

4 *Intergovernmental Coordination*

Even though many municipal governments passed formal resolutions adopting the Master Drainage Plan (MDP), the County does not monitor, nor directly require communities to adhere to, the original MDP project list. In fact, since 1989, several communities in Pinellas County initiated their own watershed/drainage planning programs, for many of the same reasons the County has re-visited the original MDP effort, and began the development of individual Watershed Management Plans. However, coordination among the cities and the County in project and program planning has increased in many ways. For example, the County and many of the cities participate as joint applicants in the coordination and preparation of the National Pollutant Discharge Elimination System (NPDES) permit application, including the adoption of an interlocal agreement directed at controlling the contribution of illicit pollutant discharges between adjacent jurisdictions. With the NPDES program, both the cities and the County will continue to be partners in a long-term relationship towards a goal of stormwater quality improvement. The County has also actively participated in several multi-jurisdictional watershed planning efforts, including the development of the Stevenson's Creek or the Alligator Creek Watershed Management Plan, and is frequently the initiator of a project or plan when appropriate.

Therefore, rather than having one plan, the emphasis now is on coordination between individual plans. The County continues to exercise a county-wide planning approach to surface water management and prioritizes watershed planning needs during the capital improvements planning meetings. Where joint watershed planning opportunities are available or necessary or where integrated project planning and design is called for due to the multi-jurisdictional nature of the project scope, the nature of the relationship between participants may vary watershed by watershed and project by project. For example, it may depend upon the size and resources available to the respective parties. However, the County frequently does take the lead role in performing diagnostic studies, developing plans, and even designing and constructing individual projects. However, when another community has the larger contributing area and the available resources, they may exercise the lead role. In all cases, the relationship and responsibilities are formalized through the interlocal agreement process.

COORDINATION IN WATERSHED PLANNING

Florida Water Plan

The Florida Water Plan, promulgated by DEP, developed in accordance with Section 373.036 F.S., includes the programs and activities of DEP that are related to water supply, water quality, and flood protection. The Water Plan also includes the District Water Management Plan for SWFWMD and all other Water Management Districts in Florida. The Plan includes goals and directives for the development of rules, programs and policies that relate to water resources in the State of Florida. It is the District Water Management Plan component that has the ability to influence local surface water planning in Pinellas County, as it contains directives for flood control and water quality, and is to be developed and revised in cooperation with local governments within SWFWMD's jurisdiction, including Pinellas County.

The challenge for the County is to be able to continue its proactive program of watershed planning, water quality improvement, habitat restoration, floodplain restoration, and flood protection, etc., while responding to not only the requirements of its NPDES permit, but also to the directives for surface water management contained in the State and regional regulatory agency plans, such as the CWM, TBEP's CCMP, and the new concept of TMDL's.

Comprehensive Watershed Management Plan

State water policy states that watershed management goals must be developed for all watersheds within the boundaries of a water management district. As a result, SWFWMD initiated the CWM for the Pinellas/Anclote River Basin. They enlisted participation by Pinellas County and the municipalities that lie within the Pinellas/Anclote River Basin in the development of a broad plan, intending that it build on local programs and efforts. **Figure 5** shows the boundaries of the Tampa Bay/Anclote River Watershed.

Comprehensive Conservation and Management Plan

The Tampa Bay Estuary Program (TBEP) was established in 1991 under the auspices of the Clean Water Act. Administered by the U.S. Environmental Protection Agency, the TBEP was charged with developing a Comprehensive Conservation and Management Plan (CCMP) directed at the restoration of Tampa Bay. This Plan, finalized in 1997, is the result of nearly six years of work by TBEP staff, local government administrative and environmental professionals (including Pinellas County staff), regional and state agencies, and citizen representatives. In 1998, TBEP changed its name to the Tampa Bay Estuary Program, in recognition of the reorganization of the agency as a truly regional alliance, following the adoption of an Interlocal Agreement and ancillary agreements among thirteen of the program's regional partners. These agreements pledged the willingness of all parties involved to achieve the goals of the recently adopted CCMP. **Figure 6** shows the boundaries of the Tampa Bay Estuary program.

