

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
Washington, DC
June 24, 2009*

Welcome and Introductions

Mr. Tom Strickland called the meeting to order at 1:18 PM. He welcomed everyone and said that Secretary Ken Salazar has asked him to serve as the Chair and announced that the Secretary would be joining the meeting a little later. He recognized the enormous amount of work that has been done and said they are looking to do their part to restore this magnificent landscape. He noted that he recently visited the Everglades and had the opportunity to meet with Chairman Cypress as well as the people who are working on the ground.

Task Force Members Attending

Tom Strickland, Chair, Assistant Secretary for Fish, Wildlife and Parks, U.S. Department of the Interior

Mike Sole, Vice Chair, Secretary, Department of Environmental Protection

Joe Barbiero for Mr. Doug Lawrence, Acting Deputy Undersecretary for NRCS, U.S. Department of Agriculture

Jose 'Pepe' Diaz, Commissioner, Miami Dade County

Sam Hirsch, Deputy Associate Attorney General, U.S. Department of Justice

Sarah Hospodor-Pallone, Deputy Associate Administrator for Intergovernmental Affairs, U.S. Environmental Protection Agency

Dexter Lehtinen, Special Assistant, Miccosukee Tribe of Indians

Jennifer Lukens, Senior Policy Advisor, U.S. Department of Commerce

Kathy Mears, Deputy Chief of Staff, Office of the Governor

Camille Mittelholtz for Linda Lawson, Director, U.S. Department of Transportation

Patty Power for Jim Shore, Seminole Tribe of Florida

Rock Salt, Acting Assistant Secretary of the Army (Civil Works), U.S. Department of the Army

Carol Wehle, Executive Director, South Florida Water Management District

Shannon Estenoz, Special Advisor, Chair, Water Resources Advisory Commission

Mr. Strickland introduced Senator Nelson. Senator Nelson described the 16 foot python he showed the Secretary on his recent trip to the Everglades adding that it is just one of the many challenges they are facing. He thanked everyone for their participation and dedication and he also thanked Secretary Salazar and Secretary Strickland for their personal interests in Everglades restoration. Senator Nelson noted the progress on the Picayune Strand project and the recent decisions with regards to Tamiami Trail. He reported that they are trying to get NASA, NOAA and DOD to launch a satellite to one of the Lagrange points to measure all the heat going in and out of the Earth to get a precise measurement of how much heat is being trapped as they try to deal with climate change, sea level rise and saltwater intrusion into the Everglades. Senator Nelson thanked everyone again and noted he could not remain since they were right in the middle of the health care legislation. Mr. Strickland thanked Senator Nelson and said he would work to make sure the federal and state governments are full partners.

Mr. Strickland recognized Mr. Mike Boots, CEQ Associate Director for Land and Water Ecosystems, Mr. Will Shafroth, Principal Deputy Assistant Secretary, Fish and Wildlife and Parks and Mr. Sam Hamilton, nominee to be the next Director of the Fish and Wildlife Service. Mr. Strickland noted that since the trip to south Florida he has been able to meet with Mr. Rock Salt, Ms. Patty Power, Mr. Dexter Lehtinen, and others. He emphasized the commitment of this President and Secretary to Everglades restoration. He thanked Mr. Greg May and Mr. Don Jodrey for pulling this meeting together and reviewed the goals for this meeting. He noted his appreciation for Mr. Mike Sole's role in this effort adding that it was an honor to meet Governor Crist. Mr. Greg May said that the minutes from the February and May Task Force meetings had been distributed and that comments should be sent to Ms. Sandy Soto. He announced that the Everglades Foundation was hosting the reception at the end of day and additional details would be provided later.

Mr. Strickland introduced Mr. Larry EchoHawk, Assistant Secretary for Indian Affairs. Mr. EchoHawk said he appreciated the invitation to participate in the meeting and offered his assistance on these important issues. He observed that this is all about intergovernmental partnership and commended the group. He recognized the Seminole and Miccosukee nations reminding everyone that tribal sovereignty is often overlooked noting that they deserve to be at the table. He said he looked forward to participating in this process.

Mr. Mike Sole welcomed the federal representatives adding that he is excited for the Everglades. The recent visit was inspiring and the people in Florida took notice of their commitment and desire for restoration. He recognized the experience of many of the members of the Task Force such as Mr. Rock Salt, Ms. Shannon Estenoz, Ms. Carol Wehle and Commissioner Diaz. He noted the all the work that has been completed and that remains to be accomplished.

Ms. Camille Mittelholtz noted she was representing Ms. Linda Lawson who is out of town. She noted Polly Trottenburg has been nominated for DOT but not yet confirmed. She reported that the surface transportation programs have an authorization coming up and they have recently announced that they would like short-term authorizations so they can focus on major program reforms. They will continue to focus on the environment while providing a safe and efficient transportation system as well as making communities more livable.

Mr. Joe Barbiero announced he was representing Mr. Doug Lawrence. He reported that the Deputy Under Secretary for Forestry is Mr. Jay Jensen and they are awaiting the nomination of the Deputy Under Secretary on the conservation side. He reviewed a list of programs that directly affect south Florida to include the Florida Ranchlands Environmental Services project that provides an opportunity for producers to participate in receiving monetary incentive for holding water on their land adding that the initial data collection is very promising.

Ms. Sarah Pallone said she is representing Ms. Lisa Jackson from EPA. She noted that EPA fully expects to be an active partner on this Task Force. She reported that the most significant thing EPA has been involved with is the development of the National Water Program Strategy: A Response to Climate Change. The strategy outlines strategic areas for significantly addressing climate change and is available on the EPA website.

