

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
Delray Beach, Florida
December 2, 2003*

Welcome and Administrative Announcements

Ms. Ann Klee called the meeting to order at 1:15 PM and noted the special nature of the occasion because they were also celebrating the tenth anniversary of the Task Force. She welcomed two new members, Simone Marstiller representing the Governor's Office and John Paul Woodley, Assistant Secretary of the Army (Civil Works). Adoption of the minutes was deferred until the following day.

Ann Klee, Chair, U.S. Department of the Interior

Margaret Davidson for Tim Keeney, Deputy Assistant Secretary, U.S. Department of Commerce

Henry Dean, Executive Director, South Florida Water Management District

Jose Diaz, Commissioner, Miami Dade County

Gene Duncan for Dexter Lehtinen, Special Assistant, Miccosukee Tribe of Indians

Andrew Emrich, Counselor to the Assistant Attorney General, U.S. Department of Justice

Richard Harvey for Tracy Mehan, Assistant Administrator, U.S. Environmental Protection Agency

Ron Marlow for Mack Gray, Deputy Undersecretary, U.S. Department of Agriculture

Simone Marstiller, Executive Office of the Governor

Jim Shore, Chairman, Seminole Tribe of Florida

David Struhs, Vice-Chair, Secretary, Department of Environmental Protection

John Paul Woodley, Jr. Assistant Secretary of the Army for Civil Works

Michael Collins, Chair, Water Resources Advisory Commission, Task Force Advisory Body

Greg May, Director, South Florida Ecosystem Restoration Task Force

Whiparound

Mr. Woodley said that it was a privilege for him to be a member of the Task Force. He announced that he had approved expanded testing of Periphyton-dominated wetlands technology at Stormwater Treatment Area 1 East. He believes that this will provide crucial scientific data necessary for the success of this effort. The \$5 million cost will be fully funded by the federal government and completion is expected to take 18 months. The Army briefed Congressional staffers on November 24th concerning the programmatic regulations.

Mr. Jim Shore announced the completion of the first phase of the Big Cypress Critical Project and said that phase two was on schedule.

Ms. Simone Marstiller said that she was looking forward to working with the group and noted the work of Task Force was important to the Governor and to Florida.

Mr. Mike Collins reported that the WRAC recommended that the South Florida Water Management District adopt the Conceptual Plan for Achieving Long-Term Water Quality Goals. He noted the objections of the Miccosukee Tribe to the plan. The WRAC was satisfied that the public trust issues related to the process have been fixed.

Mr. Gene Duncan said that Dexter was at the status hearing on the Everglades case and that the Special Master would be presenting his report. A hearing is scheduled for this coming Friday in Naples on a quick take DEP is attempting on tribal lands in the Southern Golden Gate Estates (SGGE). The ten parts per billion rule making challenge is still ongoing. The S-9 case on whether NPDES permits are required for point source discharges into the Everglades is set for oral argument before the Supreme Court in January 2004. This is the fifth year of single species management for the Cape Sable Seaside Sparrow. The good news is the Corps is doing a good job of bringing water levels down in WCA3A (within one inch of the regulation schedule). The bad news is that the Everglades National Park "parking lot" is starting to dry out again.

Mr. Richard Harvey noted that Mr. Tracy Mehan has announced his resignation effective at the end of this month. His replacement as the Assistant Administrator and the Task Force representative has not been determined.

Mr. Henry Dean reported that they are close to a tentative agreement with a number of major landowners which would allow them to pump water onto their land and take in excess of 50,000 acre feet of water that would otherwise go into Lake Okeechobee and the estuaries. He noted the Toho drawdown would generate approximately 45,000 acre feet of water downstream and he said he hoped for a successful conclusion of this issue. The WMD along with the Corps are looking at adjusting the WSE schedule for lake operations.

Ms. Margaret Davidson for Timothy Keeney said she was pleased to participate in the tenth anniversary of the Task Force. NOAA, one of the six agencies at the inaugural meeting, remains committed to these efforts.

Mr. Richard Harvey added the National Wetlands Conference was held two weeks prior in Key Largo and the participants were taken to Everglades National Park to see a habitat restoration project. They were "blown away" by the Keys and the coastal wetlands issues.

Mr. Ron Marlow said that Dr. Gray was scheduled to attend, but that a last minute conflict prevented this. They anticipate that their budget for land acquisition would be comparable to recent years for the Wetland Reserve Program and the Farm Land Protection Program. They expect a 30% increase for their Environmental Quality Incentive Program. The Agricultural Research Service has been busy over the last year holding customer meetings to develop a more integrated and comprehensive research program as it pertains to invasive species and the agro-ecosystems in south Florida. This information will be shared with Science Coordination Group.

Commissioner Jose Diaz congratulated the Task Force on its tenth anniversary. He said Miami Dade County deserved a pat on the back for hosting the recent FTAA meeting. A formal presentation will be presented to the ministers prior to March 2004. He noted Miami Dade County's appreciation for being included on the CSOP Advisory Team. The County has formed a Climate Change and Adaptation Task Force to identify technically sound and economically viable local government responses to changing climate in the 21st century.

