

# Memorandum



**Date:** October 9, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez", written over the name in the "From:" field.

**Subject:** Report on the Implementation Plan regarding Biscayne Bay Task Force Report and  
Recommendations – Directive No. 201747

Agenda Item No. 2(B)(5)  
October 20, 2020

The following report is provided pursuant to Resolution No. R-888-20, adopted by the Board of County Commissioners (Board) on August 31, 2020, which directed the Mayor or Mayor's designee to review the report and recommendations of the Biscayne Bay Task Force and to provide an implementation plan for immediate action, including feasibility, cost, and potential funding sources; requiring a presentation to this Board and a written report on an expedited basis.

This report provides information on initial actions that can be taken to immediately begin implementation of the Biscayne Bay Task Force recommendations, and identifies a path for development of a more comprehensive implementation plan.

The Biscayne Bay Task Force (BBTF) Report, *Unified Approach to Recovery for a Healthy and Resilient Biscayne Bay*, includes three overarching recommendations and more than 60 specific recommendations to improve water quality and address the health of Biscayne Bay. The BBTF overarching recommendations include: 1) establishing a collaborative intergovernmental body to promote active and long term engagement on issues facing Biscayne Bay; 2) creation of a Chief Bay Officer position in the County Mayor's Office; and 3) development of a Biscayne Bay Watershed Restoration Plan. Implementation of at least one of these overarching recommendations is already currently underway. The Board approved the creation of the Chief Bay Officer position and a supporting staff position with the passing of the FY 20/21 budget. Funding for these positions through the County's Utility Service Fee was identified as part of this year's annual budget process. The administration is presently preparing personnel documents including a description of job duties and list of qualifications necessary for recruitment of the Chief Bay Officer position. It is anticipated that the additional supporting staff position will be recruited with the direct assistance and oversight of the newly hired Chief Bay Officer. The Chief Bay Officer will advise the County Mayor and the Board of County Commissioners on matters related to the health of Biscayne Bay and will serve as a liaison to all County Departments to ensure County activities are aligned consistently with watershed restoration goals and objectives. The Chief Bay Officer will also be responsible for development of the comprehensive plan for implementation of the BBTF recommendations.

To achieve the goal of establishing an ongoing collaborative intergovernmental body to support watershed restoration initiatives for the Bay, the BBTF recommends creation of an eleven member Biscayne Bay Watershed Management Board comprised of three members of the Board of County Commissioners, three members of the Miami-Dade County League of Cities, and one member each from the following state and federal agencies: the South Florida Water Management District Governing Board (member residing in Miami-Dade County); the Florida Department of Environmental Protection;

the Florida Fish and Wildlife Conservation Commission; the Florida Inland Navigation District; and the United States Department of the Interior. The Watershed Management Board will operate with support from the Chief Bay Officer, and will oversee technical committees with assistance from several County departments, including the Department of Regulatory and Economic Resources' Division of Environmental Resources Management (DERM), the Office of Resilience, the Water and Sewer Department, and the Department of Transportation and Public Works. The Watershed Management Board will oversee development of a Biscayne Bay Watershed Restoration Plan for approval by the Board of County Commissioners, and will serve as a clearinghouse for technical collaboration and community outreach work on issues related to the health of Biscayne Bay and its watershed. Through direction from the Board of County Commissioners, the County Attorney's Office can begin to prepare a draft ordinance for creation of the Biscayne Bay Watershed Management Board as recommended by the BBTF. The third overarching recommendation of the BBTF, the development of a Biscayne Bay Watershed Restoration Plan, would follow the appointment of the Watershed Management Board and hiring of the Chief Bay Officer.