Ms. Patty Power said she is representing Mr. Jim Shore for the Seminole Tribe. The Tribe is really encouraged by all of the activities and milestones and the Recovery Act funding. She said Secretary Salazar and Secretary EchoHawk's personal interests impressed her. The Tribe has been building a critical project on the Big Cypress Reservation, which they thought would be done in 2000. A large portion is now done and they are hoping to use some of the stimulus funds to finish it in the next year or two.

Ms. Shannon Estenoz noted she has been working on the Everglades for a long time and is humbled by the opportunity to serve on this Task Force. She thanked the Obama Administration adding that she was astounded at what she has seen from people who've been on the job for weeks and months. She said she is hopeful and optimistic for the future. She encouraged the Administration to look to the Everglades to learn from some of the mistakes they have made in the past noting that it is all about intergovernmental partnerships and figuring out how to do an enormous job that none of them could accomplish alone.

Ms. Carol Wehle explained the South Florida Water Management (SFWMD) is a regional government entity drawn on watershed boundaries that transcend geo-political boundaries. She noted it has ad valorem taxing authority as a primary revenue source. She explained that the district is the local sponsor with the Corps of Engineers (Corps) and when the projects are completed, they will be responsible for the operations and maintenance of the facilities. They were created to be the local sponsor for the original Central and Southern Flood (C&SF) Control System and now have the joy of operating one of the world's largest flood control systems with over 2,000 canals and over 2,000 structures. She hoped they could alternate meetings between Florida and Washington, which would provide the Florida delegation with the opportunity to attend these meetings. She said Everglades restoration is more than just the Comprehensive Everglades Restoration Plan (CERP) and while it is very important there are other efforts such as restoration of the Kissimmee River and water quality. She assured the federal partners that the relationship could not be better at the Florida region and the local staff has a lot of expertise and they value the partnership. She said she looked forward to this exciting new Administration.

Ms. Kathy Mears said she was happy to be present at this meeting. She noted she was assured that as a newcomer this was the perfect time to be a member of the Task Force, describing it as a brand new day. She expressed the state's gratefulness at the Administration's commitment to the Everglades - a wonderful treasure that resides in Florida but belongs to all of us. She noted Governor Crist is very committed to this partnership and they look forward to the Everglades being beautiful for generations to come.

Mr. Greg May welcomed Ms. Shannon Estenoz who is the Chair of Water Resources Advisory Commission (WRAC) and a member of the Governing Board of the SFWMD noting her experience and expertise. He recognized Brigadier General Todd Semonite who is the Commander of the South Atlantic Division adding that he is delighted to see that he is part of Everglades restoration effort.

Mr. Rock Salt said he could not help but to think back to the very first meeting adding that he is honored to be here. He reported that Ms. Jo-Ellen Darcy is awaiting Senate confirmation as the new Assistant Secretary noting that she was one of the central figures on the Environment and

Public Works (EPW) Committee when they were trying to authorize the Comprehensive Everglades Restoration Plan (CERP). He stated the Corps is proceeding to develop the Principles and Guidelines and the key thing is for the environmental values to be placed on an equal plane as the economic values. He said he hoped it will be released soon and that they allow for a higher quality analysis of all the factors. He said its kind when people give him credit for things but he emphasized that people in the President's office make the decisions and that Mr. Mike Boots and Mr. Terry Breyman play a huge, supportive role.

Ms. Jennifer Lukens said she was attending on behalf of Ms. Lubchenco the NOAA Administrator who is a marine biologist by training. She noted that NOAA looks forward continuing its participation on the Task Force. Commissioner Pepe Diaz welcomed Mr. Strickland and congratulated Mr. Salt. He said that although they have come a long way they still have a long way to go. He announced that Miami Dade County had formed a partnership with Collier County on a 24,000 acre property in the middle of the Everglades and they are looking to have a park and recreation facility particularly for all-terrain vehicle (ATV) riders. He said he was hoping to make a presentation at the next Task Force meeting. He stated that hurricane season is upon them now adding that he is not looking forward to it. He reviewed a list of their programs that are currently in place such as the Environmentally Endangered Lands (EEL) program which allows them to buy property. He agreed with Ms. Wehle that they should meet in Washington at least once a year. Mr. Sam Hirsch said he is the Deputy Associate Attorney General and this is his first Task Force meeting. He introduced Mr. Jay Gelderman and Mr. Mark Brown.

Mr. Dexter Lehtinen said he tried to summarize in writing the Miccosukee Tribe's concerns and provided a blue handout that itemizes the legal promises that the Tribe believes have been broken. The Tribe believes Congress directed the abandonment of comprehensive planning with the one mile bridge. A judge found no analysis of flooding problems, no analysis of the problem of pumping pollutants back to the Everglades or the damage that occurs north of the trail. The Secretary of Interior does not have to comprehensively plan because he is directed to only analyze the effects on the park and the scoping does not look at areas north of the trail. Free flow bridging allows surface barriers such as the L-29 levy to remain in place. Surface barriers don't stop most of the flow and that is why seepage barriers are needed to protect against flooding. The only defense for building bridges without analyzing the flooding is to not flood Dade County and to flood the Indians instead. Without comprehensive planning it is just a question of political power. He warned that when it rains Senator Nelson will be the first to ask how a project could be built without analyzing the flooding. The result will be the lack of public support for restoration. He stressed that they need to provide flood protection to get restoration. He said they are also concerned about abandonment of the Everglades Agricultural Area (EAA) reservoir because of the sugar buyout. As for water quality, the SFWMD has cut it from 200 ppb to 50 ppb but it is routinely discharging above 10 ppb. Congress has directed that the new bridge be done not as CERP or Modified Water Deliveries (MWD), so it will be done as free standing. This directive eliminates CERP requirements that you will not deliver additional 245,000 acre feet without completing project specific feasibility study. The feasibility study was begun and later abandoned. WRDA 2000 provisions to protect the Tribe's lands were whited out. He reviewed the efforts with the Everglades Forever Act as well as the S-9 litigation. He finished by saying that the provisions of CERP should be honored and more water should not be moved until

the project specific feasibility study is done. The Clean Water Act (CWA) certification should not be abandoned. He clarified that his statements are not directed to the new Administration.