Studies by the TBEP indicate that nitrogen loading and toxic contaminants are primary pollutants of concern to Tampa Bay, with stormwater runoff being a significant contributor to the pollutant load. The CCMP, and particularly the pollutant load reduction goals contained within, can be expected to significantly impact local and regional surface water management.

The Plan is an integrated and comprehensive plan, addressing Bay fisheries and wildlife habitat, water and sediment quality associated with atmospheric deposition, surface water runoff, wastewater, invasive species and toxic contamination.

Implementation of the Comprehensive Conservation and Management Plan (CCMP) presents both a challenge and an opportunity to the County, as well as to the region as a whole. Much of the implementation of the CCMP has fallen to the local governments who signed the implementing agreement. The opportunity to actually carry this Plan through to fruition, after being involved as an integral player in its development for over five years, is exciting; however, the financial implications are significant and one challenge has been to balance the commitment to the Tampa Bay Estuary Program with commitments to the County's other estuarine waters outside of the TBEP watershed (See **Figure 6** for TBEP boundaries in Pinellas County and for those areas excluded from the program). It is anticipated, however,

that most of the same concepts and principles developed as part of the CCMP will be applicable to the County's entire watershed planning program.

The nitrogen load reduction targets, formulated as a part of the CCMP, will have a significant impact on each local government in the Tampa Bay watershed. One challenge for the regulatory agencies is to avoid duplication of effort and putting the local government, and other permittees, in the position of responding to, and funding, a myriad of different permit requirements, nitrogen loading targets, water quality standards, etc., which are ultimately directed at the same result. However, since both the regulating and regulated bodies have participated in the development of the CCMP, the opportunity exists to utilize the CCMP as the governing document for meeting Tampa Bay's improvement and restoration goals, rather than relying solely on traditional regulatory standards applied in a permitter/permittee relationship.

Pinellas County is committed to net environmental benefit and an ecosystem approach to surface water management using resource-based indicators of overall system function, rather than strict adherence to numerical water quality standards. The County continues to maintain that many of the current surface water management-related regulatory requirements which local governments must respond to lose sight of this. The key to implementation and achievement of the directives promulgated not only in the CCMP, but also the County's own watershed planning program, is flexibility in the interpretation and application of traditional regulatory standards and management controls.

The CCMP has become the guiding document for this flexibility. It is unique in that living resources are its targets, not simply numerical levels, or standards, of water quality. Existing regulatory programs have tended to focus on process not product, with an end result that does not address these living resources. The CCMP for Tampa Bay is changing this, and the goal is for this same concept and approach to be utilized throughout Pinellas County. Please see the Estuarine Conditions section of this Element for further discussion of estuarine conditions.

In May 2006, TBEP released *Charting the Course*, an update to the CCMP which assesses the goals and priorities of the CCMP and looks at the progress made by the program. The report also looks ahead to 2008 at updated Bay restoration and protection strategies. The recent update to the CCMP divides the issues of Tampa Bay into eight action plans: Water and Sediment Quality, Bay Habitats, Fishing and Wildlife, Dredging and Dredged Material Management, Spill Prevention and Response, Public Education and Involvement, Invasive Species and Public Access. These action plans were designed to accommodate the changing priorities in Tampa Bay and address additional scientific research that has become available.

