

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
Anne Kolb Nature Center
May 17, 2006*

Opening Remarks and Administrative Announcements

Ms. Kameran Onley called the meeting to order at 1:00 PM noting the importance of Everglades restoration and how it was being studied by other restoration efforts as a model. On behalf of the White House she presented Cooperative Conservation Awards to the following non-federal members for their organizations' contributions to Everglades restoration: Jim Murley for Mayor Anthony on behalf of the 133 municipalities in the region; Roman Gastesi for Commissioner Diaz on behalf of the 16 counties in the region; Joette Lorion for Dexter Lehtinen on behalf of the Miccosukee Tribe of Indians; Carol Wehle on behalf of the SFWMD; and Colleen Castille on behalf of the State of Florida and its associated agencies. A Cooperative Conservation Award was also presented to Patty Powers for Jim Shore on behalf of the Seminole Tribe of Florida. Ms. Onley presented a certificate of appreciation to Bob Jones in recognition of his expert facilitation for the CSOP Advisory Team.

Ms. Colleen Castille reported that she and Ms. Carole Wehle participated in ground breaking ceremonies for the C-43 and C-44 Reservoirs and dedication ceremonies for the Ten Mile Creek and Taylor Creek Critical Projects.

The February meeting minutes were approved without objection. Ms. Onley recognized Peggy Kiser from Congressman Shaw's office and Kathy Copeland from the Council on Environmental Quality. The following members were in attendance:

*Kameran Onley, Chair, U.S. Department of the Interior
Colleen Castille, Vice-Chair, Secretary, Department of Environmental Protection
Merlyn Carlson, Deputy Under Secretary for Natural Resources and Environment, U.S.
Department of Agriculture
Billy Causey for Timothy Keeney, Deputy Assistant Secretary for Oceans and Atmosphere, U.S.
Department of Commerce
George Dunlop for J.P. Woodley, U.S. Department of the Army
Roman Gastesi for Jose "Pepe" Diaz, Commissioner, Miami Dade County
Joette Lorion for Dexter Lehtinen, Special Assistant to the Miccosukee Tribe of Indians
Matt McKeown, Principle Deputy Attorney General, U.S. Department of Justice
Jim Murley for Clarence Anthony, Mayor, City of South Bay
Patty Power for Jim Shore, Seminole Tribe of Florida
Carol Wehle, Executive Director, South Florida Water Management District
Brent Fewell for Benjamin Grumbles, Assistant Administrator Office of Water, U.S.
Environmental Protection Agency
Bubba Wade for Michael Collins, Water Resources Advisory Commission*

Whiparound

Ms. Onley announced that Interior's Inspector General had released its report on the Modified Water Deliveries project. She noted the scope of the audit was limited to Interior's role although the report recognized that there were many factors beyond the

department's control which had affected project cost increases and delays. The report concluded the department needed to improve its participation in the project and provided six recommendations. She said the department had been working with the Corps and others to get the project back on track and as a result of these efforts full funding for the 8.5 Square Mile Area had been provided and construction was underway with completion scheduled for 2006. She noted that the Army had completed the SEIS for Tamiami Trail and signed the ROD and the President's Budget included full funding for the design and construction of these components. She concluded by announcing that she would serve as the ultimate arbitrator for inter bureau conflicts and Rock Salt would serve as the senior representative on the ground.

Mr. Billy Causey said that Mr. Tim Keeney sent his regrets and announced that NOAA's funding shortfall for monitoring would be met this year and the following year because of help from the Corps. He thanked Mr. George Dunlop and Mr. Dennis Duke for their assistance. He reported that 85 to 95% of the population of three species of branching coral essential to reef development had been lost in the Atlantic.

Ms. Carole Wehle said the signs of construction in the field were starting to generate a renewed enthusiasm. She explained that every one of their contracts complies with Davis-Bacon. She said they had an aggressive minority program for vendors as well as an education program to train local communities in the skill sets they were short on.

Mr. Jim Murley said Mayor Anthony planned to attend the following day and added that the mayor appreciated the work addressing issues around Lake Okeechobee. Mr. Murley provided the members with a regional indicators document (Encl. 2) prepared at Florida Atlantic University dealing with urban and environmental issues in seven counties from Vero Beach to Key West.

Mr. George Dunlop noted this would be COL Carpenter's last meeting and thanked him for his leadership. He said there was a reasonable expectation that they would receive the money needed to rebuild the Herbert Hoover Dike and provide a level of protection to withstand the effects of a storm event that may occur once every 935 years. He commended state and local officials for developing the non-structural aspects of preparedness such as evacuation plans. He emphasized the importance of residents heeding local officials and stressed that no structure would provide 100% assurance or protection.

Mr. Matt McKeown thanked Broward County for hosting the meeting.

Ms. Joette Lorion said she was heartened by the Inspector General's report and hoped that DOI would take consistent positions under Ms. Onley's leadership. She reported the Special Master had completed the hearings on the remedies in the Everglades case and would issue a report to Judge Moreno in 45 days. She said the judge had issued an order in the case against EPA over the phosphorus rule in the EFA and the S9 case was ongoing.