Current Developments

Federal Funding and Program Update

Mr. Rock Salt provided an update on the Corps funding. The Integrated Delivery Schedule (IDS) has been updated to reflect the American Recovery and Reinvestment Act (ARRA) which has had a positive effect on the projects. The Recovery Act provides \$4.6 billion to the Corps and the Act and a Presidential Memorandum direct the Corps to do projects that provide long-term economic or environmental benefits. At the end of April they got White House clearance to post the list and since then have withdrawn the \$41 million for Site 1. At the time Site 1 met the criteria. However, the Recovery Act contains a phrase that to be eligible, funds had to have been previously provided to a project, which meant that Site 1 was not eligible. In addition they have almost \$30 million for various Operation and Maintenance (O&M) for south Florida and funding for wastewater treatment facilities for the Florida Keys. For FY10 the Corps received a little over \$214 million for the normal portfolio of projects plus another \$130 million for rehabilitation of the Herbert Hoover Dike. For budgeting purposes they think of CERP as a program and once they started construction of CERP they don't count new elements as new starts. For example, the funding for Picayune Strand will be for the second canal.

Mr. Salt noted he did not see Ms. Patty Power's Critical Project and made a note to track it down. He said that to the extent they can they will try and honor the commitments to finish the work that is ongoing and bring on the next set of projects. For the last several years the President's Budget has recommended a 50/50 cost sharing for MWD between the Corps and Interior. Last year Congress took money out of the Corps budget and transferred it to Interior's and they will do the same this year so there is a book keeping issue. The total commitment is approaching \$350 million although they are trying hard to keep the Herbert Hoover Dike (HHD) separate. Mr. Salt noted that he attends the budget hearings and one of the issues being raised is the proportion of the Corps budget for construction in Florida. It is one of the Administration's highest priorities and one of the highest environmental priorities for the Corps along with Louisiana. Some on Capitol Hill think it's too high so they need to make sure they support the list that has been submitted.

Mr. Don Jodrey reiterated Ms. Wehle's comments that this is more than just about CERP and the Foundation projects. Interior manages half of the remaining Everglades, four National Parks, and about 16 National Wildlife Refuges. He reported that one of Interior's highest priorities is completing the one mile bridge for MWD. They were able to invest about \$1.25 million to treat invasive exotic plants at the Arthur R. Marshall Loxahatchee National Wildlife Refuge (NWR) and \$12.5 million to restore habitat at Everglades National Park (ENP) - about 100,000 acres at Cape Sable. Interior has adopted performance measures for invasive exotics and has agreed to have 100% maintenance control of exotics at the Refuge by 2017. They have invested \$18 million (\$12 million federal and \$6 million state) and the Recovery Act this year will allow for additional treatment on another 60,000 acres. Mr. Jodrey also reviewed the Cape Sable habitat restoration project which is important to stop saltwater intrusion and special pilot projects such as the Tamiami Trail Swales project. This is in conjunction with MWD and this is being evaluated by National Park Service (NPS) and a decision will be made in 2010 as to whether the

spreader swales are effective. Congress directed NPS to study additional bridging for Tamiami Trail beyond the one mile bridge and the Tamiami Trail Study will be looking at various options. ENP is heading this effort and the draft Environmental Impact Statement (EIS) will be published in December 2009.

Mr. Sole said he is very grateful to Mr. Salt, Mr. Jodrey and the Administration and hopes the level of funding for the Refuge is sustained. Ms. Power said it is amazing that 20% of the Corps construction funding is going to Florida. Commissioner Diaz asked if the pilot project Mr. Jodrey reported on is the same project they were briefed on to clean out the culverts along 8th street. Mr. Kimball said they along with the Corps are looking at a project to clean out the culverts between Dade corners and the S-333 structure.

River of Grass Land Acquisition

Ms. Carol Wehle stated that she was not personally there when CERP was formulated but the SFWMD does embrace the concept of adaptive management. One of the things they have learned is that it's not just the volume of water but the velocity. Another thing they learned is that the amount of land they own south of Lake Okeechobee is not sufficient to get to the right velocity to keep the tree islands. She said that in addition to the President they should equally thank the great vision of the Governor of Florida who put together a program to buy additional lands in the EAA. In 2008 they recognized a major shift in the economy and the Governor and Governing Board announced a somewhat scaled back acquisition. The acquisition was reduced further in 2009 but it is still the largest single acquisition in the State of Florida. The revised agreement preserved the original intent of the acquisition which was to buy land necessary to store and treat water. It's affordable and they will not have to raise the millage rate. It will keep agriculture sustainable and help the local communities. The purchase will include 73,000 acres of land for \$536M with the exclusive option to purchase the remaining 107,000 acres during the first ten years. The SFWMD will be borrowing money by using certificates of participation, the first time they are being used in the US for acquiring environmentally sensitive lands. Florida Crystals as well as the Miccosukee Tribe are challenging the transaction. The SFWMD will enter into interim management agreements where they lease the property so that it will not be a financial burden. The final bond validation hearing is scheduled for July and if it is challenged it will go to the state Supreme Court.