Mayor Clarence Anthony agreed that Miami Dade did a good job as the nation watched. He noted there is a lot going on in Palm Beach County and in the region. He said that many people had heard of the Scripps and Mecca Farms initiatives. The Mayor complimented the Water Management District for doing a good job of preserving and making sure the water flow issues are dealt with. Mayor Anthony said that the impact of lake on the local communities has always been an important issue. He was pleased that the District takes into consideration all of the issues of the local communities when they deal with flow levels. He expressed concern that water quality issues around Lake Okeechobee and noted that the Regional Water Plan will require cities to do things that their taxpayers cannot afford. He will continue to work with the District and the Corps to deal with these issues. He congratulated everyone on the tenth anniversary and regretted that he would be unable to join the dinner due to a Commission meeting.

Mr. Ernie Barnett said that Secretary Struhs had a conflict today but that he would be present the following day. He noted that DEP has been a part of the Task Force since membership was opened to non-federal participants. He noted that a lot has happened over the last ten years and that their labor was producing results. As an example he mentioned the recent series of groundbreaking ceremonies and he recognized the thousands of man-hours that go into making these projects and events a reality. He looked forward to the next generation of restoration efforts and will continue to work tough issues like water quality. He introduced Joe Walsh who provided the Task Force with two reports (Encl. 2): Assessing the Economic Impact and Value of Florida's Public Piers and Boat Ramps; and The Economics of Selected Florida Wildlife Management Areas. Ms. Klee asked whether the report reviewed the economic benefit to all the 17 areas and Mr. Walsh clarified that it just dealt with the highlighted areas. Ms. Klee said the Task Force also received a brochure from the National Research Council of the National Academies (Encl. 3) summarizing the various reports that they have issued on Everglades Restoration.

Mr. Andrew Emrich noted the significance of the appointment of the Special Master, John Barkett, on November 6, 2003. His first report was published on December 1st and a status conference is taking place today.

Ms. Klee said that Interior is finalizing their budget for FY 05. She noted the Department's and the Administration's continuing commitment to Everglades restoration and to the habitat side of the equation. In addition to land acquisition, they are doing a lot through partnerships. As an example she noted that USF&WS in FY 03 spent over \$17 million on Everglades related projects including refuge maintenance and operations, removal of invasive species, federal aid programs and land acquisition. A significant amount of money was spent on partnership programs, cooperative conservation and on ESA work and she applauded the efforts of Jay Slack and his team.

Implementation of Charters

Mr. Greg May said that the Task Force had approved the Working Group (WG) and the Science Coordination Group (SCG) charters via email. Following the approval of the charters, OED had requested that each member submit the names of their representatives for both organizations. Members who had not yet responded were asked to do so by Friday, December 5th. Mr. May explained that the chair and vice chair for both groups are now appointed by the Task Force under the new charters. To accomplish this task the Task Force has a number of options from nominating and voting at large to establishing a committee to develop a slate of candidates.

Mr. Collins asked the group to make the decision at this meeting rather than to delegate it. Ms. Klee agreed that the Task Force wanted to be more involved in selecting the leadership and she asked the members to give it some thought. She said it is important to have strong leadership on the SCG since they are asking them to do something different from what they have done in the past. Mr. Emrich suggested that OED provide a slate of candidates via e-mail and then schedule a conference call for the Task Force to make the decision. Commissioner Diaz wanted the members to think about it overnight and then make a decision the following day. Ms. Klee reminded the Task Force that they owe Congress a report in February and that the sooner they appoint the SCG Chair the better off they would be in this regard. Mr. May said that the WG was scheduled to meet tomorrow at the end of the Task Force meeting.

Task Force Advice to DOI

Mr. Rock Salt noted that Secretary Norton announced her intent to improve the way citizens of south Florida have to communicate with the Department. He submitted a memo to Ms. Klee seeking consideration from the Task Force to assist Interior in balancing public use and enjoyment in the National Parks (Biscayne and Everglades) and Big Cypress Preserve in concert with their resource protection responsibilities. Specifically Interior is asking the Task Force to create an advisory committee of citizens to accomplish this goal.

Ms. Klee noted this action is in follow-up to Secretary Norton's remarks at the Everglades Coalition Conference last year. A number of people have come to her from time to time about the need for DOI, NPS and USF&WS to do a better job of considering the needs of the residents and visitors when making their land management decisions. Having this type of advisory committee and having the Task Force weigh in would be a valuable tool for the Department. She asked for their support and to allow Rock to work with them to develop a charter and recommend names of individuals to participate in the process. Mayor Anthony said that it was a great idea and encouraged expanding the membership to include "new blood". Ms. Klee said that the intent is to reach beyond the people sitting around the table using the WRAC as a model. She asked that the members be "real" people from the recreation community, hunting and fishing community, conservation and environmental groups, the tribes and everyday residents. She noted that the next step would be to determine what type of group this would be. Mr. Collins observed that voting groups produce more contention than results and recommended that this group be a consensus body or advisory body. Mr. Barnett said that consideration should be given to the name as well as its mission. He suggested that it would be a stakeholder group that would provide recommendations and advice to the Task Force and DOI. He recommended capturing the "land management" or "federal trust resources" responsibilities in the title. Mr. Diaz noted that there was a desire to streamline the number of groups and meetings. He asked for clarification who the group would report to and how the membership would be selected. Ms. Klee

explained that it would report to the Task Force and the Task Force would then forward recommendations to Interior. She noted that one of the challenges would be maintaining a core group and yet having the flexibility to modify the group depending on the issues. Mayor Anthony said that this would provide people with a connection to the federal folks and encouraged moving ahead with the concept. **Action: Mayor Anthony made a motion to move ahead with the concept, which was seconded by Commissioner Diaz, none opposed. Ms. Klee asked Mr. Salt to develop a draft charter.**

Updates

CSOP Advisory Team - Mr. May noted that the charter approved by the Task Force in October included a recommended membership list. Once the charter was approved, invitations were sent to the individuals on the recommended list. The list of the members who had accepted the invitation of the Task Force to serve on the advisory team was reflected in the current version of the charter. Mr. May said that the first meeting is scheduled for December 17 – 18 at the Graham Center at the FIU Campus. One of the initial challenges will be to synchronize the team's meeting schedule with the CSOP milestone process. Mr. Bob Jones has been hired to help facilitate these meetings.