The BBTF Report included 62 specific recommendations organized across the following seven main themes: Water Quality, Governance, Infrastructure, Watershed Habitat Restoration and Natural Infrastructure, Marine Debris, Education and Outreach, and Funding. These recommendations are summarized in Table 1 (attached) and include the BBTF proposed benchmark timeframes for implementation. Most of these recommendations fall under the responsibility of existing programs within various County departments, with many falling under the purview of DERM's responsibilities. In that regard, additional staff resources will be dedicated in DERM to supplement existing water quality protection programs and to more directly address these emerging water resources needs. This includes the creation of a Senior Water Scientist position and additional supporting technical staff to oversee collection of data and analysis needs identified in the BBTF recommendations. These staff will place greater emphasis on expedience in identifying meaningful information to support the projects and policies necessary for protection of the water resources in our watershed and for protecting the health of Biscayne Bay. Their duties align with existing funding sources and responsibilities within DERM, and their work will directly inform DERM's regulatory review and decision-making activities to further support the County's environmental policy outcomes.

While the feasibility, funding and implementation for some of the recommendations identified in Table 1 are fairly clear, others will require further evaluation of feasibility and will require additional planning to implement. For example, as noted above, the creation of the Chief Bay Officer is already funded and under way. In addition, the County Attorney's Office engaged with DERM staff on the preparation of a proposed fertilizer ordinance which came before the Board for first reading at the October 6, 2020 Board meeting. Other BBTF recommendations however, such as those that involve conducting surveys, assessments, or the design of needed scientific studies will require further planning prior to implementation. In addition, some of the BBTF recommendations call for collaboration with municipalities and state agencies and, in some cases may require the drafting of formal agreements. Some recommendations will require further review and consultation with the County Attorney's Office to identify legally acceptable mechanisms for implementation.

As part of this initial implementation plan, I am instructing County departments to review the BBTF recommendations and to identify elements of these recommendations that fall within their respective

areas of responsibility and to identify those recommendations that are readily implementable from both a feasibility and funding perspective. County departments are encouraged to proceed with implementation of recommendations that are consistent with their normal course of business provided they can be implemented within authorized levels of funding. Departments are also instructed to have their assessment of the BBTF recommendations prepared to provide the new Chief Bay Officer upon his/her hiring. The Chief Bay Officer will then work across all County departments including working with the Office of Management and Budget to prepare an update to this initial implementation effort in the form of a more comprehensive and detailed implementation plan for each recommendation of the BBTF.

In accordance with Ordinance No. 14-65, this report will be placed on the next available Board meeting agenda.

If you have any questions or require additional information, please contact Lee N. Hefty, Assistant Director, Division of Environmental Resources Management in the Department of Regulatory and Economic Resources, at [heftyl@miamidade.gov](mailto:heftyl@miamidade.gov).

c: Abigail Price-Williams, County Attorney  
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Lee N. Hefty, Assistant Director, Department of Regulatory and Economic Resources  
James F. Murley, Chief Resilience Officer  
Melissa Adames, Clerk of the Board  
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# Table 1

Summary of Biscayne Bay Task Force Recommendations  
 Benchmarks: Immediate - less than one year, Short-Term - between one and three years,  
 Mid-Term - more than three years