Remarks from the Secretary of the Interior

Secretary Ken Salazar joined the meeting and was updated on what occurred at the meeting prior to his arrival. Secretary Salazar thanked the Task Force for their labor of love describing it as a challenge and opportunity. He said he was very proud of Mr. Strickland who has spent a good amount of time in the Everglades because he recognizes how important the Everglades is to our country. A project of this magnitude can only be accomplished when everyone is working together. He noted the importance of the partnership with the State of Florida, private landowners and stakeholders. He said he talked with Mr. Salt about this project and how important it is to the Corps and noted they are getting to the point where they will make some major breakthroughs. President Obama, during his campaign, talked about the Everglades being one of the major landscapes and now he is 'walking the talk'. Secretary Salazar recalled his visit to the Everglades where he saw firsthand why it is a landscape of national significance. He said he hoped that when they look back four years from now they are able to see that they did much

more than talk and see efforts on the ground. If they can move forward, it can become a template for other global landscapes of 'our' planet. He promised to put forth a lot of attention on the Everglades. Mr. Strickland has a great team, including Mr. Sam Hamilton who brings his understanding of the Everglades. He pointed to President Abraham Lincoln who knew there were special places that need to be protected, lands that later became known as Yosemite National Park. He recalled that President Teddy Roosevelt had a vision for the future and spent 66 days traveling the country and out of that came the preservation of millions of acres of land. Secretary Salazar said it is that time again, some 100 years later, to embrace that kind of vision and boldness. He added that it is important to dig deep and understand this is important for generations to come and they need to work as a team with all the partners to make it a reality.

Continuation of River of Grass Land Acquisition

Ms. Wehle reported the environmental goals include providing additional storage so they won't have harmful discharges to the St. Lucie or Caloosahatchee and having a sufficient volume of water and treating the water going into the Everglades. It will also provide flexibility in managing lake levels during the rehabilitation of the Herbert Hoover Dike. She explained that the SFWMD has developed a very inclusive planning process that brings all the stakeholders together. Phase I planning is underway and they are determining viable configurations. She noted this is not just about CERP but they are looking to answer the question of how much water is needed for restoration. She noted concerns that they are changing Everglades restoration, but said that CERP is still viable, the priorities are still valid and the projects they need to build are still the projects, but reservoirs might be in a different place or of a different size. She encouraged the members to view their website at www.sfwmd.gov/riverofgrass.

Mr. Sole recognized the great support that has come from Sec. Salazar and the team at Interior as well as Mr. Salt, COL Grosskruger and the Corps. Secretary Salazar reported on the World Heritage status of Everglades National Park noting that they believe it should be listed. He said he appreciated Ms. Wehle's presentation noting that land that's bought will be a real keystone for making restoration happen. He described his recent trip to the Everglades as incredible. Mr. Lehtinen provided a handout about framing adding the Miccosukee Tribe Chairman will ask why ENP's Everglades makes the (Heritage) list while the Miccosukee Tribe's Everglades does not. Secretary Salazar said he agreed and it goes beyond the boundaries of the park and ecosystems are connected and one of the great values of this Task Force is to look beyond the boundaries.

Ongoing Issues and Efforts

Overview of Projects and Actions

Mr. Greg May gave an overview of the historic flow of water which created a unique assemblage of flora and fauna that everyone knows as the Everglades. As a result of serious efforts to provide flood protection beginning in the 1850s for agriculture and urban uses, today there are over 1,000 miles of significant canals and levees and scores of major pumps that have altered the historic flow with huge negative consequences to the natural system. The goal of the Plan is to provide a smaller naturally functioning system while providing the flood protection and water supply benefits that are enjoyed by over 7 million people in south Florida.

Mr. Ken Ammon reviewed the efforts of the SFWMD noting that people are under the misconception that there hasn't been progress since 2000 while they have made progress through

a true partnership with the federal government. In mid 2000s the State of Florida and the Governor's Office agreed that since they had sufficient resources at the time, and the federal government was focused on responding to the September 11 attacks and the start of the Iraq war, that they would move forward on certain projects. Even though the state may have paid for much of the work, it could not have happened without the collaboration and partnership with the federal government.

Picayune Strand for example was 55,000 acres of a failed development that was once wetlands. The state re-purchased the lots from the individual owners and backfilled seven miles of the Prairie Canal and removed 65 miles of roadway and tons of structure and debris. The area is prime panther habitat and there are signs that they are out there and thriving. Seventeen culverts were constructed on the south end to allow water to once again flow under the western end of the Tamiami Trail portion of the 10,000 island area which is a unique estuarine area on the SW coast. They have more than 13,000 acres of restored and enhanced habitat that has been transferred to the Corps to finish the construction for the three major pump stations and the filling of two additional canals.

The C-111 Spreader Canal is an important project for retaining clean water within the boundaries of Everglades National Park. The drainage system put in place in the 40s and 50s draws water out of the park because groundwater levels are held so low. The project purpose is to fill in some of the canal areas, re-capture and clean a lot of the runoff from the agricultural areas and hold higher water levels adjacent to ENP to minimize and eventually eliminate much of the seepage. That will help restore and enhance Taylor Slough and Florida Bay. The design is 90% complete and they anticipate construction will begin in September 2009. This would be a state funded project under the permitting auspices consistent with federal permits and Project Implementation Reports (PIRs).

Lakeside Ranch STA (Stormwater Treatment Area) was one of the projects conditionally authorized by Congress in 2000. They have acquired 100% of the land and have initiated construction of two STAs. The project will be used to clean agricultural runoff that currently goes into Lake Okeechobee, the estuaries and impacts the Everglades.

Site 1/Fran Reich Preserve along the Palm Beach and Broward County line is meant to capture excess stormwater that currently flows out to tide because of the drainage system. It will help to eliminate some of the irrigation needs that are currently drawn from the Loxahatchee Wildlife Refuge. The state has acquired 100% of the lands and has transferred the project to the Corps for design and construction.