Comprehensive Everglades Restoration Plan (CERP) - Mr. Stu Appelbaum

Programmatic Regulations – Mr. Appelbaum provided a power point presentation (Encl. 4) on the programmatic regulations, which are important in setting the framework for the next 30 plus years of CERP implementation. They provide the processes that govern the individual projects of CERP and tie those projects together into a program. These regulations incorporate adaptive management into the implementation process to ensure the goals and purposes of CERP are met. He noted that they received letters of concurrence from the Secretary of Interior and the Governor in October. The final rule was published in the Federal Register on November 12, 2003 and they become effective on December 12, 2003. Mr. Appelbaum reviewed the follow-on activities required by the regulations in six months and in one year. The RECOVER leadership group (headed by John Ogden and Stu) will assist the Program Managers in coordinating and managing the activities of RECOVER. It is up to each agency to designate their members on the leadership group. Their next meeting is scheduled for January 27, 2004.

Guidance Memoranda - He reviewed the six required guidance memoranda that will provide the specific procedure, process or detailed guidance to implement CERP. Four technical teams have been formed to prepare the memoranda. Letters inviting agencies to participate on the teams will be forthcoming.

Independent Scientific Review - The Memorandum of Agreement that will establish and codify the Independent Science Review Panel has been prepared as well as the scope of work. The Cooperative Agreement will be between the Army and the National Academy of Sciences.

Pre-CERP Baseline - Initial discussions were held with the WRAC on the pre-CERP baseline and the Corps, DOI and WMD are developing a proposed set of assumptions and will discuss those with the stakeholders. The model run for the baseline will be done once the assumptions have been finalized.

Interim Goals and Targets - Interim goals provide a means of measuring restoration success and interim targets will be used to measure progress for the plan's other water-related needs. The RECOVER sub-team published a list of proposed indicators for public comment. They are now preparing the supporting documentation that will be made available for public and peer review. Once that's done, the model run that used the Master Implementation Sequencing Plan will be used to establish the basis for the interim goals and targets.

Initial CERP Update – The plan is going to be reviewed every five years for the purpose of evaluating CERP based on updated modeling. For the initial update, the 2x2 model has been upgraded to include an extended period of record and updated population data. The model has been calibrated and the 2000 existing condition model run has been completed. The 2050 future without project condition model run is being completed and will be followed by an update of the D-13R plan. Once all of the model results are available, the next steps will be determined.

Master Implementation Sequencing Plan (MISP) – The MISP will update the sequencing and scheduling of all CERP projects. This process will systematically revisit the schedule in the yellow book as well as the July 2001 version to determine if changes need to be made based on the requirements of the Programmatic Regulations. The intent is to sequence projects to maximize the achievement of the goals and purposes of the plan at the earliest possible date. The regulations require that each project achieve a justified level of benefits without respect to other projects. This process will also ensure that the sequencing avoids elimination or transfer until alternative sources are available as required in the savings clause by WRDA 2000.

Mr. Harvey asked what role if any the WG and SCG could play to facilitate the process. Mr. Appelbaum said there is a lot of consultation with the Task Force on a variety of activities and it is up to the Task Force to determine what the role it will play. Ms. Klee said there is an enormous amount of work ahead. The regulations provide the Task Force with the opportunity to participate and many activities are required by statute. She noted that the Task Force will need to prioritize and make choices.

Indian River Lagoon (IRL) – The IRL feasibility report has been completed and a Project Implementation Report (PIR) as required by WRDA 2000 is being prepared. Since this was the first PIR, a lot of process related and analytical questions were raised and needed to be addressed. The good news is that the recommended plan in the feasibility report has been reaffirmed. The draft PIR and supplemental EIS will be out this month and a public meeting is scheduled for Jan 13, 2004. The public comment period will end on February 10, 2004 and the final PIR will be transmitted to the Headquarters by the 24th of March 2004.

Mayor Anthony asked whether they had to develop any baseline data for public outreach and environmental justice issues as a part of the PIR. Mr. Appelbaum said these issues are addressed through the NEPA process and there will be supplemental NEPA documentation along with the PIR. The programmatic regulations address outreach and we need to make sure the PIR and NEPA documentation are consistent with the regulations and the law. Mayor Anthony said NEPA requires stakeholder outreach activities and an assessment of environmental justice. He suggested that they should not assume that people know that these issues will be addressed simultaneously with the PIR and that the process should be transparent. He noted that these issues are required and recommended that they occur throughout the entire process. He also recommended that the impacted communities be identified. He acknowledged that it would be difficult and would require hard work to identify those minority communities.

Southern Golden Gate Estates (SGGE) – The groundbreaking ceremony was conducted in October to begin the Prairie Canal restoration efforts. The PIR will deal with the totality of the efforts within the SGGE area. A total of 19 alternatives were developed to solve the hydrologic problems necessary to meet the restoration objectives. Of the 19 alternatives, three (3d, 6 and 12) were deemed viable and are being further developed, designed and evaluated. Costs range from \$50 to \$100 million and a draft PIR is expected in January.