WATER QUALITY		BENCHMARK
1A	Establish science-based, pollutant load reduction goals and interim targets	Short-Term (S)
1B	Develop, implement and continuously monitor and demonstrate progress toward meeting 1A's pollutant load reduction goals and interim targets	Short-Term (S)
1C	Leverage Department of Regulatory and Economic Resources' (RER) regulatory role to activate additional resource management functions	Immediate (I)
1D	County should conduct an immediate assessment of land-based hotspot areas prioritized based on existing, known impairments	Immediate (I)
1E	Review, develop (as needed), implement and enforce local ordinances and policies to attain pollution load reduction goals set forth in the Watershed Restoration Plan (WRP)	Short-Term (S)
1F	Coordinate, staff and provide an annual budget for comprehensive, centralized Biscayne Bay Watershed data and research coordination and data management infrastructure	Immediate (I)
1G	Undertake and secure funding for new pilot projects and research projects focused on reducing pollutant loads	Immediate (I)
1H	Elevate and further amend the Comprehensive Develop Master Plan (CDMP) to further include Biscayne Bay watershed management planning elements	Mid-Term (M)
1I	Conduct a climate change vulnerability assessment for Biscayne Bay	Short-Term (S)
1J	Initiate and fund studies that illuminate specific knowledge gaps for application toward watershed restoration	Immediate (I)
1K	Pass a county-wide fertilizer ordinance to prevent negative impacts from excess nutrients in the watershed	Short-Term (S)
1L	Increase compliance of all marinas and commercial operations along waterways	Immediate (I)
1M	Continue to monitor the progress of the October 7th, 2015 Consent Agreement between FP&L and Miami-Dade County	Immediate (I)
GOVERNANCE		
2A	Establish by ordinance a Biscayne Bay Watershed Management Board (WMB)	Immediate (I)
2B	The Mayor should appoint a Chief Bay Officer (CBO) and request funding for the position	Immediate (I)
2C	The WMB will, with technical and community recommendations, review, recommend funding for and implement the Watershed Restoration Plan (WRP)	Short-Term (S)
2D	Develop a formal partnership in the form of a Memorandum of Understanding (MOU) with the SFWMD in addition to their participation on the WMB	Immediate (I)
2E	Enable the alignment and coordination of County departments that takes a holistic, comprehensive approach to Biscayne Bay recovery and resilience	Immediate (I)
2F	Develop a formal partnership in the form of a Memorandum of Understanding (MOU) with the Miami River Commission	Immediate (I)

INFRASTRUCTURE		
3A	Increase compliance with existing laws to result in the immediate connection of ~12,000 properties to the sewer system	Short-Term (S)
3B	Develop and enforce septic system design criteria with design parameters	Short-Term (S)
3C	Initiate a mandatory septic system registration and inspection program	Mid-Term (M)
3D	Undertake immediate efforts to identify and eliminate all root causes of Sanitary Sewer Overflows (SSO) including inflow and infiltration. Accelerate sewer infrastructure maintenance and upgrades	Short-Term (S)
3E	Develop and expedite a Condition Assessment and Asset Management Action Plan to document the condition of the County's wastewater system assets and certify all historical "As-Builts" and/or those not already certified with a focus on identifying horizontal and vertical locations of main wastewater transmission lines	Short-Term (S)
3F	Enforce the existing code and update the stormwater design criteria to improve effectiveness and include advances in stormwater treatment technologies	Short-Term (S)
3G	Develop a plan to prioritize the retrofitting of stormwater infrastructure within basins with the most substantial water quality and/or habitat degradation issues	Short-Term (S)
3H	Eliminate direct and indirect stormwater discharges to Biscayne Bay	Mid-Term (M)
3I	Set policy that all As-Builts/Record Drawings are done and certified by a Florida Professional Surveyor and Mapper qualified and registered to do work in Miami-Dade County	Short-Term (S)
3J	Set policy to require during the design phase of future construction that all existing utilities are designated and located vertically and horizontally	Short-Term (S)
3K	Ensure that new infrastructure projects to address coastal flooding and storm surge that are cost-shared by the County adhere to the recommendations of this Task Force and prioritize Biscayne Bay health and resilience	Short-Term (S)
WATERSHED HABITAT RESTORATION AND NATURAL INFRASTRUCTURE		
4A	Develop ecologically acceptable living shoreline design options that are consistent with the existing Biscayne Bay Aquatic Preserve Act	Immediate (I)
4B	Raise awareness of the value of mangroves through a homeowner education campaign	Short-Term (S)
4C	Increase enforcement of existing rules for protecting existing mangroves and mangrove shorelines	Short-Term (S)
4D	Identify vulnerable properties along the coastline and partner with municipalities to focus on public properties and private property owners to create a voluntary Mangrove Protection and Restoration Zone Program	Short-Term (S)
4E	Prioritize existing and identify new green and blue infrastructure approaches and restoration projects	Immediate (I)
4F	Continue to work with SFWMD and to have the State of Florida allocate the funds necessary to ensure the timely commencement of construction of the Cutler Flow Way in accordance with the project timeline in the Integrated Delivery Schedule	Immediate (I)
4G	Continue to advocate for funding to support the Biscayne Bay Southern Everglades Ecosystem Restoration (BBSEER) project (also known as the BBCW / C-111)	Mid-Term (M)
4H	Establish seagrass growth targets and maintenance requirements	Short-Term (S)
4I	Accelerate green infrastructure solutions for flooding, resiliency and water quality	Short-Term (S)