C-44 Reservoir/STA, which is part of the Indian River Lagoon South project in Martin County, will treat runoff that currently goes into St. Lucie Estuary/Indian River lagoon area. 100% of the lands have been acquired, approximately 12,000 acres, and the project has been transferred to the Corps. They are hoping the stimulus package will pick this up and construction is started in the near future.

The Biscayne Bay Coastal Wetlands (BBCW) project in Miami Dade County has been organized into two phases consistent with the National Academy of Sciences (NAS) recommendation for

Adaptive Management – which calls for putting components in place, learn from the results and expand that knowledge to the other phases. The design is complete and the permitting is in progress. The construction includes putting culverts underneath a roadway that intercepts flow from the agricultural runoff areas into Florida Bay and allows them to clean up and re-establish a more natural flow into the near shore area.

The C-43 West (Caloosahatchee River Reservoir) in Hendry County will address local runoff and water quality issues. It consists of a large reservoir built on approximately 10,000 acres of land with approximately 170,000 acre feet of water will be stored up to 15 feet deep. It will be captured from local basin runoff of the Caloosahatchee River and slowly bled out in the dry season versus the wet season in order to maintain appropriate salinity levels in the estuary. 100% of the lands are acquired and project is shovel ready but they are waiting for the PIR, Chief's Report and authorization by Congress.

The C-11 Impoundment/C-9 Impoundment/Water Conservation Area (WCA) 3A-3B Seepage Management project is located in central Broward County on the eastern side of the remaining Everglades. 100% of the land has been acquired. The concept is to capture stormwater and backpump the water into shallow reservoirs and allow some of the water to backflow into a buffer strip with an elevated water level to reduce seepage out of the Everglades system. The project has been transferred to the Corps and the PIR has not been completed.

The North Palm Beach County Part 1: L-8 Reservoir is one of few below ground reservoirs in south Florida and made possible because soils are so tight that they are able to draw water down up to 30' deep with little seepage and impact to adjacent lands. This project allows them to store 45,000 acre feet of water that can be pulled out through pumps and moved into the canal system and then north 20 miles for the restoration of the Loxahatchee River. A developer mined the site and it will be ready once the pump is placed in service and the PIR is completed.

The Acme Basin B diverts water from an agricultural and equestrian area from entering the refuge. This project has been completed and consists of a low level reservoir, which will also help provide flood protection.

The Everglades Construction Project (ECP) is a state initiative for the purpose of cleaning up water from the Everglades Agricultural Area (EAA) prior to that water going into the remaining Everglades. It consists of 45,000 acres of man made wetlands that remove phosphorus from the water column before it is discharged into the Everglades. The STAs are in the process of being expanding by 17,000 acres (includes a portion of the Talisman purchase). The construction is ongoing and is expected to be flow capable by December 2010.

The EAA Reservoir Phase I construction was started on the bulk of the Talisman purchase. It was originally designed to provide 180,000 acre feet of storage on approximately 16,000 acres of land. The perimeter seepage canal was constructed and the rock crushing work was done for \$250 million. Work has been suspended awaiting a final design on the River of Grass. Ms. Wehle added that they could do additional planning while they are waiting for the results of the Natural Resources Defense Council (NRDC) lawsuit.

The state has spent approximately \$1.3 billion for CERP land acquisition. Early on the state pursued an expedited acquisition program due to the intense development pressure in south Florida at the time. The federal government has spent \$247 million for land acquisition while local governments spent \$101 million to buy environmentally sensitive lands. About 60% of the lands identified by CERP have been acquired.

The state has expended \$146 million in design and roughly \$400 million for construction to date for expedited projects.

Mr. Sole asked whether they could move forward with the C-111 if the Judge rules against the SFWMD. Ms. Wehle said no. Mr. Ammon added that they would have to wait for the PIR, authorization in a Water Resources Development Act (WRDA) bill followed by appropriation. Ms. Estenoz asked whether CERP projects have to be authorized in a WRDA bill. Mr. Ammon said they have conditionally authorized projects in WRDA 2000, but the funding levels have been exceeded so they will need re-authorization. Mr. Appelbaum clarified that if they are within the Section 902 cap then the project could be authorized subject to the authorizing committees simply voting to confirm that. In most cases they have exceeded the Section 902 limit so it requires full authorization by Congress either through a WRDA or some other vehicle. There are also crediting provisions for the SFWMD's construction prior to the project being authorized, which also requires consent of the full Congress.

Stu Appelbaum provided an overview of key federal CERP and non CERP projects underway.

Kissimmee River Restoration is about 60% complete. He said this is an outstanding example of restoration and he encouraged everyone to see it. The project restores 27,000 acres in the lower Kissimmee River basin and includes backfilling of approximately 22 miles of the C-38 canal and re-establishing flow to 43 miles of contiguous river channel.

The Modified Water Deliveries (MWD) to ENP restores the natural hydrological conditions within the Park "to the extent practicable." Remaining project components include the Tamiami Trail work, conveyance and seepage features as well as the operations plan. The Corps is exploring ways to expeditiously complete this work. He noted the swales project had the potential for 2010 funding.

The C-111 South Dade project provides ecosystem restoration benefits in Taylor Slough and the eastern panhandle of ENP. The authorization is the 1994 General Re-Evaluation Report (GRR). Because the operations of MWD and C-111 are tied together, a combined operating plan has been discussed.

The Picayune Strand Restoration project restores wetlands in Picayune Strand and adjacent public lands. The SFWMD is turning this project over to Corps to construct three pump stations, backfill and plug the remaining canals and to make improvements to levees. The Corps is hoping to break ground this fall on the first pump station, which would be the first CERP construction.

The Indian River Lagoon – South, C-44 Reservoir and STA project includes a 3,400 acre above ground reservoir and 6,300 acres of stormwater treatment areas. The project attenuates flows to the St. Lucie Estuary and improves water quality among other things. The SFWMD, which has completed a lot of the design as well as the construction and operation of the test cell, has handed it over to the Corps. The Corps will subdivide the C-44 Reservoir into a number of contracts and hope to begin construction in 2010 on the first of those contracts.

The Site 1 Impoundment project is a 1,600 acre above ground impoundment, which will capture runoff from the Hillsboro Watershed as well as releases from the Loxahatchee National Wildlife Refuge. It will reduce withdrawals from the Refuge during the dry season as well as reduce freshwater flows and pulsed releases to downstream estuaries. The project will also reduce groundwater seepage from the Refuge. The design is 60% complete and the goal is to award construction in mid 2010. The lack of stimulus funding for this particular project has not impacted the team and they are working hard to get this ready for construction in 2010 assuming the President's Budget request is enacted.

The L-31N (L-30) Seepage Management Pilot was authorized in WRDA 2000 and stimulus money will be used to build it. It is a design test to reduce uncertainties associated with seepage management technologies.

The Melaleuca Eradication and other exotics project provides increased production of biological control agents for invasive plant species such as Melaleuca and Australian pine. It includes the construction of an addition to the USDA Invasive Plant Research Laboratory. Under the programmatic authority of WRDA 2000, the Assistant Secretary of the Army can authorize this project and it would not need to go to Congress. The Corps hopes to finalize the PIR and begin construction in 2010.

The WCA 3 Decompartmentalization and Sheetflow Enhancement project restores natural sheetflow patterns and is fundamental to Everglades restoration. It includes removal of canals, levees, and other barriers that impede natural sheetflow. It is a complex project and has been subdivided into three different PIRs with the first one underway. The Decomp physical model is a fully reversible field test to address uncertainties related to sheetflow.

The Herbert Hoover Dike (HHD) Rehabilitation reinforces 143 miles of levee surrounding Lake Okeechobee. It includes a cutoff wall for increased stability and seepage berm for decreased piping as well as additional features where needed. Although it is not directly part of the south Florida restoration program, it is an important consideration for them to meet their goals with Lake Okeechobee, which is the centerpiece of the restoration effort. The rehabilitation is being funded separately but is an intrinsic part of what they are doing.

The Integrated Delivery Schedule (IDS) guides the sequencing of projects and was developed with the assistance of the Task Force. As funding has increased, more work can be done and the schedule needs to be updated. The IDS was always envisioned as a living document and the Task Force may want to include this as a future agenda item schedule since it warrants an update.

Four projects are under consideration for WRDA 2010: reauthorization of the Kissimmee River Restoration, the C-43 West Basin Storage Reservoir, the C-111 Spreader Canal Phase 1 and Biscayne Bay Coastal Wetlands. The Kissimmee River Restoration costs more than anticipated in 1992 and they will be reaching their Section 902 limit.

For the Programmatic Regulations (Pro Regs) Review, the team is working on updating the Pro Regs and the goal is to have draft available to begin formal rulemaking process in 2010. The goal is to fine tune the process to improve our ability to get things done.

Mr. Lehtinen, referring to the key federal project slide, noted the EAA Storage Reservoir project is not listed. While there is a lot of opposition to it, he said it should be on the slide until it's 'killed'. Mr. Appelbaum noted that work on the PIR had been suspended. Mr. Salt agreed it should be on the list. Mr. Lehtinen, referring to the Modified Water Deliveries slide, thought it used to have seepage controls on it. Mr. Appelbaum said they have categorized it as conveyance and seepage features. Mr. Lehtinen added it was his understanding that they could not add more water until they have completed the seepage management features. Mr. Lehtinen noted that the L-31N is only a pilot project and he asked when any flood protection would get done. Mr. Appelbaum noted that the rock mining pilot, the L31N pilot as well as a number of things will help. For CERP they are interested in getting the results from pilot project before going full scale. Mr. Lehtinen noted his concern that there is to be no bridging under Mod Waters. The bridging got pulled out and yet it is happening anyway. He asked if it is the Corp's position that flow can be restored in Northeast Shark River Slough and Decomp could be done before west Dade is protected. Mr. Appelbaum replied they are cognizant of meeting their requirements under the Savings Clause and will make sure they are not adversely impacting anyone from a flood protection standpoint before implementing a CERP project. Mr. Lehtinen said the bridge is not CERP project. Mr. Salt said the CSOP came up with a set of operational protocols several years ago that provided the necessary assurances to Miami Dade County. Mr. Lehtinen said they were not adopted. Mr. Appelbaum added they were not completed.

Regarding WCA 3A presentation, Mr. Lehtinen asked what was the concept for breaching the L-67A to let water out of WCA 3A but blocking the S-12s and he asked whether Decomp was prohibited by the Endangered Species Act (ESA). Mr. Salt said he didn't understand the question but he thought that the answer was no. Mr. Lehtinen asked the Task Force to recommend that the S12s remain open and not get closed in the name of Decomp. Mr. Sole said this issue is a sore subject and although he has personal opinions on this issue, the reality is that it is what it is. Mr. Lehtinen said it is what it is because there are special interest power structures waiving any law any time they want and claiming they have to flood the Tribe because the law requires it. He said this is immorally and procedurally wrong. Mr. Sole said the question on Decomp as to the purpose of breaching the L-67 is that it's a pilot. Mr. Lehtinen said he predicts that because they are building all these bridges in the east so that Decomp in the west will never occur and the gates will never be opened.

Ms. Estenoz asked whether seepage control came out of what was learned from Combined Structural Operational Plan (CSOP). Mr. Salt explained that this Task Force commissioned an advisory group, CSOP, which was chaired by Ms. Carol Rist. He said that the group reached unanimous consensus based on the 2 plus 1 bridge plan, which is not what they are moving

forward with at this time. It was his assumption the Corps would take those same concepts and apply them within the current trail constraints. He said he disagreed with what Mr. Lehtinen has said is the Corps' intent. The problem is a distribution issue and they want to Decomp both west and east and he noted the ecological objective to increase eastern flows. Ms. Estenoz appreciated that there are ecological values to shifting flows to the east and it is false to say that it's either/or.