Mr. Brent Fewell reported that they would continue to work with state partners on the water quality standard. He said he reviewed the Lake Okeechobee material provided in the readahead and was pleased to see the aggressive initiatives ongoing with 70 TMDLs proposed four years ahead of schedule.

Mr. Merlyn Carlson summarized key USDA projects that contributed to this effort such as the \$18.5 million being spent through the Environmental Quality Incentive Program (EQIP) dealing with water quality. He announced a change in 2005 for the land appraisal process that allowed the NRCS to offer landowners a higher price per acre on permanent easements. He said they were also working on plant species that would help control the spread of citrus canker.

Mr. Roman Gastesi on behalf of Commissioner Diaz thanked Ms. Loly Espino for her work on CSOP Advisory Team and the SFWMD for helping Miami Dade County come up with the interim 18-month water use agreement. He introduced Mr. Carlos Espinosa the acting DERM Director and Ms. Donna Fries the Water Resources Coordinator.

Mr. Malcom “Bubba” Wade reported that the WRAC technical subcommittee on Lake Okeechobee was starting to make progress and was looking at things that were previously discounted. As a Clewiston resident he acknowledged that the cities around the lake did not have evacuation plans but noted that emergency management planners were working to put those plans in place.

Executive Director’s Report

Mr. Greg May reviewed the follow-on actions from the February meeting. He announced that the Natural Lands Report and preamble had been forwarded to Washington (the report was accepted on February 22 and the preamble was accepted on March 10). He said that an update of the status of the Interim Goals Agreement and Interim Targets Agreement would be provided today. At a future meeting the agreements would be presented for consultation with the Task Force. He noted the presentations on system-wide restoration challenges, Lake Okeechobee, land costs and pesticides. He said that the final consensus recommendations for the CSOP Advisory Team would be presented to the members tomorrow.

For information Mr. May announced that the GAO had completed five reports affiliated with south Florida restoration and was currently in the survey phase for the sixth report. The GAO anticipated the report would be completed sometime in 2007. The GAO was using the Task Force’s 2004 Integrated Financial Plan as the baseline and had developed four broad question: for the survey:

- What is the current status of the projects?
- What is the estimated cost?
- What factors were used to establish the project sequence?
- What are the major models and how are they updated and validated?

Finally Mr. May reviewed the Task Force reporting requirements for 2006. He asked Ms. Linda Friar to review the strategy and timeline for updating the Strategy and Biennial

Report for 2006. The goal was to present the reports to the Task Force for approval at the September meeting. Mr. May recalled at the December 2003 Task Force meeting the members decided to make better use of email to conduct business and to act in a less linear fashion. With this in mind the draft reports would be provided electronically to the both the Task Force and the Working Group for review and comments.

Restoration Update

Mr. Dennis Duke reviewed the status of the restoration projects including the following highlights:

- Modified Water Deliveries (MWD) - construction will begin in 2007 on the two bridge plan. He noted impacts to existing airboat operations because of the raised water levels and the expanded right of way to the south to accommodate a wider roadway.
- Kissimmee River – all needed land has been acquired and the Corps has awarded the second backfill contract. The project scheduled to be completed in 2011. The President’s Budget includes \$50 million for FY07.
- Critical Projects – he noted the dedication ceremonies for the Ten Mile Creek and the Lake Okeechobee projects.
- C-111 (C&SF) – the land swap has been completed between the SFWMD and ENP and the project is scheduled for completion in 2011.
- Aquifer Storage and Recovery (ASR) – a contract will be awarded in the summer for the C-43 ASR pilot project. The Regional ASR Study is underway and the ASR contingency planning has been initiated.
- C-111 Spreader Canal (CERP) – currently in the alternative plan analysis phase. Progress toward a tentatively selected plan is being made and coordination with the Biscayne Bay Coastal Wetlands project is underway. He reiterated the Corps commitment to developing a plan that achieves environmental restoration and noted that studies were ongoing to determine the pump size needed to maintain the existing level of service.
- Comprehensive Water Quality Feasibility Study – the Corps is working with DEP to finalize the agreement for the study.
- Programmatic Requirements – the Guidance Memoranda have been completed with the exception of GM 4 which is being revised. The ASA’s office is scheduling a 5 Year Report to Congress briefing with OMB.

Acceler8 Update

Mr. Paul Warner reported that Acceler8 would provide 400,000 acre feet of surface water storage capacity and over 27,000 acres of stormwater treatment areas. He said that five

projects were under construction, two construction solicitations were underway and the Site 1 Impoundment Basis of Design Report (BODR) was out for public review. He reviewed the current and upcoming activities noting that \$9.4 million for construction had been spent to date. He reviewed how PIRs and Acceler8 projects were coordinated and integrated as well as the multiple opportunities for agency and public input. He said the strategic objective was to provide early restoration benefits to the Everglades through the use of Certificates of Participation (COPs) and streamlined federal and state processes.