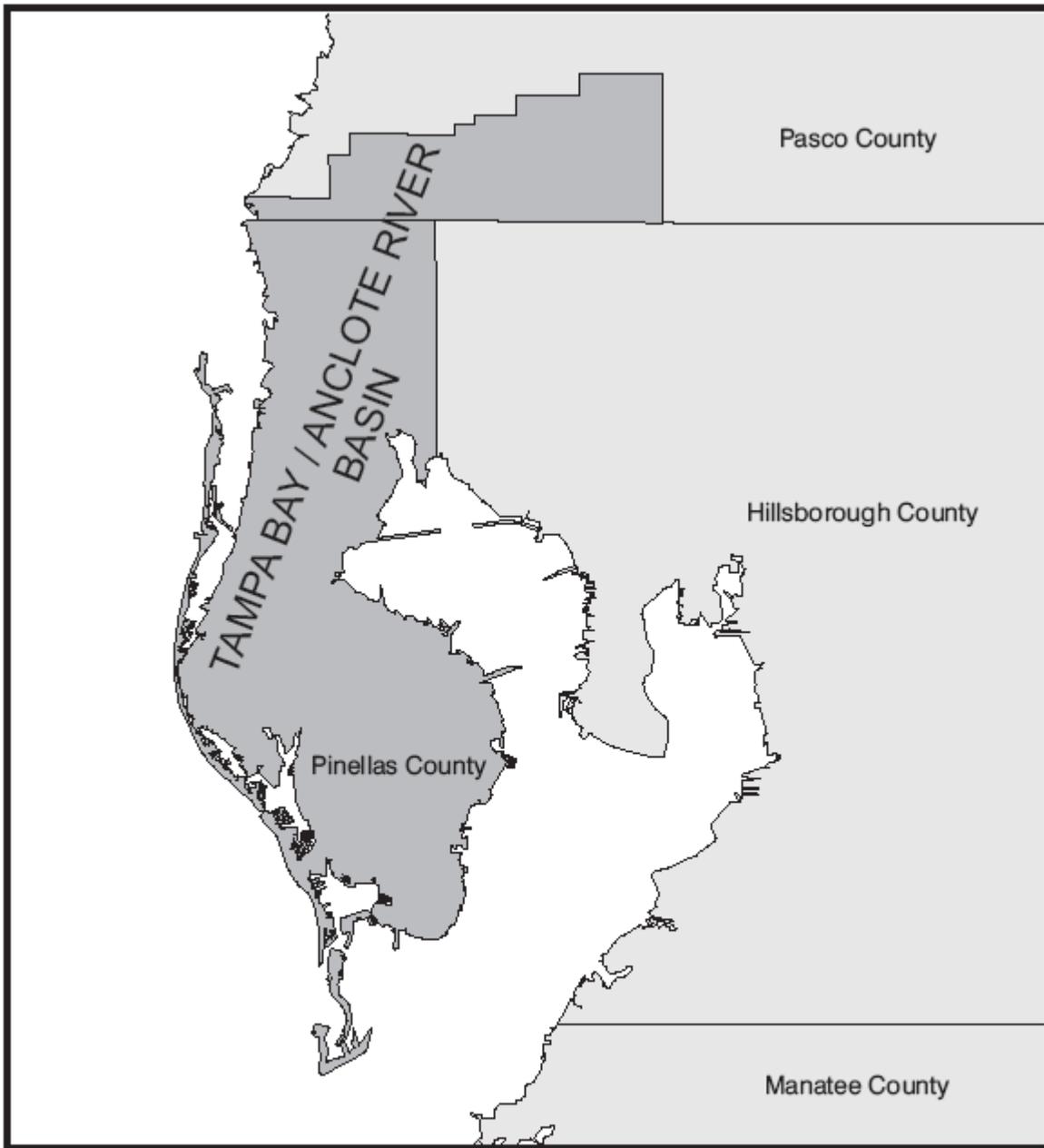
In the 2006 update to the CCMP, TBEP also analyzed the impact that the program has had on the water quality of the bay in recent years. Algae levels in the Bay have decreased dramatically since 1980, due in large part to the increased treatment of wastewater and stormwater runoff. As of 2004, stormwater goals and nitrogen reductions were actually exceeded, but urban stormwater runoff and atmospheric deposition continue to be a cause for concern in regards to nitrogen levels within Bay waters. In terms of vegetation, an estimated 2,350 acres of marshes, mangroves and other vital habitats were restored in the period of 1996-2003. Seagrass populations have had mixed recovery in the bay, with about 26,078 acres present in 2002, a slight increase, but there was a significant decline in Old Tampa Bay, prompting the call for further research and the drafting of a separate plan to deal with those issues specific to that region.

Northwest Pinellas Coastal Watershed Management and Resource Protection Plan

One concern of Pinellas County is that the northwestern portion of Pinellas County is not included within TBEP boundaries. This area drains to St. Joseph Sound and Clearwater Harbor, the site of 14,700 acres of seagrasses, equivalent to 60% of the total seagrass acreage found in Tampa Bay. Pinellas County is seeking federal and SWFWMD funding in fiscal year 2008 to develop a Comprehensive Watershed Management Plan to protect the natural resources of this area, as it does not receive funding through the TBEP program. Other potential funding sources identified include the Gulf of Mexico Program and the United States Fish and Wildlife Service.

The project area will include the open water region bounded by the coastal mainland shoreline to the east and the barrier island chain to the west, extending 21 miles for Indian Rocks Bridge (SR 688) northward to the Anclote River. The funding would represent the first two-years of a four-year project to complete a characterization study and a Comprehensive Management Plan for the area. The project will follow a national Estuary Program approach and will incorporate other management plans developed in the project area, such as State Aquatic Preserves and Audubon. The plan will also address the protection of Threatened and Endangered Species as applicable to the project area. The final implementation of the structural and non-structural management options identified in the Plan will provide the necessary level of protection to preserve the existing seagrass, mangrove, marsh, and open-water habitat around this area.

**FIGURE 5
MAP OF CWM BOUNDARIES**



**Figure 5
Southwest Florida Water Management District
Basin Boundaries**

■ TAMPA BAY-ANCLOTE RIVER BASIN



FIGURE 6
MAP OF TBEP BOUNDARIES

REGULATORY INFLUENCES ON THE SURFACE WATER MANAGEMENT PROGRAM

National Pollutant Discharge Elimination System Permit Requirements for Municipal Separate Storm Sewers

The Clean Water Act (CWA) was amended in 1987, with the passage of the Water Quality Act, to include a phased approach to controlling pollutants associated with stormwater discharges. Phased permit application requirements, permit issuance deadlines, and permit compliance conditions were established for different categories of stormwater discharges. Section 402(p) required that the Environmental Protection Agency (EPA) establish final regulations, governing the permitting of municipal stormwater discharges. Pinellas County and its adjacent communities, as owners and operators of large municipal storm sewer systems, were required to participate in this National Pollutant Discharge Elimination System (NPDES) Permit Program.

In September 1993, the County - as the owner and operator of a municipal separate storm sewer system - submitted its (NPDES) Permit application to EPA. For this permit application, the County government was designated by EPA to serve as the lead agency in preparing a joint application with 21 adjoining cities and FDOT District 7. (The City of St. Petersburg was required to prepare a separate application). While it was a challenge for any community to meet the myriad of NPDES permit application requirements, both logistically as well as fiscally, it served to further intergovernmental coordination among the governments in Pinellas County.

In 1994, this cooperation led Pinellas County, its co-permittees and the City of St. Petersburg to enter into the Interlocal Agreement for Joint Pollutant Control. This interlocal agreement required each participant to prohibit illicit discharges within their respective jurisdictions to avoid pollutant migration to neighboring systems. In 2000, the Interlocal Agreement for Joint Pollution Control was renewed.

In 2001, the EPA authorized the Florida Department of Environmental Protection to implement the NPDES program in the State of Florida, as set forth in Section 403.0885, F.S. Also in this year, Phase II of NPDES permitting went into effect, lowering permit requirement thresholds for construction permits.

In 2004, the NPDES permit for Pinellas County was reissued and annual reporting on the progress of this program continues. The biggest success of this program has been the coordination and teamwork generated between the governments and departments of Pinellas County. In 2003, the County and its 21 NPDES co-permittees entered into an interlocal agreement to share the cost of the water quality monitoring program conducted by the County, and to ensure that the monitoring and data compilation is conducted in a manner that meets NPDES requirements.

In association with NPDES permit conditions, as well as simply for the overall benefit which is derived from a coordinated and cooperative approach to surface water management, the County and its municipal co-permittees will continue to work together in the planning and implementation of stormwater programs. Pinellas County plans to continue to take a lead role in facilitating NPDES activities throughout the County and promote such programs as stormdrain marking activities, public service announcements, a multitude of training and

presentation opportunities for government staff and residents alike, as well as a wide range of other publications and events.

Total Maximum Daily Loads (TMDL)

Since the adoption of the Clean Water Act, point source discharges have been regulated for water quality concerns. Over the last few decades, it has become clear to that the regulations imposed by this Act are often not stringent enough to protect the quality of surface waters. Because of this, the TMDL program was established to restore waters of the state to their designated use through water quality improvements. Under section 303(d) of the Federal Clean Water Act and the Florida Watershed Restoration Act, TMDLs must be developed for all waters that are not meeting their designated uses, and consequently, are defined as ‘impaired waters.’ A TMDL is the maximum amount of a given pollutant that a waterbody can absorb and still maintain its designated use, such as drinking, fishing or swimming. A waterbody can have multiple TMDL’s, one for each pollutant that is determined to be above acceptable levels for the waterbody’s designated use. Section 303(d) of the Federal Clean Water Act created a preliminary list of those waterbodies that may be subjected to TMDL requirements. That list is currently being updated by the Florida Department of Environmental Protection (FDEP) and the U.S. Environmental Protection Agency (EPA) to determine what waterbodies on the 303(d) list should be assigned a TMDL. Once an impairment is recognized, and a TMDL is set for a waterbody, the TMDL will be expanded to specify the load reductions that will bring the impaired water bodies into compliance with existing water quality standards.

Once a TMDL is assigned, a Basin Management Action Plan (BMAP) may be developed by the jurisdiction in which the impaired body of water lies. Because many waterbodies cross jurisdictional boundaries, implementation of the TMDL program will require a significant amount of intergovernmental coordination among the governments in Pinellas County, EPA and FDEP. The BMAP will outline how the TMDL will be achieved and how results will be monitored. Pinellas County will be using a watershed-based management approach to address TMDL waterbodies and will be integrating the BMAP into existing and proposed Watershed Management Plans. Currently, watershed management plans already address capital improvement projects that are needed for each watershed, Pinellas County will add any additional projects to the Watershed Management Plans that may be required in order to achieve the TMDL for that basin. Waterbodies will be prioritized according to the TMDL decree and whether or not a Watershed Management Plan is being implemented on that waterbody.

Pinellas County has been notified by FDEP and EPA that there are potential water quality concerns facing a number of the waterbodies in the County. **Table 5** displays those waterbodies that are currently designated for the development of a TMDL, those waterbodies that may receive a TMDL in the near future, and identifies what the impairments are.

**TABLE 5
VERIFIED LIST OF IMPAIRED WATERS IN PINELLAS COUNTY**

WATER SEGMENT NAME and WBID*	WATERBODY TYPE	PARAMETERS IDENTIFIED USING IMPAIRED WATERS RULE	PRIORITY FOR TMDL DEVELOPMENT	PROJECTED YEAR FOR TMDL DEVELOPMENT
Moccasin Creek Tidal (1530)	Estuary	Nutrients (Chlorophyll A), Dissolved Oxygen	High	2008
Moccasin Creek (1530A)	Fresh	Dissolved Oxygen, Nutrients (Chlorophyll A)	High	2008
Lake Tarpon Canal, Below Structure (1541B)	Estuary	Dissolved Oxygen, Nutrients (Chlorophyll A)	Low	2011
Safety Harbor (1558IA)	Estuary	Nutrients (Chlorophyll A),	Low	2013
Bishop Creek Tidal (1569)	Estuary	Coliforms (Fecal Coliform)	High	2008
Bishop Creek (1569A)	Fresh	Nutrients (Chlorophyll A)	High	2008
Mullet Creek Tidal (1575)	Estuary	Coliforms (Fecal Coliform, Total Coliform)	High	2008
Mullet Creek (1575A)	Fresh	Coliforms (Fecal Coliform, Total Coliform)	High	2008
Beckett Lake (1603C)	Fresh	Nutrients (TSI)	High	2008
Allen's Creek Tidal (1604)	Estuary	Dissolved Oxygen, Nutrients (Chlorophyll A)	High	2008
Allen's Creek (1604B)	Fresh	Fecal Coliform	High	2008
Direct Runoff to Bay (Roosevelt Basin) (1624)	Fresh	Coliforms (Fecal Coliform)	High	2007
Direct Runoff to Bay (Roosevelt Basin) (1624)	Fresh	Dissolved Oxygen, Nutrients (Chlorophyll A)	High	2007
Cross Canal (North) (1625)	Estuary	Dissolved Oxygen, Nutrients (Chlorophyll A), Coliforms (Fecal Coliform)	Medium	2008
Long Branch (1627)	Fresh	Coliforms (Fecal Coliform) Dissolved Oxygen, Nutrients (Chlorophyll A)	High	2007
Smacks Bayou (1683)	Estuary	Nutrients (Chlorophyll A), Coliforms (Fecal Coliform)	Medium	2008
Coffee Pot Bayou (1700)	Estuary	Nutrients (Chlorophyll A), Coliforms (Fecal Coliform)	Medium	2008
Little Bayou (1709D)	Estuary	Coliforms (Fecal Coliform), Dissolved Oxygen, Nutrients (Chlorophyll A)	Medium	2008
Salt Creek (1731B)	Estuary	Nutrients (Chlorophyll A)	Low	2013
Klosterman Bayou Run Tidal (1508)	Estuary	Dissolved Oxygen, Nutrients	High	2006
Klosterman Bayou Run (1508A)	Fresh	Dissolved Oxygen, Nutrients, Fecal Coliform	High	2006
Stevenson Creek (1567)	Estuary	Dissolved Oxygen, Nutrients (Chlorophyll A)	High	2006
Stevenson Creek (1567C)	Stream	Coliforms (Fecal Coliform, Total Coliform)	Medium	2012
Lake Seminole (1618)	Lake	Nutrients (TSI)	High	2006
Lake Seminole Outlet (1618A)	Stream	Nutrients (TSI), Dissolved Oxygen	Medium	2012
St. Joe Creek (1668A)	Stream	Dissolved Oxygen, Coliforms (Fecal Coliform), Nutrients (Chlorophyll A)	High	2006
St. Joe Creek Tidal (1668E)	Estuary	Nutrients (Chlorophyll A), Dissolved Oxygen	Medium	2012