Mr. Duncan said that they are filling wetlands before the NEPA process and the tribe is anticipating an opportunity to provide public comment as part of the NEPA process. He asked if the Corps had issued a 404 permit. Mr. Appelbaum said that his remarks only addressed the overall study that will determine what the plan will be. Mr. Barnett said they received a 404 permit from the Corps and that contrary to destroying wetlands this project would restore wetlands. Mr. Duncan said the fill had occurred and wanted to when the public had an opportunity to provide comment. Mr. Appelbaum said that he did not have specific information for the initial project, however, he reiterated that NEPA is a part of the PIR and there will be public review and comment on the draft PIR and supplemental EIS.

Land Acquisition Strategy

Mr. Mark Musaus reviewed the Strategy which identifies land acquisition initiatives from the federal level down to the local level. The current draft has information updated as of September 30, 2003. The task team made several additions to the original Strategy including less than fee simple acquisition and Farm Bill conservation programs. The draft identifies conservation easement lands and mitigation bank. Considerable effort was placed on Goal 3 and all sixteen counties within the WMD boundaries provided information. Appendix F is the SFWMD's plan for land acquisitions in 2004 to support priority

acquisitions. Several maps are including the map listing all state and federal projects, originally known as the Graham map. He noted that this continues to be a work in progress. He thanked Sally Jue, Cheryl Jones, Jim Muller and Theresa Woody who have been instrumental in putting the document together.

Ms. Klee recognized that this report reflects an enormous amount of work and coordination. She noted there are significant additions to the previous version. She supported the idea of updating it annually. She said there were a number of things that needed to be addressed before the Task Force was in a position to adopt the report or include it in any submission to Congress. There are some internal inconsistencies in terms of the number of acres they want, number of acres that have been preserved, how much money is necessary, what has been accomplished and a general lack of congruity. She asked the team to undertake a more rigorous analysis and try to come up with a real assessment of what the priority needs are in terms of land acquisition. She asked why the number of acres of land defined as necessary and priority acquisitions has increased. Why does the number change in different places in the report? Why are we still estimating the cost of land acquisition in 1999 or 2000 dollars? She said this sets them up for unintentionally misleading the public and Congress and setting expectations too high and thereby over estimating what is do-able. She also noted the rather limited characterization of the value of less than fee acquisition. She stated that the real value was in defining how they could use conservation easements, other forms of less than fee acquisitions and partnerships to achieve the land acquisition goals. The reality is that we do not have the funding to acquire all of the fee acquisitions that we want. The strategy needs to explore how we can leverage our resources, to look for opportunities for partnerships, conservation easements, flowage easements or other new lands tools. She said that we ought to be working with the Land Trust. She recognized that this was a huge amount of work that would require some very creative thinking.

Mr. Collins commented that the document did not reflect the current reality and the SFWMD had already moved on to public/private partnerships. They are looking at alternatives for leasing water storage on the Kissimmee and other areas and this is not reflected in the report. He agreed that they are not going to get more land than proposed in the yellow book and they need to look at alternatives, which they are already doing along with DEP. They are trying to minimize the amount of land to be acquired.

Mr. Duncan said that it has not been the tribe's experience that partnerships have been fully explored. In the case of SGGE, the Governor and the Cabinet directed DEP to talk to the tribe about land swaps. DEP went to Collier County and filed a quick claim deed against sovereign tribal lands and because of this the tribe is in court. He noted that they are still willing to talk to them about SGGE but the only option is to buy and acquire. The tribe, culturally, cannot sell land, they are happy to see restoration, but selling tribal land cannot take place.

Mr. Barnett said the report does a good job of identifying a land acquisition strategy for the Task Force - those projects that are state and federal, state and local, federal and local partnerships. It also identifies those that are purely federal trust resources such as infilling. He asked for a given project, such as Allapattah, if there was a way to better define the project specific level of interest that the local sponsor must have on the lands for it to qualify for the state-federal partnership and whether there is adequate interest in the land to say it is eligible to be a CERP project. He noted that the policy aspects of this question are not certain. The ability to get credit for less than fee acquisitions would minimize the acreage necessary for ownership but would not limit the acreage for the CERP footprint. He acknowledged that it would vary from project to project.

Mr. Collins said the report provides an accurate snapshot of what it owned at a given moment. Ms. Klee said the information is as of September 2003 and it is incorrect on federal side. She added that the report is incredibly valuable and, therefore, more needs to be done. **Follow-up: Ms. Klee asked the team to identify other types of tools as well as legal obstacles. If there are issues about how they deal with credit or talking to Congress, identify them so that the Task Force could start to deal with them. That would be the logical next step to making this document more useful and creative. She clarified land acquisition would continue, the question is how to maximize the limited resources available. She asked the team to provide another draft.**

Public Comment

Mr. Patrick Hayes said that they were told that the yellow book was an indication and the direction they were heading and hoped that alternatives did not exclude the possibility of adding more storage or more lands. The concept of adaptive management demands flexibility where it made sense and he hoped they would not be too restrictive to the yellow book. Ecosystem restoration hinges on environmental water supply, which is a two-sided coin. On the one side, the lack of water for the system, have MFLs and reservations. However, there is no mechanism for the other side of the coin, which are the peak discharges. The estuaries are the ultimate recipients of the water coming off the land as a result of much needed flood control projects. These discharges are extremely detrimental to the functioning and health of the estuaries such as the Indian River Lagoon. He asked that they look at having a mechanism looking at peak volume discharges similar to MFLs and reservations.