Mr. Gastesi said the key here is the Savings Clause, so we have flood protection. Mr. Lehtinen suggested they ask Justice if it is their legal position that the Savings Clause under CERP applies to Interior on the bridge. The Corps has been removed from the planning process since it would not produce the outcome the Park wanted. Miami Dade County should see the handwriting on the wall. Mr. Gastesi said they attend every meeting and are equally concerned. Ms. Estenoz said she trusts the Corps not to flood Miami Dade County. Mr. Sole said the IDS will be brought to the Task Force as it is revised and will be done in an open/transparent process.

Natural Resources Update

Invasive Species

Mr. Paul Souza stressed that invasive species represent one of the three big challenges along with land use changes and water infrastructure decisions. Endangered species conservation continues to be a challenge and the transitional phase will be important because they are going to have to ensure the species are around to reap the benefits of restoration. He noted that Everglades restoration is the best hope they have for imperiled species recovery. The impacts of climate change will be felt in the Everglades second only to Alaska. The subtropical climate welcomes multitudes of species with 26% of species in south Florida being invasive. He reviewed the challenges of invasive species. Invasive plants such as Melaleuca and Lygodium, invasive fish like Tilapia for example have impacted and transformed the wetlands system in ENP, and animals like the pythons with an estimated tens of thousands breeding. There are other problems with the monitor lizards and iguanas and the lesson learned is to identify and quickly take action to avoid python type problems. They need a rapid response mechanism to deal with problems, similar to what was done to deal with the Gambian Pouch Rat. He noted Senator Nelson has shown real leadership and has been very helpful.

Multi-species Conservation

Mr. Souza reported that Everglades restoration and species recovery are the same thing. He noted 67 threatened and endangered species in south Florida. The challenge in his view is finding a way for them to persist until Decomp is completed. He said he looks forward to the day they have full Decomp along with full sheetflow then the S-12s won't need to be used. He noted there are fewer than 700 Snail Kites, down from over 3,000 in the year 2000, and the Cape Sable Seaside Sparrow is only found in two places. Finding a way for them to persist and reap the benefits of restoration is the task at hand. He was heartened by the success of the Picayune Strand, a 55,000 acre project which transformed habitat.

Climate Change

Mr. Souza said here are many questions associated with this issue, such as what will happen to threatened species in low lying areas, and they are only beginning to think through these issues. The science to date indicates that restoration is more important than ever. They need to find

ways to increase species' health and population size to help them handle the changes that climate change will bring. The NAS Report noted that to do nothing is to do harm. A potential antidote is to increase flow, which may be able to keep saltwater intrusion at bay in the Biscayne aquifer that provides drinking water to millions. They have huge challenges but they have the chance to do something and restoration as fast as possible is the best hope.

Making Progress

Mr. Strickland transitioned to next steps and assignments. Mr. Sole said that Picayune Strand is ready to go with one minor issue to be resolved and there is a hurdle with the NRDC lawsuit on the EAA Reservoir.

Mr. Greg May reviewed the key issues. He reiterated that Everglades restoration is more than CERP and the foundation projects need to be completed. Regarding CERP he noted that progress has been made in getting projects authorized and the state has done some initial design and construction. He recognized that it is important to get to federal construction started on CERP projects and there are some process issues that could be improved. The Task Force and Working Group (WG) have provided recommendations to the Army on ways for streamlining the process to develop a PIR. One of the key challenges with project analysis and justification now is the emphasis on a project-by-project perspective versus a system-wide perspective. He said the Pro Regs are being updated and this is the golden opportunity to address some of these concerns. The other challenge is the need to adapt to new information. CERP as originally formulated depends on technology such as Aquifer Storage and Recovery (ASR) and if it turns out that it is not as efficient as anticipated, then they are going to have to adapt and make up for that water storage via other means. Finally, regarding authorizations and funding, they are starting to prepare the 2011 budget and for a potential WRDA 2010. He noted these two items were important to keep the pipeline full of new projects and to re-authorization of projects such as the Kissimmee.

Mr. May introduced Mr. Dan Kimball and Mr. Greg Knecht, the Chair and Vice Chair of the WG, and he noted that the WG and Science Coordination Group (SCG) have a number of routine recurring assignments such as project consultations. Mr. Kimball provided three proposed assignments for the WG and SCG based on discussions from previous meetings. Mr. Greg Knecht reviewed the proposal for the invasive exotic animal plan, which would consist of a coordinated intergovernmental plan that will identify key species and actions necessary to help control invasive exotic animals. Mr. Kimball reviewed the proposal for the climate change coordination, which is to provide a broad picture of the research and actions that are being planned or conducted by the various agencies relevant to the restoration of the south Florida ecosystem. He noted that everyone is focusing on climate change and its impacts to the natural system and built environment. For example, the state has established through law the Energy and Climate Commission that is dealing with climate change and the SFWMD is looking at it in terms of its operations. He noted the National Academy of Sciences (NAS) has a publication that talks about climate change and what it means to south Florida. He encouraged the new members to read the publication. He said that giving everything that was going on it was important to provide a coordination mechanism and a clearinghouse for the efforts related to restoration. Mr. Knecht said there is a lot of new information since CERP was formulated and

these new scientific concepts have been discussed but there has not been a plain language collection or summary prepared to facilitate a more mainstream discussion.