Ms. Lorion asked for clarification on the process. Mr. Warner said that by the time they get the TSP numerous alternatives have been reviewed and screened down as part of the PIR process. Ms. Lorion questioned how they could apply for a 404 permit before they've finalized the EIS process. Mr. Warner replied that when they apply they know conceptually what they are building but the specifics have not been worked out. Ms. Lorion asked about the bonding. Ms. Wehle stated the COPs have not yet been issued but they anticipate needing the revenue this fall. She said this method of funding had been validated in court.

System-wide Restoration Challenges

Mr. Dennis Duke reviewed the historical system and the problems associated with water quantity, quality and timing and distribution. He summarized program challenges that included funding for public projects, biological response time, long-term monitoring, and the federal process. He also said there were funding challenges and the perception of cash flow inequities. While the plan provided for 50-50 federal and state participation current state expenditures outstrip federal expenditures. This is primarily due to the state acquiring land early to preserve the footprint generally outlined in the plan. He said lack of a WRDA had also been a challenge. He began to review basin specific challenges stressing that they must work together and focus on resolution of issues and challenges. Due to the length of the presentation Ms. Onley asked for the basin specific challenges to be rescheduled for the next Task Force meeting.

Lake Okeechobee

Ms. Susan Gray reviewed the Lake Okeechobee Estuary Recovery program components which include revising the Lake Okeechobee operating schedule and supplementing the Environmental Resource Permit (ERP) criteria to address water quality impacts due to new developments and land use changes. She noted that implementing MWD and local government participation would contribute to the success of this project. Ms. Lorion asked where the extra water and phosphorus would go. Ms. Gray explained they were looking at alternative storage options such as surface and groundwater. She emphasized that the technical staff were trying to ensure that the solution did not cause additional problems as they try to improve the overall condition of the lake. She said the Corps was committed to revising the schedule as capital projects come on line.

Land Acquisition and Land Values in Florida

Ms Wehle introduced the presentation noting that the average price used in the Yellow Book was \$2,000 per acre. She stated that policy discussions were needed now to deal

with rising land values and other challenges. Ms. Ruth Clements reported that 85,000 acres had been acquired over four years at a cost of \$1 billion. The district has averaged 23,000 acres of land per year and if they continued at this pace CERP land acquisition would be completed in 8.5 years. She said that 55 percent of CERP lands had been acquired with 385,000 acres remaining to be acquired. This year Governor Bush approved \$135 million for CERP acquisition representing an increase of \$35 million. She announced that the land acquisition for Kissimmee had been completed and noted that less than 1% was through condemnation. She said the major funding sources include Save Our Everglades Trust Fund (\$135,000,000), Florida Forever Funds (\$36,750,000), Department of Interior Grants (CREW \$4M) and Wetlands Reservation Program Grants.

The SFWMD is currently leveraging funds and stretching existing dollars by using:

- Multi-year payout options
- Federal/state/county partnerships
- Creative Solutions
- Multiple funding sources yield multiple benefits

Ms. Clements stressed that she focused on what was needed for construction and not on natural lands. Ms. Wehle added they would need \$2.5 billion for land acquisition for the natural lands component. She thought they would need to look at alternative solutions, work with local governments and discuss whether they could shrink the footprint and still achieve the environmental benefits.

Impacts on Restoration from Pesticides and Residual Pesticides

Mr. Bob Kukleski reviewed the purpose of the Environmental Assessment (EA) process which was to identify areas of environmental impairment associated with properties proposed for acquisition and to evaluate potential remediation alternatives. He acknowledged the work done by Bob Frakes and his staff. He said properties were evaluated based on the projected land use and there was significant interaction with FDEP and USFWS. An extensive remediation capability allowed management the option of purchasing a property in an as is condition and bring it up to the criteria necessary for the implementation of the project. He said that thousands of acres of agricultural lands would be inundated to create reservoirs and STAs and noted that some properties used for row cropping involved frequent application of pesticides such as DDT, chlordane and taxophene. Conversion of these properties would likely promote the release of residual agrochemicals and there would always be some degree of ecological risk. He said the Lake Apopka bird kill served as a lesson and not an impediment.

Interim Goals Agreement and Interim Targets Agreement Status

Mr. Dennis Duke reviewed the background and the purpose of the Interim Goals and Interim Targets Agreements noting they were two separate agreements. He said they were currently trying to address the comments they had received and that both agreements were being revised and would be presented to the Task Force at a future meeting. Ms. Castille said that the documents seemed to be in conflict with each other. Mr. Duke said there was an artificial split because CERP was about increasing water

availability for all users. Ms. Castille asked why they couldn't be put in a single document. Mr. Salt said he could think of no reason why this could not be done. Ms. Onley asked to have a revised draft at the September meeting.

Public Comment

Ms. Juanita Greene (Everglades Coalition) asked the Task Force to take into consideration the future of the EAA as the Strategy is updated. Ms. Greene provided a resolution from the Coalition asking the Task Force to develop a Strategic Plan for the EAA.

