DRAFT Minutes
South Florida Restoration Task Force Meeting
Westin Colonnade
Coral Gables, FL
June 24, 2010

Welcome and Introductions

Mr. Don Jodrey called the meeting called to order at 9:40 AM noting that Mr. Tom Strickland was on a call with the Governors from the Gulf Coast States regarding the oil spill response and would join them shortly. Mr. Greg Knecht announced that DEP was the lead state agency for responding to the oil spill in Florida and Secretary Sole was unable to attend the meeting.

Tom Strickland, Chair, Assistant Secretary for Fish, Wildlife and Parks, U.S. Department of the Interior
Greg Knecht for Michael Sole, Vice Chair, Secretary, Department of Environmental Protection
Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, U.S. Department of the Army
Jose "Pepe" Diaz, Commissioner, Miami Dade County
Truman Eugene Duncan, Jr., Water Resources Director, Miccosukee Tribe of Indians of Florida
David Hawk for Linda Lawson, Director, Office of Safety, Energy and Environment, U.S. Department of Transportation
Patty Power for Jim Shore, General Counsel, Seminole Tribe of Florida
Larry Robinson, Assistant Secretary of Commerce for Oceans and Atmosphere, U.S. Department of Commerce
Ethan Shenkman for Ignacia Moreno, Assistant Attorney General, U.S. Department of Justice
Peter Silva, Assistant Administrator, U.S. Environmental Protection Agency
Carlos Suarez for Ann Mills, Deputy Under Secretary, Natural Resources and Environment, U.S. Department of Agriculture
Carol Wehle, Executive Director, South Florida Water Management District (SFWMD)
Shannon Estenoz, Special Advisor, Water Resources Advisory Commission
Greg May, Executive Director, South Florida Ecosystem Restoration Task Force

Ms. Jo-Ellen Darcy said it was her pleasure to participate in the meeting. Mr. Ethan Shenkman said that Justice was looking forward to a productive and constructive meeting. Mr. Pete Silva noted the importance of the Task Force given the number of moving parts related to Everglades restoration. Mr. Gene Duncan announced that Mr. Dexter Lehtinen will no longer be representing the Miccosukee Tribe and said he hoped he could do a fraction of what his predecessor did. Mr. Jodrey welcomed Mr. Duncan noting his long background on behalf of the Tribe and said they will miss Mr. Lehtinen and his constant vigilance to make sure they were moving in the right direction. Mr. Carlos Suarez said Ms. Ann Mills sent her regrets but emphasized USDA's and her commitment to Everglades restoration. He noted the strong interests of the NRCS in south Florida particularly in the Everglades and the Northern Everglades. Mr. David Hawk noted this was his first meeting and he looked forward to helping out. Commissioner Pepe Diaz welcomed everyone to Miami Dade County and described Mr. Lehtinen as a maverick and

added that he was confident Mr. Duncan could take his place. Ms. Patty Power said Mr. Shore sent his regrets.

Mr. Ken Ammon, representing Carol Wehle for the morning session, said that five CERP projects were underway: Picayune Strand, C-111 Spread Canal which broke ground in January, Biscayne Bay Coastal Wetlands (BBCW) which broke ground in May, Lakeside Ranch which held a construction celebration in June, and the C-44 which will start construction in March 2011. He said the SFWMD is working diligently with DOJ, DOI, EPA and others to address the water quality violations in the refuge and to identify the appropriate remedies. He anticipates that additional land acquisition and significant construction will be required to avoid violations in the future. Shannon Estenoz said she was excited about this Task Force meeting as well as future meetings noting they are at a complex point in the history of Everglades restoration. She said that because of the tremendous amount of moving parts it is important that all of the agencies and institutions put their best people to work on finding solutions for restoring the Everglades. She noted that exotics, water quantity, and water quality issues all threaten the Everglades and none of those balls can be dropped. She said the current Governing Board is more willing to commit to bold solutions than virtually any previous board in the history of the SFWMD. She said the district looks forward to working with the Obama Administration, the Miccosukee and Seminole Tribes, and the other partners.