Ms. Sarah H Pallone said she was very encouraged to hear climate change is a key component for this effort going forward. She noted that part of EPA's program is dealing with climate ready estuaries and trying to make that program a sound model. She noted the importance of doing this in a way to make it workable and understandable for agencies, stakeholders and affected parties. Mr. Sole said the biggest thing this group could do is to get them ready for adaptation. He would hate to see a significant effort on mitigation when folks like EPA are working that issue. He suggested asking the team to focus on adaptation and communication and less so on mitigation. Mr. Kimball said the point was well taken and suggested they consider carbon sequestration as to how they might manage Everglades restoration. Mr. May clarified that initially they want to capture what the agencies are currently doing.

Mr. Strickland said Interior along with the federal government had been asleep at the wheel until recently on climate change and it did not have a sense of the depth of the crisis and the importance of the urgent action needed. He said the Administration intends to fast track their efforts on this issue on every front. He added that within the purview of this Task Force and the Everglades ecosystem they need to be highlighting and getting an awareness of what the impacts will be. They need to approach this part of the equation with a sense of urgency. Interior is developing a department wide approach to climate change to include a robust conversation with Congress. Mr. Lehtinen said that nobody would want to suppress an examination of climate change but that issue is so big and they have such specific problems in the Everglades that in terms of manpower and resource allocation he was concerned that scientists would spend their entire career on this issue. He urged Mr. Kimball and Mr. Souza to be careful and not to let their scientists use Everglades funding to get off Everglades and into this issue. He asked that they add as a requirement that the data be updated on the status of the tree islands. Ms. Estenoz suggested they provide structures map for the new members at the next several meetings. She also encouraged those who were interested to view the WRAC meetings which are now webcast on the first Thursday of every month.

Public Comment

Ms. Julie Hill (Audubon of Florida) said it has been a very encouraging meeting. For so many years they talked about renewing the federal-state partnership and here they are finally seeing it happen. Audubon of Florida is very encouraged and supportive by new ideas. For them, Everglades restoration is about seeing the ecological benefits and seeing benefits to the endangered species. The River of Grass acquisition is wonderful and Audubon is very happy to see that. They are happy with the one mile bridge as a first step but want to see additional bridging. On the issue of climate change, she encouraged everyone to send the message that it's not a reason to stop restoration but more of a reason to move forward.

Mr. Kahlil Kettering (National Parks Conservation Association (NPCA)) said with respect to the C-111 project, NPCA sent up a letter in response to the SFWMD's 404 permit saying they were supportive of moving forward with phase I. They also submitted comments on the C-111 PIR and hoped the Corps could move forward and asked about the timeline for getting this done.

Ms. Wehle replied that it has to get authorized. Ms. Estenoz said it is 6-8 months out from September. Mr. Appelbaum said the Corps is currently looking at December/January for the final PIR with the authorization process after that.

Mr. Kettering said they are also very supportive of the Biscayne Bay Coastal Wetlands project moving forward. The Florida Power and Light (FP&L) Turkey Point Nuclear Power Plant is exacerbating saltwater intrusion and radioactive materials have been found west of the plant so it is not a closed system. FP&L is planning to double the capacity of the plant which will increase impacts. They are planning to extract fill material from an area very close to Biscayne National Park and he urged the agencies in this room to speak up as this project goes through the approval process. Mr. Sole encouraged Mr. Kettering to engage in the power plant siting activities.

Mr. John Adornato (NPCA) noted that 41 organizations signed on to a policy paper to the Obama Administration putting together ideas to help the process. He highlighted suggestions related to the Task Force which included using this body to coordinate some of the efforts and move things forward. They also encourage CEQ to take an even larger role in coordinating at the federal family level when there are disagreements. He noted that national restoration initiatives are looking at the Everglades as an example for lessons learned and encouraged them to make sure they move forward quickly. He announced the Everglades Coalition will be celebrating its 25th anniversary at its January 2010 conference in West Palm Beach and the SFWMD will also be celebrating its 60th anniversary.

Mr. Pete Cautious (Collier County Audubon) reminded everyone that this is not only about the River of Grass but about the protection and the restoration of the Northern Estuaries. They are dumping millions and millions of gallons of water to tide. They are not just talking about the environment but about an economic system of millions of dollars that is now at risk. Delay is not acceptable and ignoring the problem is not acceptable.

Mr. Kirk Fordham (Everglades Foundation) directing his comments to the Secretary since he is new, said that those who are working on this everyday see this as opportunity to restore an ecosystem while others see this as a way to preserve recreation and tourism. The real obstacles over the past decade have been lack of funding, litigation and process. The Picayune Strand project will be spectacular and is ready to go. He asked for the Secretary's leadership along with the White House leadership to speak with OMB so they can resolve the land crediting issue so that this project can move forward. In four years they will have the opportunity to look back and see this as a golden era in Everglades Restoration. Next year they will hold the first 'America's Everglades Summit' in May 2010 and he said he hoped it would be the first of many. He thanked everyone for their leadership and said they looked forward to working with the new Administration.

Mr. Greg May noted that the next Working Group and Science Coordination Group meeting is scheduled for July 15-16, the National Conference on Ecosystem Restoration is scheduled to begin on July 20 in Los Angeles and the Task Force will schedule new dates for its September meeting soon. He also noted that Mr. Ken Haddad has announced his retirement so the Task Force will need to select a new chair for the SCG. He thanked the staff for their work in planning and conducting the meeting.

Meeting adjourned at 5:30 PM.

Enclosures:

1. Briefing Book
 - a. Agenda
 - b. Logistics
 - c. Task Force Roster
2. Federal Funding and Program Update
 - a. US Army Corps of Engineers Program
 - b. Department of Interior Program
3. River of Grass Land Acquisition
4. Overview of Projects and Actions
 - a. State Expedited Projects
 - b. Federal Projects
5. Natural Resources Update
6. Key Issues and Assignments