

F S T E D

Florida Seaport Transportation and
Economic Development Council

Seaport Environmental Management Committee

**Tuesday, January 30, 2024
2:00 p.m.- 4:00 p.m.**

Hotel Indigo Tallahassee

TAB 1
Call to Order, Welcome

F S T E D

Florida Seaport Transportation and
Economic Development Council

Seaport Environmental Management Committee AGENDA

Tuesday, January 30, 2024
2:00 p.m. – 4:00 p.m.
St. Marks Board Room
Hotel Indigo, Tallahassee, FL

1. Call to Order, Welcome
2. Roll Call
3. Approval of the August 2, 2023, SEMC Annual Meeting Minutes
4. Florida Ports Council Update
5. Agency Updates
 - a. Florida Department of Environmental Protection (FDEP)
 - b. Florida Department of Transportation (FDOT)
 - c. FloridaCommerce
 - d. U.S. Army Corps of Engineers - Civil Works and Regulatory Divisions
 - e. Florida Inland Navigation District (FIND)
 - f. Florida Fish & Wildlife Conservation Commission (FWC)
6. Partner Updates
 - a. AAPA
 - b. Florida Ocean Alliance
 - c. Florida Recycling Partnership
7. Legislative Update
8. Open Discussion
 - a. Rice's Whale and Right Whale Speed Rule Update
 - b. FDEP Clean Waterways Act Stormwater Rulemaking
 - c. Federal Updates (WOTUS, NEPA, etc.)
 - d. Other Issues
9. Adjourn

TAB 2
Roll Call

F S T E D

Florida Seaport Transportation and
Economic Development Council

Seaport Environmental Management Committee (SEMC)

Roll Call

Tuesday, January 30, 2024 | 2:00 p.m. – 4:00 p.m.

Representative	Organization	Designee
John Murray	Port Canaveral	Bob Musser
Glenn Wiltshire	Port Everglades	Erik Neugaard
Miriam Hill	Port Fernandina	
Joshua Revord (Chair)	Port of Fort Pierce	
Eric Green	JAXPORT	Nick Primrose
Steven McAlearney	Port of Key West	
Carlos Buqueras	SeaPort Manatee	Daniel Fitz-Patrick
Hydi Webb	PortMiami	Becky Hope
Michael Meekins	Port of Palm Beach	
Alex King	Port Panama City	
Clark Merritt	Port of Pensacola	
Sam Sullivan	Port Putnam	
David Wirth	Port St. Pete	
Guerry Magidson	Port of Port St. Joe	
Paul Anderson	Port Tampa Bay	Chris Cooley
Lainie Edwards Alex Reed Gregory Garis	Florida Department of Environmental Protection (FDEP)	
Lauren Rand Jerry Scott	Florida Department of Transportation (FDOT)	
TJ Villamil Ben Melnick James Stansbury	FloridaCommerce	
Shawn Zinszer Jason Spinning Angela Dunn Gretchen Ehlinger	U.S. Army Corps of Engineers	
Janet Zimmerman	Florida Inland Navigation District (FIND)	
Jason Hight	Florida Fish and Wildlife Conservation Commission (FWC)	
Jeff Littlejohn	Adams and Reese, LLP	

TAB 3
Approval of the August 2, 2023, SEMC
Annual Meeting Minutes

F S T E D

Florida Seaport Transportation and
Economic Development Council

Seaport Environmental Management Committee

MEETING MINUTES

August 2, 2023

9:00 a.m. – 12:00 p.m.

Hilton Fort Lauderdale Marina

1. **Call to Order, Welcome:** The Seaport Environmental Management Committee (SEMC) meeting was called to order at approximately 9:00 a.m. by Chairman Chris Cooley.
2. **Roll Call:** Emily Fisher called roll. Attending the meeting were the following members and guests:

Chris Cooley, Chair – Port Tampa Bay
Jeff Littlejohn – A&R, Consultant to FPC
Emily Fisher – Florida Ports Council
Keyna Cory – Florida Recycling Partnership
Joshua Revord – Port of Fort Pierce
Bob Musser – Port Canaveral
Erik Neugaard – Port Everglades
Janet Zimmerman – FIND
Jason Hight – FWC
Nick Primrose – JAXPORT
Jimmy McDonald – HNTB
Alex King – Port Panama City
Candice Ericks – Ericks Consulting

Maureen Smith – FloridaCommerce
Gregory Garis – FDEP
Lenore Alpert – FOA
Alex Rangel – Port Everglades
Lauren Rand – FDOT
James Stansbury – FloridaCommerce
Becky Hope – PortMiami
David Kaufman – Port Fernandina
Clark Merritt – Port of Pensacola
Dan Fitz-Patrick – SeaPort Manatee
Mike Rubin – Florida Ports Council
Fred Aschauer – LLW

3. **Approval of the March 2, 2023, SEMC Meeting Minutes:** After welcoming the members and guests to the meeting, Chair Cooley asked for any comments or revisions to the March 3, 2023, meeting minutes. Bob Musser reminded the committee of prior discussion about the cycle of the SEMC Chair and requested adding it to the previous meeting's minutes. Chair Cooley requested a motion to approve the March 3, 2023, minutes with the addition. A motion was made by Bob Musser and seconded by Dave Kaufman. The motion passed unanimously.
4. **Florida Ports Council Update:** Chair Cooley recognized Emily Fisher to give a brief update. Fisher provided conversation focused on the challenges posed by whale conservation efforts, particularly the Right Whales on the East Coast and Rice's Whales in the Gulf Coast. The Port Directors recently met with Congressmen in Washington D.C. to discuss these issues and discussed the possibility of meeting with NOAA. The group submitted extensive comments to NOAA, expressing their concerns and viewpoints.
5. **Agency Updates:**
 - a. **Florida Department of Environmental Protection (FDEP):** Gregory Garis, Program Administrator in the Office of Resilience & Coastal Protection, gave the

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update for DEP. Garis discussed progress in beach restoration projects and resilience applications.

- b. FloridaCommerce:** Maureen Smith, Bureau Chief, gave the update for FloridaCommerce. Smith detailed they went through discussion on the process and benefits of designating areas as brownfield sites. She emphasized the lack of a requirement for actual contamination for designation, offering some liability relief. Smith mentioned potential legal implications were also discussed the brownfield redevelopment tax refund program, which offers up to \$2,000 per job tax refund for businesses located on brownfield sites, with a minimum of 10 new jobs and a \$2 million capital investment. After Smith's update, there was extensive discussion and updates from Jeff Littlejohn and Chair Cooley on the challenges with PFAS (per- and polyfluoroalkyl substances) contamination and the need for cost-effective cleanup technologies, with a proposal to include PFAS liability protection under Brownfield protections.
- c. Florida Fish & Wildlife Conservation Commission (FWC):** Jason Hight, Director of the Office of Conservation Planning Services, gave a brief update for FWC. Hight detailed that at FWC, they are focused on the whale issues on both sides of Florida, morality rate of manatees, and long-range planning for a pandemic.
- d. Florida Department of Transportation (FDOT):** Lauren Rand, Seaport Manager, gave the update for FDOT. Rand detailed that FDOT recently hosted a discussion on statewide fuel resiliency and supply chain issues, highlighting the importance of collaboration among various stakeholders in the petroleum supply chain. Rand also talked about environmental and resilience planning at various ports, including funding opportunities, vulnerability analyses, and coordination with other state agencies.

6. Partner Updates:

- a. Florida Ocean Alliance:** Lenore Alpert, Executive Director of FOA gave a brief update. Alpert stated that FOA is hosting an executive dialogue on coastal resilience at Port Tampa Bay in November. Alpert also mentioned their Capitol Days will be held in February 2024 in Tallahassee.
- b. Florida Recycling Partnership:** Keyna Cory, Executive Director, gave an update for the Florida Recycling Partnership. Cory stated the events coming up for them including the Resource Recycling Conference in August in Orlando.
- c. AAPA:** Chair Cooley gave an update on behalf of Ian Gansler, Manager of Energy, Resiliency, and Sustainability Policy with AAPA. Chair Cooley shared the details about the annual AAPA convention in Colorado and the new program focusing on energy resilience and sustainability. The program covers topics like alternative energies, hydrogen, ammonia, methane, carbon capture, and reducing carbon emissions.

- 7. Legislative Update:** Jeff Littlejohn, Senior Policy Advisor at Adams & Reese (A&R) provided an update on the current legislative session. Littlejohn detailed that committee weeks start in September this fall, with session beginning early in January. He advised the possibility of environmental legislation related to water quality and dredging be on the

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horizon and also potential PFAS legislation, highlighting the need for liability protection and coordination among stakeholders like airports, legal cities, and associations.

8. Open Discussion:

- a. **Rice's Whale and Right Whale Speed Rule Update:** Littlejohn and Mike Rubin discussed the ongoing efforts to address issues related to the conservation of whale species, including the right whales and Rice's whales. They mentioned strategies for engaging with legislative and regulatory bodies to ensure balanced solutions that consider both conservation and operational needs of the Florida seaports.
- b. **FDEP Clean Waterways Act Stormwater Rulemaking:** Littlejohn stated updates on stormwater management policies, focusing on new rules for nutrient removal and the implementation of water quality credit trading. He discussed the option for off-site stormwater treatment to reduce land and cost impacts and that information about new tools added to the rulebook for stormwater management and the potential for relocating stormwater treatment within the same watershed.
- c. **Federal Updates (WOTUS, NEPA, etc.):** Littlejohn mentioned an overview of changes to the NEPA process, including the Biden administration's amendments and upcoming public meetings for further discussions. Littlejohn detailed the impact of recent Supreme Court decisions on federal wetland jurisdiction, especially regarding tidal waters and directly connected wetlands and the implications of these changes for port operations and environmental permitting processes.
- d. **Other Issues:** No other issues were discussed.

9. **Adjourn:** Chair Cooley asked for any other open discussion, hearing none, the meeting was adjourned at 12:00 p.m.

TAB 4
Florida Ports Council Update

TAB 5
Agency Updates

TAB 6
Partner Updates

TAB 7
Legislative Update

TAB 8
Open Discussion

TAB 8a
Rice's Whale and Right Whale Speed
Rule Update

TAB 8b
FDEP Clean Waterways Act Stormwater
Rulemaking

TAB 8c
Federal Updates (WOTUS, NEPA, etc.)

TAB 8d
Other Issues

TAB 9
Adjourn