Capt Ed Davidson (Chairman, FL Keys Citizen Coalition) said he endured nine years of the lower east coast water supply process and was former Chairman of the Florida State Audubon Society. The Florida Keys is the net recipient of a great deal of the mismanaged water in south Florida. He said that if the Task Force doesn't solve some of the conflicts, then he was not sure who would. He added that by default it falls to this group or it would not get done. He said that they need "more dirt and more ditches and more frogs in the frog pond". He said that pre-CERP conditions include promises that could not be kept and were unrealistic promises and everyone knew it. He reminded them that restoration is bigger than CERP and whatever is done, has to be sustainable. The ecosystem has to be the primary focus and said the challenge with adaptive management is that it "always seems like a much better idea when someone else is doing the adapting".

Task Force Discussions of Survey Responses

Ms. Klee recognized the special event they were celebrating noting that it has been a remarkable achievement that the agencies, state and tribes have been able to keep this up for as long and successfully as they have. She noted that as she looked around the table she saw experienced and dedicated individuals contributing to an ambitious project. This is a model for the rest of the country and the world and that many are interested in what is being done here for the Everglades. She encouraged everyone to "dream and believe in the art of the possible" similar to Fred Smith who thought up the idea of reliable overnight service and later founded Federal Express. She noted the many successes of the Task Force over the past ten years and added that there are many difficult issues ahead. Although they disagree on many issues what they bring to the process is invaluable. She thanked everyone for allowing her to be a part of the process.

Mr. Stu Langton thanked the members of the Task Force for responding to the survey (the report documenting the survey results was provided in the three-ring binder). He reviewed the survey responses to the nine questions posed through a series of interviews he conducted over the telephone. An extract from the report that summarizes the major points follows:

Summary of Major Points

The overall tone among members in regard to the Task Force was positive with particular appreciation for the current leadership. The views expressed by members were insightful and diverse. To appreciate the full range of ideas and opinions, Appendix A should be reviewed. The views expressed most frequently in regard to the nine questions are as follows:

1. The major accomplishments of the Task Force include providing a common forum to share information, promoting consensus, helping to secure key legislation such as the Water Resources Development Act (WRDA), CERP, and Farm Bill provisions, and providing a holistic and integrative restoration perspective.
2. The major reasons for the Task Force accomplishments are the ability of Task Force leaders and the composition of the membership.

3. The major shortcomings of the Task Force are the limitation inherent in being an advisory/coordinating group, parochialism by agencies on occasions, and reluctance to address some issues of conflict.
4. Factors that have contributed to the shortcomings of the Task Force include irregular meetings, poor attendance, and non-significant agenda items.
5. The major lessons to be learned from the first 10 years of experience are: to address critical issues in a timely manner, to provide adequate direction to the Working Group and its sub-groups, and to establish clear Task Force priorities and meaningful agendas for all meetings.
6. The most important issues the Task Force should address in the next ten years are: water quality, population growth, assuring real progress, maintaining a holistic ecosystem perspective, and provision of qualitative scientific input.
7. The priority issues of the Task Force for the next several years should be the progress of CERP, modified water deliveries, and water quality.
8. In providing consultation to CERP, the role of the Task Force should be clearly defined and it should be highly collaborative and not heavy-handed.
9. The changes that should be made in the Task Force are to strengthen the Working Group and Science Coordinating Team and their relations with the Task Force, to be disciplined in maintaining a meeting schedule and focus on only the most meaningful issues, and to address conflict issues in a timely and thorough manner.

Public Comment

Mr. John Adornato (National Parks Conservation Association) said NPCA is looking forward to participating on the CSOP Advisory Team. Restoration and the elimination of barriers to flow in these areas are critical to the Everglades. NPCA also looks to the CERP decompartmentalization project to continue to investigate the raising of Tamiami Trail to a skyway. He invited the members to attend the 10th Annual Everglades Coalition Conference from January 21 – 25, 2004. An international forum will take place on the first day followed by the regular conference.

Task Force Discussion of Survey Responses

Mr. Collins said there seemed to be a common vision of future problems and possible solutions. He said the Task Force could have been better with dispute resolution and yet there is no authority to resolve conflicts. Ms. Klee asked whether the Task Force wanted to be the entity where disputes were hashed out. She said she was not sure of the answer and admitted the Task Force had steered clear of the hard issues and focused on process and structural issues. She noted the Avian Ecology Workshop was the first step in putting the single species management versus multi-species management issue on the table. She was willing to have the Task Force and the Working Group and the Science Coordination Group take this issue on and provide Interior with a recommendation, recognizing that it would only be a recommendation. She was not sure the group could do it.

Commissioner Diaz expressed his desire to take on a more active role. If said that if authority was an issue, then perhaps they should request more authority and assume accountability. Mr. Duncan said the Micosukee Tribe would like to see the Task Force exert more of a leadership role but questioned whether it was possible without an act of Congress. He noted that each agency will follow their chain of command and there is no unified leadership and the operating rules need to change. No one will want to give up any “turf.”

Ms. Davidson commended the Task Force adding that it has provided a viable model for integrated coastal management. She compared the Task Force to a prism where each member brings a facet to make it whole and show light. She said that more than CERP is needed for the restoration to work and challenged the group to articulate three or four “stretch goals.” Ms. Klee said it is true that the USF&WS has its statutory responsibility; however the power of this group in providing strong recommendations could have a

tremendous impact. She saw as a shortcoming that the Task Force has not been forceful in making strong recommendations. Mr. Duncan said that he hoped she was right, but that single species management has been practiced for the last five years. Ms. Klee said the USF&WS is putting steps in place to do things better and she noted that real change takes time.

Mr. Barnett said the group does its best work when it has a specific issue to deal with such as identifying the priority lands to acquire for the Farm Bill and Critical Projects. He was most proud of the work of the Lake Okeechobee Issue Team which was later codified almost word for word in Florida law. Mr. Salt said the Task Force has frequently played a role in preventing conflict, but that once an issue gets in to the courts differing sides dig in their heels.

Mr. Dean said that he valued the opinion of everyone here, although he takes direction from his Governing Board. He said he does go back and report on those things the Task Force is recommending. The Task Force should take on tough issues such as the Cape Sable Seaside Sparrow.

Mr. Harvey said the Issue Teams worked on hard issues without relinquishing their authority. Ms. Klee said there is general agreement that this group could do more and they need to come up with a way to prioritize issues and find the best role. Mr. Collins said they could take on one or two large issues beyond the assigned tasks. He noted that the WRAC is currently meeting six times a month. He noted that this is not a stand-alone model noting the previous efforts of other groups like the Governor's Commission and Mr. Causey's work in establishing the Keys Marine Sanctuary, however to reach agreement takes time.

Mr. John Arthur Marshall said he was disappointed by the lack of statistics in the survey and that the topics were not ranked. Ms. Klee responded that the purpose of the survey was to get issues on the table to begin the discussion. Mr. Marshall acknowledged that it did a good job of identifying the issues.

Meeting adjourned at 5:05 PM.

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South Florida Ecosystem Restoration Task Force
Delray Beach, Florida
December 3, 2003*

Welcome

Mr. Rock Salt introduced Congressman Clay Shaw who provided welcoming remarks to the group.

Task Force Discussion of Issues for the next Ten Years

Ms. Klee called the regular meeting to order at 9:00 AM. She recognized Mr. Steve Hart from Congressman Diaz Balart's office and Ms. Peggy Kiser from Congressman Shaw's office. She also welcomed Mr. David Struhs.

Mr. Stu Langton told the group that how questions are asked is important. WRDA 96 had ten duties for the Task Force, some specific and some general. It is important to be aware of these duties and see where improvements could be made. He then facilitated discussion by asking a series of questions. *Mr. Langton asked the group to summarize yesterday's discussion regarding the survey results.* Mr. Harvey reiterated the Task Force should focus on a few specific issues that add value to the implementation of CERP. Ms. Klee noted there was a consensus for the Task Force to take a more active role in the key issues. Commissioner Diaz said CSOP should be the number one focus and must be implemented before CERP. *Mr. Langton asked for the group's thoughts on the issue of conflict resolution.* Ms. Klee said that taking on the tough issues would also address another concern of making the agendas more relevant. *Mr. Langton asked the group to identify the issues relevant for the Task Force over the next ten years.* Mr. Duncan said they need to focus on water quality, CERP starts with the assumption that water quality is being met, but the new law pushes the date back ten years. Ms. Klee said that water quality as an issue was too general and that they needed to prioritize and identify the specific issue under water quality. The Guiding Principles will help determine whether or not it is something the Task Force wants to work on. Ms. Davidson said that integrated ecosystem management and integrated monitoring should be discussed. It's good to know what everyone is doing and collectively leverage dollars. Mr. Marlow said the emphasis should be on CSOP, an immediate need, whereas water quality was a long-term issue. Mr. Harvey explained that water quality is not a long-term concern, particularly water quality issues associated with CERP. He asked if the list should be divided into CERP and non-CERP categories.

Ms. Klee asked for clarification concerning the population growth comment in the survey response report. Mr. Langton answered that if the population continues to grow at very rapid rate, then would that increase the competition for water. He said some of the members thought that it was a state issue and others thought that it was a broader long-term issue, but there were no recommendations on to how to deal with it. Mr. May commented that an issue the Task Force may want to consider is the amount of flexibility in the plan. The plan was based on a win-win so if new population growth estimates exceed the estimate used for the plan, then that could be a problem. Mr. Collins said that not all issues fall within the purview of the Task Force noting an established process and procedure for modified water deliveries and CSOP. On the other hand we may want to consider issues like invasive exotics where we don't have a master plan. Mr. Emrich said the Task Force should first establish the principles before distilling the specific issues. He stated that we must begin with the statutory mandates, then workability parameters, and then a temporal component. Mr. David Struhs said that some of the tension manifested in the discussion may result from the general nature of the items identified as 10-year issues. Mr. Langton suggested that as a follow-up concerning these general issues, the Task Force members could provide more specific issues or concerns and then begin to build a set of principles to help guide future priorities.

Mayor Anthony suggested they look at the impact to those regions where land is being bought and how communities are dealing with those issues. He asked that in addition to environmental, flood protection and water supply factors that the economic impacts to the region also be evaluated. He also supported CSOP as a priority issue. Mr. Collins reminded the group that they struggled with having CROGEE look into social science since they were not sure what to use as a mechanism beyond environmental justice. Mr. May noted that the agencies had a responsibility to do outreach and environmental justice and asked the

Task Force to consider ways to provide a value added above and beyond the agencies' efforts. Mayor Anthony said the Task Force could serve as the "umbrella group" for the agencies and have input in those regions. Ms. Klee thought that the Task Force should also consider how restoration will affect local communities. Commissioner Diaz provided the 8.5 square mile area as an example of a specific local interest issue.