Mr. Larry Robinson said he was happy to be back in Florida working on the Everglades and explained that previously he served on the Committee on Restoration of the Greater Everglades Ecosystem (CROGEE) for four years. He noted his attendance at the Climate Change Listening Session the prior day and said he was excited with the progress that has been made. Mr. Greg May welcomed everyone to Miami Dade County and the City of Coral Gables. Mr. Tom Strickland joined the meeting and apologized for being late due to a morning conference call with the Gulf Coast Governors to address the oil spill. He said it was daunting to pick up the morning newspaper with headlines stating that oil is coming onshore in Florida in significant quantities. He said he has flown over every area impacted by the spill, worked with the crews on the ground, and done everything he could on behalf of Secretary Salazar to deal with the impacts of this event. He recognized that the Task Force has been unable to meet because of the impact of the spill on all the agencies. He welcomed all of the members and recognized Dexter's role and zeal in Everglades restoration. He said that everyone was gathered around the table in a collegial, collaborative way because it is in our collective interests to work together, while at the same time we need to stay away from trying to negotiate the outcome of any litigation in the course of the meeting. He said that the meaningful progress that has taken place over the years has not come from a judge but from the collective judgments of the people sitting around the room or their predecessors. To that end he wants to schedule more regular meetings and hopes to meet again in October. He recognized the enormous momentum over the last 16 months with the ground breakings and over $600 million of investment from the federal government. He solemnly noted that this was the first Task Force meeting since the loss of Mr. Sam Hamilton who was an extraordinary friend to this cause and the environment. He recognized Sam's support for this effort and his love for Florida and the Everglades. Mr. Strickland presented the minutes, which were moved, seconded, and approved without objection.

Key Restoration Activities

Project Issues

Tamiami Trail Phase II – Mr. Bob Johnson provided a summary of the findings and draft EIS. The preferred alternative includes an additional 5.5 miles of bridges and elevating the remaining roadway. He reviewed the Congressional direction for this effort beyond what is being constructed as part of the Modified Water Deliveries (MWD) project. The focus is on restoring more natural flows, habitat and ecological connectivity. The additional bridging and road elevation would provide for unconstrained flows to the eastern portion of the Everglades known as Northeast Shark River Slough and Florida Bay. By removing obstructions to sheet flow ecological connectivity would be improved. Habitat would be improved by restoring slough vegetation, the deep-water sloughs, and the processes that produce and maintain ridge and slough communities. He reviewed two water depth distribution graphics from 1959 and 2005. The 1959 graphic shows what the system looked like when the East Coast Protective Levee was the only feature in the southern part of the system. He compared the 1959 graphic with a graphic from 2005 – a comparable rainfall period - showing the effects of the water management system that pushed the water to the west within WCA 3A noting that almost 90% of the water passes through the western side. As a result the eastern side and WCA 3B peat soils have dried up while high water levels are impacting marl prairie. One goal is to make sure that there is sufficient capacity to pass flows that will result from CERP implementation. Other goals include bringing the water back up on the eastern side, rehydrating marshes, and reducing high water impacts.

Mr. Ammon asked whether they analyzed options over 5.5 miles. Mr. Johnson replied they analyzed options up to the 10.7-mile skyway, but that it was eliminated because of constraints on portions of the roadway. The Miccosukee tribe asked for a half-mile setback on each side of the two Miccosukee Tribe camps (Tiger Tail and Osceola). He reviewed the cost benefit analysis used by the Corps and noted it is almost linear, as one increases the number of bridging the cost benefit ratio goes up. The preferred alternative 6E is considered the best buy.

Ms. Estenoz asked whether the slope mattered on the Corps' cost benefit analysis. Mr. Johnson explained that the performance measures are tied to the openings, the more openings the more benefit but the cost goes up. Mr. Johnson reviewed 6E, the preferred alternative, which would improve water depths and duration in the Water Conservation Areas (WCAs) and Northeast Shark River Slough, maximize ecological connectivity, reconnect the largest number of remnant sloughs, and create the most natural flow patterns.

Mr. Robinson asked whether there were any water quality concerns with the additional flow coming down and not going through the Stormwater Treatment Areas (STAs). Mr. Johnson clarified this project by itself does not change the operations of the water management system noting that other projects such as Decomp and sheetflow enhancement and seepage management will move forward in parallel. He acknowledged that every project that moves water has water quality concerns noting that this project changes the flow of the water in the system today which currently goes through a set of culverts versus going under a bridge.

Commissioner Diaz asked whether this project, by creating a higher elevation of 9.7 feet in the canal, would also create a higher water elevation to the east. Mr. Johnson clarified this project would not raise the water level to the east. Any time they move a conveyance project forward they need to move a seepage control project forward in parallel to make sure that water does not impact the developed areas to the east, which is why project sequencing in the Integrated Delivery Schedule (IDS) is so important.

Commissioner Diaz noted his concerns with flooding with the increased sheetflow and said he looked forward to further discussions. Mr. Johnson said he has a lot of faith in the Corps designing projects for holding water back and on the east side of the levee and they have multiple storage reservoirs being built. Mr. Strickland asked for Mr. