



CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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December 1, 2008

Mr. Mike Sole, Secretary
Florida Department of Environmental Protection
3900 Commonwealth Boulevard M.S. 49
Tallahassee, Florida 32399

Mr. Jerry Brooks, Director
Environmental Assessment & Restoration
Florida Department of Environmental Protection
3900 Commonwealth Boulevard M.S. 49
Tallahassee, Florida 32399

Ms. Janet Llewellyn, Director
Water Resource Management
Florida Department of Environmental Protection
3900 Commonwealth Boulevard M.S. 49
Tallahassee, Florida 32399

Mr. Phil Coram, Deputy Director
Water Resource Management
Florida Department of Environmental Protection
3900 Commonwealth Boulevard M.S. 49
Tallahassee, Florida 32399

Re: New Recommended Monitoring Requirements Proposed for NPDES, MS4 Permittees

Dear Mr. Sole, Ms. Llewellyn, Mr. Brooks, and Mr. Coram:

The Charlotte Harbor National Estuary Program (CHNEP) is a partnership program working to protect Florida's natural environment from Venice to Bonita Springs to Winter Haven. The National Estuary Program was established by an amendment to the Clean Water Act (Section 320) to identify, restore and protect estuaries along the coasts of the United States. In 1995, the estuarine system around Charlotte Harbor was recognized as an "estuary of national significance," creating the CHNEP. The program's *Comprehensive Conservation and Management Plan* (CCMP) identifies the region's common priority environmental issues and actions needed to solve them.

We have recently learned that ambient monitoring is no longer considered adequate for recent NPDES, MS4 permits and permittees are being asked to conduct event-based monitoring. This is a change in policy that may have significant ramifications to county and municipal water quality monitoring programs.

Currently, local governments within our partnership that are working to maintain as much of their ambient water quality program as possible within the existing economic climate. Since 2000, we have worked with them to incorporate a stratified random sampling strategy into their existing monitoring program through the Coastal Charlotte Harbor Monitoring Network. The Coastal Charlotte Harbor Monitoring Network may be in peril if governments are forced to cut from existing ambient monitoring programs to add storm event monitoring programs. This has a strong potential to break the historic period of record and significantly reduce the ability to determine and analyze trends during this period of change.

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The current ambient monitoring program is used not only for NPDES, MS4 monitoring requirements but also for impaired waters assessment, Total Maximum Daily Load (TMDL) development, Basin Management Action Plan (BMAP) development, reasonable assurance agreements, and information provided to citizens and decision-makers concerning water quality. NPDES, MS4 monitoring requirements are often utilized by local governments to justify continued investment in ambient monitoring programs, professional staff, sampling equipment, and laboratories.

We have worked to ensure that all data collected in our study area are available in STORET and meet FDEP Tier-II quality assurance standards. We have used the ambient monitoring programs to assess water quality status and trends and identify needed water quality improvement programs at strategic locations. Event-based monitoring at stormwater outfalls will not improve the information available to make needed restoration proposals and reforms. The relationship between hydrologic volumes and pollutant loads is well understood and the reason for more up-to-date ambient programs. We know that data gathered at storm events are unreliable because of wide variation in storm volumes, storm duration, and the time elapsed since the previous storm. Furthermore, the requirement for event-based monitoring will demand resources be taken away from those being applied to existing ambient programs.

We request that the Department:

- consider the value of existing ambient monitoring programs in the Charlotte Harbor region as integral to achieve many regulatory objectives, including the NPDES, MS4 monitoring program, and
- provide flexibility to our regional partners in any new NPDES, MS4 monitoring requirements currently being considered by evaluating the potential benefits, use, and integration of existing, long-term sampling programs into the Department's new requirements.

If the CHNEP can be of further assistance, or if you have any questions regarding the above request, please contact me at the Charlotte Harbor National Estuary Program office a (239) 338-2556 x 235 or via e-mail at lbeever@swfrpc.org.

Sincerely,



Lisa B. Beever, PhD, AICP
Director

cc: Jim Giattina, Director
Water Management Division
USEPA, Region 4
61 Forsyth St., SW
Atlanta, GA 30303