Mr. Dean suggested having two categories. One category would address long-term generic issues that the Task Force needs to monitor on a regular basis such as CERP. The other category would address issues requiring immediate attention. He identified CSOP and multi species management as the two top immediate issues. Mr. Harvey said ASR is moving ahead and the process needs to be tracked closely so that we don't end up six years down the road and find we have permitting challenges. Mr. Duncan agreed CSOP, Sparrow and Modified Water Deliveries, which are all interlinked, may be something this group could actually do. However, water quantity, water rights, water allocation and privatization are not on the list. To help address the specificity issue Mr. May asked what the group wanted to do that would add value and not duplicate what the agencies were doing with respect to water quantity. Mr. Woodley asked for the Task Force to provide the Army with input on establishing the interim goals that are due in one-year. RECOVER, a technical, not policy, group will develop recommendations that will need to be vetted. Mr. Struhs said he recognized that interim goals are related exclusively to CERP and they will not capture those things outside of CERP. Mr. Langton agreed that the larger perspective should be relevant to the goals of the Strategic Plan which would include CERP.

He reviewed the eight principles (Encl. 6) identified by the Task Force survey as the keys to their success. Mr. Emrich said he was not sure that this list was the right one for a filter, for example how they could control the bi-partisan approach principle and suggested adding more specificity. Stu replied that the group wants to hear differing views and that historically restoration has been bi-partisan.

Stakeholder Presentations

Brenda Chalifour said she was thrilled to see the Task Force take an ecosystem perspective to include beaches and shores, oceans and reefs. She introduced Dan Clark who said he was glad to see coral reefs and off shore habitats on the list. The problem was not just sewer, there are no proper facilities to deal with this stuff, and water standards need to be set. The Coral Reef Task Force held a closed meeting and members of the public were not allowed to provide input. He asked for guidance – for a model they can use. He thanked Mr. Struhs for his letter. He said agencies have the ability to turn this entire thing around by not permitting activities that are destructive.

Tony Clemente (PBS&J) noted the diversity of the utility and urban community. He urged the group to be more involved in outreach, which was "out" and not "at the table." Urban communities react when flooded or affected by drought. He reviewed ten items the group needed to focus on including having a plan of action. He closed by saying that they should not lose sight of the goal regardless of decisions.

April Gromnicki (Audubon of Florida) recognized that many individuals present have been engaged for most of the ten years and noted the members' level of focus and attention. She said she was pleased to see the agenda for this meeting noting there was a lot to celebrate. However, for Everglades Restoration to move forward Kissimmee, Modified Water Deliveries, C-111, Critical Projects, CERP, SGGGE and IRL are all needed. WPAs should all be completed in the next ten years. They need to overcome the issue of funding and no new starts policy. She read a list of efforts including CERP improvements, exotic and invasive control, contingency plans, public support and political wealth that are needed and encouraged the group to continue to serve as the transparent forum. If overuse and damage of the resources continues, then the plan will fall short. She noted the need to focus on healing relationships and moving forward. The role of the Task Force should be to minimize obstacles and interact with stakeholders. She noted the Pews Ocean Report recommends working together and not competing over restoration projects.

Doug Bournique (Indian River Citrus League) noted there are 1,100 grower members in the area and they grow more grapefruit than anywhere else. Almost 50% of their production costs are to produce grapefruits in an environmentally sustainable way and over 200 growers have gotten involved in BMPs. He said that the WMD is buying 25,000 acres of citrus and the plan will eventually buy 110,000 acres.

Task Force Discussion of Priorities

Mr. Langton reiterated that there were a tremendous number of issues that the Task Force could potentially face over the next ten years and that having criteria to select the right priorities was essential. He then began a discussion to identify priorities for 2004. He stated that the previous discussion and the survey results identified four top priorities: CERP, CSOP, MWD, and Water quality. The task now is to identify the specific actions under these general headings for 2004. *He asked what the Task Force can realistically accomplish with respect to these four items.* The Task Force meets only four times a year, however, it has a Working Group, Science Coordination Group and the Office of the Executive Director. Mr. Dean said that he considered multi-species management and CSOP as the top two priorities and necessary to implement the other three. Mr. Collins reiterated that although these issues were important, some of them already have a process in place. He noted that Modified Water Deliveries has a solution that is being implemented. Mr. Earl Stockdale said the legislation creating the Task Force envisioned that it would provide recommendations for the Comprehensive Plan and also included a number of broader responsibilities such as coordinating and sharing of information. Now, in the era of implementation, the Task Force needs to determine what issues it can realistically take on and where it can add special value. He suggested using that as a lens to help sort out what it would do. He said he was not really sure what the resource capabilities were but did know that conceptually the Task Force has great utility to the Army. He noted the power of the forum to take into account all factors into the decision-making process. The Endangered Species Act is a huge issue for the Army and it would be helpful for the Task Force to identify, legitimize and provide solutions to specific problems. He also noted that the programmatic regulations contemplate 13 to 15 opportunities for Task Force involvement. The Task Force needs to determine how they will respond to these opportunities. He urged the Task Force to narrow the list, get specific and to not be afraid of taking things on. Ms. Klee wanted to add interim goals and targets to the top of the priority list.