MARINE DEBRIS		
5A	Create a comprehensive marine debris prevention, reduction, and removal program within DERM and to adequately fund and staff the program	Short-Term (S)
5B	Establish a marine debris working group to promote collaboration on ways to reduce marine debris	Short-Term (S)
5C	Through the Miami-Dade County Police Department, direct the Marine Patrol Unit to prioritize its commitment to the enforcement of all applicable laws having a nexus to the environmental health of the Bay and its tributaries	Short-Term (S)
5D	Conduct an analysis of marine debris in Biscayne Bay to identify primary sources	Short-Term (S)
5E	Adopt a target maximum input level policy for trash entering the Bay	Short-Term (S)
5F	Evaluate the various existing stormwater outfall systems throughout the County to determine their effectiveness at preventing debris from entering Biscayne Bay	Mid-Term (M)
5G	Identify and establish dedicated and recurring funding sources to pay for marine debris prevention and removal activities	Immediate (I)
EDUCATION AND OUTREACH		
6A	Create a multi-lingual, multi-media campaign and educational outreach program to promote and improve awareness of the importance of the Bay	Immediate (I)
6B	Leverage the funding in the Community Based Organization grant program to create a special focus on Biscayne Bay education	Short-Term (S)
6C	Conduct an educational campaign to inform the public on the proper and improper ways to dispose of trash and the impacts of littering and marine debris to the health and management of Biscayne Bay	Immediate (I)
6D	Implement policies to reduce the amount of locally generated plastic marine debris	Short-Term (S)
6E	Build upon and increase volunteer clean-up activities county-wide	Immediate (I)
6F	Develop environmental sustainability and “plastic free” best practices	Short-Term (S)
6G	Support a “Living Laboratory for Bay Health”	Short-Term (S)
6H	Develop and implement a contractor and lawn care industry training program	Short-Term (S)
6I	Expand the scope of Baynanza to add year-round activities and collaborate on Biscayne Bay Marine Health Summit activities	Immediate (I)
FUNDING		
7A	Collaborate with the Miami-Dade Legislative Delegation and the Congressional Delegation to secure annually appropriated funds to support Biscayne Bay watershed restoration	Immediate (I)
7B	Immediately engage in the legislative process to designate a Biscayne Bay License Plate	Immediate (I)
7C	Immediately enter into a cost-share partnership with SFWMD to update the 2005 Biscayne Bay Economic Study	Immediate (I)
7D	Collaborate with Florida Inland Navigational District (FIND) to immediately identify projects that will improve water quality and restoration of the Biscayne Bay watershed	Immediate (I)
7E	Leverage municipal financial resources through interlocal agreements to supplement County funds to accelerate projects to improve the water quality of Biscayne Bay	Short-Term (S)
7F	Develop a mechanism to collaborate with municipalities and work with the development community to enhance development rights in exchange for substantial capital investments in protecting Biscayne Bay	Short-Term (S)
7G	Direct the preparation of a report of potential funding sources by the Office of Management and Budget and the Office of Intergovernmental Affairs that would potentially be used for long-term support of the restoration of Biscayne Bay	Immediate (I)