Mr. Mark Perry (Everglades Coalition) stressed the need to keep an open mind with regards to the EAA. He said Mr. Bob Graham addressed the Coalition and had emphasized, on more than one occasion, the need to acquire development rights or conservation easements. Mr. Perry said that approximately 855 billions gallons of water was dumped into the estuaries and out into the Gulf of Mexico - freshwater that was needed was wasted.

Mr. John Marshall (Arthur R. Marshall Foundation) provided written comments (Encl. 4) and noted his summer interns would be looking into the need for a Strategic Plan and a Regional Conceptual Ecological Model for the EAA. Their vision was to have an agricultural economy that restores and preserves the ecological value of the region with development that does not impede either.

Ms. Betty Grizzle (Everglades Foundation) noted she appeared before the Task Force in February expressing concern with the discrepancy between the RECOVER Report and the draft Interim Goals Agreement. At that time she requested documentation on how the changes were made and renewed her request. She said it still appears that the document was not being developed in transparent process.

Mr. Tom Van Lent (Everglades Foundation) reported that on March 13 Senator Smith sent a letter to the Corps on the lack of transparency in the CERP process. Scientists were being denied the opportunity to observe technical meetings and to comment. He emphasized they were not asking for new or additional meetings but access to existing meetings.

Ms. Jamie Furgang (Audubon of Florida) provided written comments (Encl. 5) and noted that several important issues were raised at this meeting and she hoped these issues would be addressed and solutions put on the table. She said that transparency in CERP and Acceler8 had declined. The RPDT process had limited public involvement to briefings which were mainly progress reports and the public was being shut out of the technical meetings. She reminded everyone of the important contributions made by stakeholders and also urged the agencies to use the Evergladesplan.org website to disseminate information. Ms. Wehle encouraged Ms. Furgang to contact her at any time and added she was happy to help.

Mr. Patrick Hayes (Martin County Soil and Water) stated that the rivers, lakes and estuaries were overburdened with phosphorus and there needed to be a ban on the use of phosphorus in urban fertilizer. The estuaries are vital and they cannot store - or reservoir - their way out of this problem. He supported Ms. Wehle in finding other people's money and added that they needed to have the utilities and the drainage districts at the table with their dollars. He reported that FPL came up with money, land and development rights for two major reservoirs in St. Lucie County. They cannot afford to continue to issue ERP on agricultural lands to developers without catching up on water storage.

Ms. April Gromnicki (National Audubon) noted she was bothered at seeing the word "trust" as a challenge. They needed to work towards ensuring that there was public access and involvement of the stakeholders. She said the goals - which were supposed to be done in 2000 - have gotten more ambiguous. She said that Biscayne National Park was a treasure and they needed to figure out the answer to the problems. She suggested that rather than focusing on other people's money they focus on everybody's money and that the money they currently have focus on natural land priorities.

Next Steps and Closing Comments

Ms. Onley reiterated that the basin challenges be added to the next agenda. Ms. Castille said the message today was that they have some serious problems funding this project and they needed help in finding different ways to do this other than through acquisition.

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Administrative Announcements

Ms. Onley called the meeting to order at 8:43 AM. The following members joined the meeting.

Jose "Pepe" Diaz, Commissioner, Miami Dade County

Terry Rice for Dexter Lehtinen, Special Assistant to the Miccosukee Tribe of Indians

Consultation Workshop

Broward County Water Preserve Area (WPA) PIR

Mr. Mike Rogalski said the project purpose was to reduce undesirable losses from the natural system through seepage and to capture and redistribute stormwater runoff previously discharged to WCA 3. He reviewed the status of the project noting the Draft PIR public comment period closed in May 2006. He reported the team was currently updating the PIR EIS and responding to comments. He anticipated the final PIR EIS would be ready in the fall and it would be distributed at that time for additional comments. He stated that alternative A4 was the recommended plan which includes a C-9 impoundment, C-11 impoundment, seepage management and recreation features. He reviewed the estimated costs - \$405 million in the Restudy versus \$520 million in the PIR. He pointed out that the North New River channel modification was an additional feature in the PIR that was not in the Restudy and that the Holiday Park would remain. He anticipated completion in 2.5 years.

Public Comment

Mr. Dan Clark asked whether there would be additional public meetings. Mr. Rogalski said they would have another public comment period in the fall. Mr. Jeff Needle added that flood protection would not be impacted by this project and an ancillary benefit would be the release water to meet salinity targets in north Biscayne Bay. He clarified that all of these features were included in the Acceler8 project. He said all the real estate needed had been acquired except for three tracts in Dade County.

Ms. Wehle noted that the WMD would have \$1.8 billion for construction and some of these projects as designed today were over the budget. At the next meeting they needed to discuss priorities and ask if they stick with the cap what changes would be needed. She asked for a policy discussion at the next meeting. Mr. Salt said he understood that there were options for Acceler8 to do a portion of the project and the Corps to complete it. Ms. Wehle said there were a lot of options but they needed to be discussed.

