr. Coley explains MDC-WSD's use of unrestricted funds to finance the conversions as well as receiving homeowner agreement with the MDC-WSD. The Commission and Mr. Coley discuss steps to emulate past successes. Commissioner Steinberg notes that the commission should discuss how to fund future septic to sewer conversions because if the homeowners are unable to connect due to cost or permitting hardship, the funded infrastructure is not being utilized. Commissioner Steinberg asks Mr. Coley what he believes would most benefit the department. Mr. Coley suggests increased funding and a more streamlined permitting process, such as going through one agency rather than three, which is the chief deterrent, after cost, for most homeowners seeking a septic to sewer conversion. Commissioner Crowley asked if we had data showing quantity of nutrient output due to faulty sewer systems. Director Coley shared that it's hard to quantify how much nutrient discharge gets into the water outside of counting fish kills, but that these conversions are positively impacting water quality protection and restoration efforts.

Member Projects Update from the Florida Inland Navigation District

Spencer Crowley, representing the Florida Inland Navigation District (FIND), presents FINDs accomplishments from 2023 and recent project updates. In 2023, FIND funded nearly \$6.5 million in local projects. Ongoing projects include increasing funding for the Miami Marine Patrol, removal of derelict vessels from the Watson Island mooring field and organizing the mooring field at the Marine Stadium. Videos are shown about a new boat ramp introduced at the Marine Stadium, a renovated boat ramp at Kenneth Myers Park and the Waterway Access Initiative. FIND determines the economic value of the District Waterways to be around \$8 billion. The Commission suggests FIND increases its collaboration with other organizations. Commissioner Crowley states FIND exists to assist municipalities expand their docks and marinas to increase boater access in Miami-Dade.

Linked are the videos for FINDs project updates:

Marine Stadium Groundbreaking: https://www.youtube.com/watch?v=eHN0oJy_gF4
Seminole Boat Ramp: <https://www.youtube.com/watch?v=LKCvXZuVPDk>
[Waterway Access Initiative](#)

Public Comments

Public comments are opened and led by Jon Moore. Each commenter is limited to three minutes. There is a short break and then public comment is opened to the public.

- In-person commenter: Monica Tracy
 - Discusses the absence of slow speed zones and concerns over seagrass die offs and harmful algal blooms.
- In-person commenter: Scott Pollowitz
 - Discusses concerns for the lack of Critical Wildlife Areas and designated low speed zones near Morningside Rookery.

- In-person commenter: Dave Duebler
 - Discusses concerns for enforcement on the Bay and increased funding for environmental protection.
- In-person commenter: Sidnei Cartwright
 - Discusses concerns septic systems pose to the environment and requests increased septic to sewer conversions.
- In-person commenter: Laura Reynolds
 - Discusses concerns over the BBSEAR timeline and properties listed under development. Requests commission support for BBROIPs grant cycle.
- In-person commenter: Sam Van Leer
 - Discusses concerns for manatee protection in north Biscayne Bay and requests a no-entry zone for vessels around mangrove island and Bird Key.
- In-person commenter: Albert Gomez
 - Discusses concerns for a slow speed designation in north BB along with mangrove island protection. Requests WRAP be sped up and additional funding for septic to sewer conversions.
- In-person commenter: Silvio Pupo-Casco
 - Discusses concerns over speeding, implementing a new economic role for MDC, and blue finance initiatives to streamline Connect 2 Protect.
- Virtual commenter: Lauren Jonaitis
 - Discusses concerns for enforcement off Morningside Park and requests slower speeds year-round off mangrove island as well as a buffer for vessels.
- Virtual commenter: Timothy Birthisel
 - Discusses concerns over biodiversity within Biscayne Bay and an artificial reef developed in the Bay along with its logistics.

Commission Discussion

Chair Valenstein opens up commenting to the boards Commissioner Blalock suggests looking closer at the issue of marine debris and hosting a virtual meeting in the December time frame due to scheduling conflicts that can happen in that holiday season. He suggested that the meeting could be a snapshot of the overall year and a planning session for the upcoming year. Commissioner Crowley discusses water quality and testing locations including the funding, as well as the county's RAP and impaired water body designations Commissioner Valenstein seconds this and asks if anything can be done to assist with the RAP and suggests more conversations on boat speed in the area around Morningside Park. The Commissioners discuss streamlining the permit process for septic to sewer conversions. Chair Valenstein thanks DEP and reminds the Commissioners of the project tracker.

Closing Remarks and Adjournment

Chair Valenstein makes closing remarks. Mr. Moore reminds everyone that public comments are due by Wednesday, April 24. The meeting is adjourned.