

**Biscayne Bay Commission  
Minutes  
Jan. 4, 2022  
9 a.m.**

**FWC South Region Law Enforcement Office and GoTo Webinar**

**General subject matter considered:** The Biscayne Bay Commission met to conduct initial procedural items and review and discuss overview presentations regarding Biscayne Bay.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Noah Valenstein	Chair	Present
Jean Monestime	Commission Member	Present
Rebeca Sosa	Commission Member	Present (Virtual)
Danielle Cohen Higgins	Commission Member	Present (Virtual)
Tim Meerbott	Commission Member	Present (Virtual)
Charlie Martinez	Commission Member	Present
Adam Blalock	Vice-Chair	Present
Dr. Thomas Reinert	Commission Member	Present
T. Spencer Crowley III	Commission Member	Present

**Welcome and Introduction**

Alex Kutcha from the Florida Department of Environmental Protection’s (DEP) Office of Communications welcomes the room, asks all to stand and recite the pledge of allegiance, and introduces DEP Secretary Shawn Hamilton.

Secretary Hamilton welcomes all to the first meeting and states that Florida Governor Ron DeSantis called for the creation of this advisory council to foster a coordinated approach to restoration and protection of this vital resource (Biscayne Bay). The commission was established with the passing of House Bill 1177, which provided increased protections and directed additional financial resources to Biscayne Bay. The commission is dedicated to Biscayne Bay and is tasked with bringing federal, state and regional stakeholders to the table to strengthen the ongoing efforts to protect the bay. The Secretary thanked each of the commission members for answering the call of public service and serving as advocates for this treasured resource.

Alex Kutcha informs 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 Jan. 7, 2022, and can be emailed to [BBCommission@FloridaDEP.gov](mailto:BBCommission@FloridaDEP.gov). Alex thanks the Florida Fish and Wildlife Conservation Commission (FWC) for hosting and the Friends of Biscayne Bay, the citizen support organization for the Biscayne Bay Aquatic Preserves, for providing refreshments.

Jamie Monty with DEP's Office of Resilience and Coastal Protection introduces the nine members of the commission, takes roll call and references the agenda, with the first order of business being to select a commission chair and vice-chair.

### **Commission Procedural Items**

Commission Member Adam Blalock motions to elect Noah Valenstein as Chair of the commission. The motion was seconded by Commission Member Charlie Martinez. Jamie Monty asks all in favor and all agree. Commission Chair Valenstein motions to nominate Blalock as vice-chair of the commission. The motion was seconded by Commission Member Dr. Thomas Reinert. Chair Valenstein asks all in favor and all agree.

Chair Valenstein begins by recognizing the support the commission has and acknowledges that the single biggest duty the commission has is to advocate for the bay. The commission will provide coordinated support working with the county's advisory board but also recognize that the Governor and Legislature are looking at the commission to ensure it is pushing to help coordinate efficient and effective state execution of dollars and projects.

The chair reviews the purpose of the commission:

1. Consolidate existing plans, programs and proposals.
2. Prepare a consolidated financial plan using projected financial resources available from different jurisdictional agencies.
3. Provide technical assistance and support as needed to help implement those plans.
4. Work in consultation with the U.S. Department of the Interior.
5. Provide forum for exchange of information.
6. Act as a public clearinghouse.

Matthew Knoll with DEP's Office of General Counsel gave a presentation on Florida Sunshine and public records laws.

### **Post-Break Comment**

Chair Valenstein indicates that the inaugural meeting will be a review of what has been done and future meetings will be about action. He notes that people are looking to the commission to consolidate and make recommendations about government actions and policies. He also comments that he hopes future meetings will be able to dig into particular resources, projects and policies that can be rolled up and allow the commission to make meaningful recommendations on the ground.