Ms. Onley noted there was general agreement with the PIR and benefits but larger questions about costs and priorities remained. Commissioner Diaz said Miami Dade provided comments and were awaiting answers to the questions. Mr. Salt noted that with increasing land and construction prices, the Corps and WMD were trying to find more efficient engineering solutions to achieve performance in more cost effective ways. He

agreed the team had done a good job on this project. Mr. Duke reiterated there would be another draft to ensure all the comments had been addressed.

Everglades Agricultural Area (EAA) PIR

Ms. Pauline Smith reviewed the project objectives which includes providing storage for releases from Lake Okeechobee to reduce the harmful effects on the St. Lucie and Caloosahatchee Estuaries. She said that the public comment on the draft PIR EIS closed on April 10, 2006. She stated that due to the large number of comments the Corps and the WMD decided to re-publish the PIR for public review. She explained that the recommended plan was Alternative 4 which includes a 360,000 acre foot storage reservoir divided into two cells and that cell 1 was an Acceler8 project. Five alternatives were considered. The team focused on minimizing adverse impacts to productive lands and the local economy and maximizing operational efficiency by using existing water management features. The team also looked at how the project would work in concert with existing STAs while maximizing cost effectiveness. She said that the cost was estimated at \$912 million for construction and completion was scheduled for 2010. She added that water quality and ecological monitoring costs would also be incurred.

Mr. Rice asked about the construction of the cutoff wall. Ms. Smith explained it would use soil bentonite three feet wide and thirty five feet deep. Ms. Power asked about other similarities and differences from the Yellow Book. Ms. Smith said the Yellow Book had suggested three cells but the value engineering review found that it was more cost effective to build two cells and still meet the goals and objectives of the project. She added the Restudy costs were estimated at \$767 million and the PIR estimate was currently \$912 million. The addition of the cutoff wall and increase in embankment height to satisfy dam criteria were added costs. She said the project would go to Congress for full authorization. Mr. Rice said there had been discussions about combining these reservoirs with STAs and asked whether that idea was part of the analysis. Ms. Smith replied they had a 1500 acre STA proposed in the PIR. A conceptual design would be included in the next draft so there would be some additional modeling.

Public Comment

Mr. Mark Perry (Florida Oceanographic) noted the preliminary design stated they would increase the capacity of the Miami Canal by 50% and of the North New River by 150% to convey more water from Lake Okeechobee to the south, however, the \$912 million does not include STA costs. Although the selected plan works in concert with the STA 3 and 4 it is anticipated that the additional hydraulic and phosphorus loading would occasionally exceed the treatment capacity. The 1500 acre STA was not included in the cost estimates and he thought it would cost another \$150 million with \$8 million for land. He suggested they start buying that STA land. He also said the STA was too small to treat that much volume and asked the Task Force to look into this. Ms. Smith confirmed the STA costs were not included in the \$912 million but were estimated to be an additional \$20 million.

Ms. Onley noted there was general agreement on this project but costs could potentially be a limiting factor. Mr. Salt explained the model results had been counter intuitive and the team had done a good engineering job. Mr. Fewell asked for clarification on how the water would get to the STAs - prior to or after the reservoirs. Ms. Smith explained the water would be delivered to the reservoir through the canals and before being discharged it would go through the STA. Ms. Wehle emphasized they needed to make sure the size of the reservoir didn't outstrip the infrastructure ability and added it was critical to have the appropriate amount of treatment. She said water quality was critical and they might have to look at increasing treatment and decreasing storage to get the appropriate balance.

Mr. Dunlop stated that these two projects costs \$1.43 billion and he asked how they would ensure enough funds were available for the other projects. Ms. Smith clarified that the Acceler8 portion for the EAA PIR estimate was half the cost. Mr. Bubba Wade added that \$1.7 billion covered this plus the other seven projects. Mr. May noted there were parallel processes going on (CERP and Acceler8) and some elements of the PIRs were being handled under the Acceler8 program. He said in some cases there were two processes for the NEPA as well - one for the PIR and one for the Acceler8 sub component. He said that once the PIR was approved the WMD could request federal crediting. Ms. Power said there would have to be some priority setting. Mr. Duke noted that these costs included the land and he emphasized the WMD was only doing cell 1 with Acceler8 which was estimated at over \$400 million. He acknowledged that escalating costs was a continuing challenge.

Ms. Wehle recognized the need for policy direction to the PDTs. She said that while PIRs were coming up with designs to meet the environmental intent costs far exceeded the Yellow Book estimates. Mr. May said it would be helpful to have a framework for comparison. He cited the IRL PIR as an example where costs were greater than the Yellow Book estimates. He noted that some of the cost increases were due to normal inflation while others were due to additional features with increased performance. Ms. Wehle added there were no damn safety standards for the state of Florida and that some of the increased costs were due to the Corps insistence that they be added to the new design standards.