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VERIFIED LIST OF IMPAIRED WATERS IN PINELLAS COUNTY**

WATER SEGMENT NAME and WBID*	WATERBODY TYPE	PARAMETERS IDENTIFIED USING IMPAIRED WATERS RULE	PRIORITY FOR TMDL DEVELOPMENT	PROJECTED YEAR FOR TMDL DEVELOPMENT
Pinellas Park Ditch No. 5 (1668B)	Stream	Nutrients (Chlorophyll A), Dissolved Oxygen	High	2006
Lake Tarpon (1486)	Fresh	Dissolved Oxygen, Nutrients (TSI)	Medium	2008
Bishop Creek (1569)	Fresh	Coliforms (Fecal Coliform, Total Coliforms)	Low	2008
Cow Branch Creek (1529)	Fresh	Unionized Ammonia	Medium	2008
Alligator Lake (1574A)	Lake	Dissolved Oxygen, Nutrients (Chlorophyll)	Low	2008
Lake Tarpon (1486A)	Lake	Dissolved Oxygen	Medium	2008
Alligator Creek (1574)	Fresh	Nutrients (Chlorophyll A)	Medium	2008
Anclote River (1440)	Estuary	Mercury	Low	2011
Spring Bayou (1440A)	Stream	Dissolved Oxygen, Nutrients (Chlorophyll A)	Low	2011
Sutherland Bayou (1527)	Stream	Coliforms (Fecal Coliform)	Medium	2012
Curlew Creek (1538)	Estuary	Nutrients (Chlorophyll A)	Low	2011
Cedar Creek (1556)	Estuary	Coliforms (Fecal Coliform), Dissolved Oxygen, Nutrients (Chlorophyll A)	Low	2011
Taylor Lake (1633A)	Lake	Nutrients (TSI)	Medium	2012
Cross Canal (South) (1641)	Estuary	Dissolved Oxygen, Coliform (Fecal Coliform), Nutrients (Chlorophyll A)	High	2006
Clam Bayou Drain Tidal (1716)	Estuary	Nutrients (Chlorophyll A)	Low	2011
Frenchman's Creek (1790F)	Estuary	Dissolved Oxygen, Nutrients (Chlorophyll A)	Medium	2012

Source: Florida Department of Environmental Protection and the U.S. Environmental Protection Agency, 2007.

*WBID: Water Body Identification Number

All highlighted portions would be under the jurisdiction of Pinellas County.