### **Overview of Current Efforts and Work to Date in Biscayne Bay**

Pamela Sweeney, chief water scientist of the Miami Dade County Department of Regulatory and Economic Resources, and Miami-Dade County Chief Bay Officer Irela Bague give an overview and update of Biscayne Bay recovery efforts to date. This includes an overview of health of Biscayne Bay and causes of the watershed's decline as well as an update on the accomplishments from the Biscayne Bay Task Force. Ms. Bague presents a priority project list

that the county would like the commission's help with. Items on the list include identifying other funding opportunities for septic and investment in marine law enforcement.

Following the presentation, commission members discussed the following:

- Spoil islands:
  - The commission may consider maintenance of the spoil islands in the bay while keeping in mind that there is a FIND grant program that can be used for such projects.
- Water quality:
  - The vice-chair tasked DEP staff with producing a water quality hot spot map indicating the relative contribution of analytes causing impairment by bay basin.
- Water flow:
  - The commission may consider how the land portion of causeways may impact water flow through the bay.
- Stormwater:
  - The commission may address stormwater and better understand how stormwater from causeways is being handled.
- Stormwater treatment:
  - The South Florida Water Management District is looking at cutting edge technology for stormwater treatment.
- Marine debris:
  - The commission may consider methods to reduce debris entering canals leading to the bay.
- Coordination:
  - The commission will ensure coordination between the Biscayne Bay Commission and the Miami-Dade County Watershed Advisory Board to avoid duplicating efforts and to enhance each other's work.
- Enforcement
  - The commission may examine how partner agencies are taking enforcement on existing issues and if/how to augment those capacities.
- Legislative support:
  - Partner agencies' legislative staff and/or lobbyists can assist with gaining support for the priority projects the commission members develop.
- Education and outreach:
- Everything on land ends up in the bay, and prevention of issues is less expensive than mitigation. Therefore, the commission should address education that will benefit the bay, community and partner agency efforts.

The chair asked commission members to work with their respective agencies to draft a list of their priority projects currently in progress to address issues in Biscayne Bay.

### **Overview of Current Water Quality of Biscayne Bay**

Gregory DeAngelo, deputy director of DEP's Division of Environmental Assessment and Restoration, presented an overview of the agency's water quality restoration approach and water quality criteria associated with Biscayne Bay.

Following the presentation, commission members discussed the following:

- Water quality status and confirmation that Biscayne Bay was categorized as an impaired waterbody in 2017.
- Water quality modeling, how the causeways interact with the waterways and what locations the different nutrients may be coming from.
- Possibility of conducting a site visit to the bay.

### **Commission Discussion**

The commission members discussed future meeting timing, logistics and agenda items. They announced the next meeting will be at the end of March or beginning of April.

Jamie Monty led the semiannual report discussion.

Three sections of the draft were discussed:

- Section 1 will provide an overview of this meeting: therefore, no comments are needed at this time.
- Section 2 is the homework assigned in advance of the inaugural meeting, listing each member agency's contributions to Biscayne Bay over the last calendar year.
- Section 3 will track the commission's contributions to its stated purpose.

The chair requested that commission members work with their respective agencies before the next meeting to compile a list of financial and other resources that could be leveraged to address issues in Biscayne Bay.

### **Public Comments**

Public comments were opened and led by Noah Valenstein. Each commenter was limited to three minutes.

- In-person commenters: Dave Doebler and Sandy Walters.
- Virtual commenters: Nicole DeVenoge, Laura Reynolds, Rachel Silverstein, Kelly Ralston, Kevin Lynksey, Aaron Stauber, Marcos Pena, Luiz Rodriguez and Patrick Shearer.

Public comment period included the following topics:

- a. Considering marine debris as a potential future impairment.
- b. Looking to the Florida Key's Reasonable Assurance Plan and Chesapeake Bay as examples.
- c. Implementing Blue-Green Algae Task Force recommendations.
- d. Changing the way data is collected to detect nutrients before they are taken up by marine organisms.

e. Considering septic-to-sewer and stormwater retrofits as priorities.

**Closing Remarks/Adjourn**

Chair Valenstein provided closing remarks and reminded commission members to bring the requested items to the next meeting.