Mr. Terry Rice asked about the impact of Section 902 on the projects already authorized. Mr. Duke said they would need to go back to Congress for reconsideration when they exceeded 20% of the authorized cost. Ms. Wehle added the cost of land would outstrip the cost of construction and she hoped the federal government would participate in land acquisition. Mr. Bubba Wade added that with hurricanes, development and growth, there was a significant boom in labor, construction material and housing costs. He also pointed out that due to the workforce labor shortage they now had to offer sign on bonuses and incentives when recruiting. Ms. Wehle added that in recent months conversations had switched from Development of Regional Impacts (DRIs) to new cities.

Mr. Salt noted the issue for both projects is that the permit request for Acceler8 will be decided prior to the final PIR. A decision is being made on the permit which prejudices the PIR decision in a pre decisional way. Storage in the EAA and a seepage barrier along

the east coast were the top two priorities in the system. He said that in both projects, there is no question these are two of the highest priority projects, SFWMD thinks they can do it faster, but yet this NEPA issue on the permits is a risk.

Public Comment

Ms. Betty Grizzle (Everglades Foundation) noted they had submitted formal comments on both PIRs. She stated it was unacceptable for a PIR to not identify the appropriate timing, quantity and distribution of water. She said CERP was at a critical point with regard to funding. Although the costs exceeded what was in the Yellow Book she said that should not prevent them from going to Congress for more funds. She said Congress also needed to be informed of the consequences of not funding these projects such as the inability of the Herbert Hoover Dike to protect the natural resources, livelihood and lives of the people in south Florida. She suggested the Task Force prepare a white paper to get the message to the local level.

Mr. Mark Perry (Everglades Coalition) asked that the next iteration of the PIR have a water quality component adding they could not have untreated water leaving the EAA.

Mr. Terry Rice said that Mr. Salt's comments were important and added there was a sequencing issue. The NEPA process was just as important to work through as the funding issue. Ms. Wehle said they were committed to the NEPA process for every project. Ms. Power cautioned against sending projects to Congress that were unrealistic adding that priorities needed to be established and if it was not done here then Congress would do it. Ms. Wehle said she hoped to discuss land acquisition as well as other tools that could be used such as conservation easement. Commissioner Diaz said he was also worried about the costs. Mr. Salt clarified that estimated project costs included costs for lands already in public ownership. Ms. Power suggested future PIR briefings include the lands already acquired and yet to be acquired.

Combined Structural and Operating Plan (CSOP) Advisory Team

Ms. Loly Espino presented the team's final consensus recommendations on the TSP. She acknowledged the Corps' cooperation in working with the team to address competing and often conflicting interests. She emphasized that the team supported the Corps' adaptive management approach to deal with the uncertainties associated with the modeling. She underscored the need for a sustained commitment to the ongoing monitoring and assessment program and for CSOP to be into account as CERP and the other related projects are developed. She passed along the team's commendations to the Task Force for involving stakeholders in this important effort and urged the members to consider using similar approaches in the future. The team reached consensus on five out of the six issues but were unable to resolve all of the issues concerning the 950 CSF pump. A motion was made to request the Task Force consider keeping the team active through implementation but the motion failed. One team member expressed concern over the Corps' ability to deliver the stated level of flood protection. Finally Ms. Espino thanked Mr. Bob Jones and Mr. Chris Pederson for their facilitation.

Commissioner Diaz thanked Ms. Espino for her efforts. He said it was important for the TSP to be refined to ensure no loss of flood protection or loss of service to the areas east of the L-31N canal and to ensure that the additional S 356 pump capacity be included in the TSP for a total capacity of 950 CSF. Mr. Salt explained that there was consensus on the 950 CSF pump but the team did not have time to work through some of the technical issues. He said the Corps was aware of the issues. Mr. Paul Linton emphasized that the 950 CSF pump was included in the plan. He said the Corps was reviewing the flood analysis and there were opportunities to look at problem areas.

Commissioner Diaz said he felt strongly that flooding could not take place. Ms. Kim Taplin said they had made adjustments to the TSP and pre-storm draw downs would be included in the plan. Mr. May said the Corps had the responsibility to develop a CSOP that would meet the competing needs to include flood protection. To help the Corps develop that plan the Task Force created the CSOP Advisory Team to provide consensus recommendations. At this point the team has identified one issue of concern where it was unable to reach consensus and five areas of consensus. He said the immediate question before the members was whether the Task Force wanted to accept the recommendations and pass them on to the Army for consideration. In the future the Task Force and others could be briefed on the Corps' resolution of these outstanding issues.

Mr. Duke said they were still operating under IOP and this plan would not take effect until the facilities were in place. He clarified they were showing no impacts to flooding and they were changing the way water was managed using the G2-11 structure north of the 8.5 SMA. The capacity added to the pump was to handle the seepage rather than send it south. The modeling based on past experienced water level showed no impact to flooding. The Corps presented a "what if" scenario in the CSOP process with a 100 year flood on top of a 10 year flood and the output was biased. Because this approach showed a greater impact everyone became concerned. The Corps was making adjustments and was committed to not adversely affect flooding or harm the resources by pumping directly into the park. Mr. Rice said that when you can use the S356 at its max capacity remains an issue and he asked how it would be resolved. Mr. Duke said they were going to do some operational testing to determine the seepage flow.