Mr. May reviewed the summary of statutory and other requirements of the Task Force (Encl. 7) and a summary of the strategic goals and objectives. After hearing all of the responsibilities, Commissioner Diaz recommended reducing the priority list to include: CERP implementation and interim goals and targets, MWD and CSOP, and multi-species management. Mr. Collins suggested adding water quality policy to the CERP priority.

Mr. May said that he has already made initial contact with the Army to analyze the synchronization of their schedule with the Task Force meeting schedule. Mr. Stockdale said the Task Force may decide the information provided to date for the IRL is not detailed enough. Mr. Anthony asked about the science plan due in February. Mr. May said that it is an analysis of the science staffing needs. Ms. Klee stated that the Science Group will be asked to review the draft and the Task Force has to come prepared to edit the report. Congress has asked for this report and Task Force has to provide it. Mr. Langton asked who would write the report. Ms. Klee said the Task Force has control over the report format and that it should be reasonable, realistic and should reflect the views of this group.

Mr. Langton noted that the Interim Goals draft is due June 14. Ms. Klee said that RECOVER is responsible for developing the draft and the Task Force will review the draft. Mr. Duncan asked how quickly they can “turn dirt” and “who can give the order” regarding the completion of 6D because CSOP and Modified Water Deliveries depend on it. Regarding multi-species management he asked who could authorize a captive breeding program now because that would solve the S12 problem. There were several suggestions regarding the agenda structure, possibly adding an extra ½ day instead of two ½ day sessions. Mr. May suggested that as a way to maximize the time, they could do work via e-mail in between meetings similar to when they voted on the charters. Mayor Anthony asked that we schedule an agenda item, deal with it and then move on to something else for the next meeting. He also encouraged staff recommendations to provide a starting point for Task Force discussion. Mr. Stockdale recognized that time was precious, but said that if we really want to take on the tough issues, then we need to take a little more time, perhaps another half day. **Follow-up: Ms. Klee said they need to do as much prep work ahead of time and asked Mr. May and staff to put together guiding principles and provide them to everyone. She also asked for a conference call to be scheduled in January and have the group agree to some guiding principles in February.**

Leadership of the Working Group and Science Coordination Group

Ms. Klee suggested Jay Slack and Frank Bernardino to serve as Chair and Vice Chair of the Working Group. Commissioner Diaz made a motion and Mayor Anthony seconded, none opposed. Ms. Klee suggested a different approach for the Chair and Vice Chair of the Science Coordination Group and asked the group to consider Mr. Ken Haddad and Rock Salt. Commissioner Diaz made a motion and Mr. Dean seconded, none opposed.

Approval of Minutes

Commissioner Diaz provided edits to the October minutes and they were approved.

Public Comment

CPT Ed said many folks in the state love to have money spent in their locales. Be bipartisan and non-partisan, build a process that can survive five or six political regimes. He said it was time to adapt and think outside agency purviews. He said that while people are engaged in this room, local folks are making the situation worse because they are disconnected. He encouraged the group to do a better job of outreach.

Mr. Dan Clark provided a Power Point presentation depicting problems with the reefs. He said there is less mercury in the fish in the Everglades yet the list of fish unable to be consumed from the ocean continues to grow. Sponges, soft corals and hard corals are being affected. Cyanobacteria is a widespread problem and said the Task Force is taking a step in the right direction.

Ms. Brenda Chalifour addressed her comments to Mr. Woodley and Mr. Struhs saying that water quality degradation occurs from the discharge of outfall structures and turbidity from dredge and fill projects. She stated that a death warrant being signed by the very actions of people at this table. Issuing a permit with everything we know today is unconscionable. Then if we litigate we're "holding up progress." Beaches are a part of the south Florida ecosystem.

Ms. April Gromnicki said that previous meetings had reminded her of the movie Ground Hog Day, but that this meeting was different. She said the group needs to be realistic as to the use of models and annual funding for lands and science.

Mr. Patrick Hayes said that environmental restoration's foundation addresses water supply.

Mr. Anthony asked for local government representation/participation on RECOVER leadership.

Follow-up: Ms. Klee asked Mr. May to work with staff to generate a list of specific questions under the three priority issues. She announced that Congress may likely work on a WRDA 2004 bill and asked for the Task Force to consider any input they may want to provide.

Meeting adjourned at 12:35 PM.

Enclosures:

1. Briefing Booklet
 - a. Agenda
 - b. Dinner Invitation and Flier
 - c. Draft Meeting Minutes, October 2003
 - d. Meeting Calendar
 - e. Task Force Roster
 - f. Draft Working Group Charter
 - g. Draft Science Coordination Group Charter
 - h. CSOP Charter
 - i. Memo: Request for Advice on DOI Issues
 - j. Draft Annual Update of Land Acquisition Strategy
 - k. Federal Register: Programmatic Regulations
 - l. Summary of Task Force Survey Responses

- m. Moderator and Panelist Bios
- n. Excerpt from 2002 Strategic Plan
- 2. Assessing the Economic Impact and Value of Florida's Public Piers and Boat Ramps
- 3. The Economics of Selected Florida Wildlife Management Areas
- 4. The Science of Restoring the Everglades: National Academies of Science
- 5. CERP Power Point Presentation
- 6. Principles Identified – Task Force Survey
- 7. Task Force Statutory and Other Requirements