Public Comment

Mr. John Adornato (NPCA) thanked the team and challenged Secretary Kempthorne and Ms. Onley to help DOI break through these log jams. He noted the concern with water quality impacts to the park and the lack of benefit for Florida Bay and Taylor Slough. He expressed disappointment that the project did not go far enough in reconnecting WCA 3A and 3B to the park. He said that NPCA supports flood protection and they believe it can be done without impairing the park. Although disappointed that Modified Water Deliveries does not do more the NPCA looked forward to the adaptive management principles the Corps had committed to follow. Ms. Carol Wehle said the SFWMD was committed to filling in as many miles of the C-111 canal as they could afford and noted it was their number one priority for diverting revenue.

Ms. Madeline Fortin (8.5 square mile area resident) provided written comments (Encl. 6). She said that she was not allowed at times to participate in the technical subcommittee meetings of the CSOP. She noted her concern that if the project was not operated as designed then the Corps would be spending \$300 million to build a project that would not do any good. She said that although the CSOP team never got around to discussing pre-storm drawdown it made a lot of headway.

Ms. Onley thanked the team and presented certificates of appreciation to Ms. Espino and Mr. Jones. Ms. Onley proposed forwarding the recommendations to the Army unless there were objections. She noted the Corps still had issues to resolve. Commissioner Diaz said he supported moving forward but he wanted to make sure they addressed potential flooding.

Working Group Update

Mr. Dan Kimball reported the Working Group met in April in conjunction with the Regional Project Delivery Team (RPDT) noting it was well attended. He said although the RPDT was a very successful format members of the public expressed concern that PDT meetings were no longer open.

He said that the group was consulted on two PIRs in the alternative formulation phase. He stated the group was impressed with the PDTs' efforts to balance project performance and costs. Concerning the Lake Okeechobee PIR questions were raised with regards to the Corps's cost containment cap. He noted that final TMDLs and Locally Preferred Options (LPOs) would affect the regional restoration benefits. He said that there was concern with the amount and quality of runoff entering the lake and for preserving Fisheating Creek for recreational purposes. Regarding the Biscayne Bay Coastal Wetlands PIR there were questions raised about the costs. He reported that the costs of lands already purchased were being included and this needed to be sorted out. Other factors such as TMDLs and Miami Dade Environmentally Endangered Lands Program would contribute to the final restoration benefits. Public comments included the following points. Some of the alternatives had less than half of the environmental benefits stated in the Yellow Book. It seemed that projects were scaled down as a function of cost leading to minimal benefits and it was suggested that projects be formulated to maximize benefits. The importance of linking this project with the C-111 North Spreader was also noted. The potential use of wastewater reuse would depend on the ability to meet the water quality needs of the project.

S12s Flow -Way Maintenance

Ms. Susan Sylvester provided an overview on the collaborative effort between the WMD, Corps and the ENP for maintenance (canal cleaning and vegetation management) of the S-12 structures. She said that vegetation including exotics would be removed and the material would be set aside to dry out and moved to an approved landfill. She explained that the performance of the structures had slowed down over time (flow ratings indicated reduced conveyance capacity) because of vegetation and sediment accumulation in the upstream and downstream flow-way and in the old Tamiami Canal. She said the main

concern was to protect water quality and not cause downstream impacts and they were seeking permits from the Corps and DEP.

Their goal was to have all permitting, plans and specs and a contract out for bid as early as November providing water levels were appropriate. In the meantime, two contractors were in place to remove exotic vegetation and they would use an Aqua Dam. She said that ENP had asked for water quality monitoring. Ms. Wehle clarified that all of the structures need to be maintained. Ms. Sylvester noted there was no maintenance plan in place and they wanted to start with S-12 D the goal of moving forward with A, B, C, the Old Tamiami Canal and then routine maintenance for all of the these structures. She noted that maintenance would be turned over to the Corps because these were Corps structures. Mr. Kimball said that they looked at different options and realized they needed to go through all the plans and actions. He noted that no clearing was being done in the park and said that ENP supported this effort. Ms. Wehle said all the issues had been addressed and she looked forward to this being a pilot project.

Mr. Gene Duncan stated the sediment was there because of the obstruction on the other side. He explained that the Miccosukee Tribe had been asking for this for years and they finally had someone's attention. He showed pictures of the area and noted that the culverts were still blocked. If the culverts were cleaned out then the flow would be restored and there would be no need to spend millions of dollars on bridges.

Ms. Wehle asked whether there was a way to expedite the permission for exotic removal in a wilderness area. Mr. Kimball said there were administrative actions in an emergency situation. Mr. Rice asked about the difference in removing exotics from this effort versus the hole in the donut. Mr. Kimball clarified the hole in the donut was not in a wilderness area. Ms. Sylvester added that it was not all exotics and there was vegetation you would expect to see in the Everglades. Mr. Rice said their concern was that the rest of the solution was in the park and this was only a part of the solution. The culverts under Tamiami Trail were not passing the quantity of water they were designed to pass. Ms. Sylvester said it was their commitment to work with the Corps and ENP to work through the NEPA process, nationwide permit and DEP permit.

Science Coordination Group

Mr. Rock Salt reported the draft set of system-wide indicators were peer reviewed and the intent was to have them completed and included in the Strategy. Phase II of the Plan to Coordinate Science (PCS) was underway and a draft would be provided to the Task Force and for independent peer review in July. He said the final PCS would be presented at the September Task Force meeting. He noted that one of the duties of the SCG was to provide recommended issues for Task Force consideration and said the SCG would be making a presentation at a future meeting.

Interagency Modeling Center

Mr. Akintunde Owosina reviewed the history and purpose of the IMC. He said it was intended to provide interagency coordination and oversight of the modeling needs for CERP. He explained that it was an equal partnership between the Corps and the WMD

and was not intended to replace any existing agency staff. He reviewed the types of modeling services the center provides which include regional, sub regional and project level simulations. To date 217 modeling requests had been received and 176 had been completed. He said current work efforts include providing support to the GM3/4 Team and RECOVER. Mr. Owosina noted this was not the only modeling going on – a lot of other modeling was being done by agencies and consultants. Ms. Wehle stated that everything was being modeled. She said it was important to have models but as agencies they had not given clear guidance to the PDTs on when to use modeling. She said they needed to do a better job of deciding when and what to model because all this modeling was affecting their timelines. Mr. Salt said they needed to finish the Guidance Memoranda which was the first place to deal with those issues. Ms. Wehle said the PDT dynamic was one of consensus where every idea or concern raised meant another model run. Ms. Wehle suggested this discussion should continue at a future meeting.

Public Comment

Mr. Dan Clark noted he received a letter from Secretary Castille’s office in response to issues he raised at the last meeting about water quality problems along the coastal areas and coral reefs. He presented a presentation (Encl. X) and noted his concern that there were no STAs to clean up the water being sent to tide. He believed that only a small percentage of the water being sent to tide would be cleaned. He requested a written response to the following questions:

- *Are you planning on pumping the lake down 2 or 3 feet? If so, will it take ten days to pump the lake down 1.2 inches?*
- *What would be the timing, distribution and volume of those discharges?*

He proposed as a solution - a one time water resource impact fee paid for all new development. He stressed the need to make developers understand that it was the resources that make this a unique place to live. He said he tried to get information from the WMD for historical flow rates but that he was not given the material. He also received a letter from DEP stating that if he made false statements he would be barred from future meetings. He stressed it was hard to be accurate when he did not have access to the information.

Mr. Wade suggested Mr. Clark look at Paul Larson’s historic flows throughout the system. There was also a report prepared by a subcommittee of the Governor’s Commission which was distributed by Rick Smith to the WRAC.

Ms. April Gromnicki stated that recommendation nine of the initial report of the Governor’s Commission addressed new development paying the costs of new demands. She suggested that the time has come to look at that idea.

Ms. Onley thanked everyone and in particular Rick Wilkins and Jimmy Davis who assisted with the meeting facilities. She reviewed the follow-up actions: regional basin challenges, costs and priorities, and modeling. She asked Greg to meet with members

and develop an agenda for the next meeting. She asked to hear from other members as well. She noted they would address a number of Congressional Reports at the next meeting. She thanked the OED staff for facilitating the meeting. She recognized Theresa Brier from Congressman Wexler's office.

Meeting adjourned at 12:45 PM

Enclosures:

1. Briefing Binder
 - a. Administrative Items
 - i. Agenda
 - ii. Draft Meeting Minutes, February 2006
 - iii. Task Force Roster
 - iv. Proposed 2006 Calendar
 - b. Executive Director's Update
 - i. Strategy for Updating Coordinating and Tracking Success presentation
 - ii. 2006 Task Force Priorities
 - c. Corps Restoration Update
 - d. Accerler8 Update
 - e. Presentations
 - i. System-wide Restoration Challenges
 - ii. Lake Okeechobee
 - iii. Land Acquisition and Land Values
 - iv. Impacts on Restoration from Pesticides and Residual Pesticides
 - v. Interim Goals Agreement and Interim Target Status
 - f. Updates
 - i. CSOP Recommendations (May 2006)
 - ii. SCG Power Point
 - iii. S-12 Pictures (provided by Gene Duncan)
 - iv. S-12D Flow-way Maintenance Power Point
 - v. Interagency Modeling Center
 - g. Consultation Workshop
 - i. Broward County Water Preserve Area
 - ii. Everglades Agricultural Area
2. Charting the Course, Where is South Florida Heading? (FAU Center for Environmental Studies)
3. Everglades Coalition Resolution
4. Written Comments from John Marshall
5. Written Comments from Audubon of Florida
6. Written Comments from Madeline Fortin
7. Award presentation photos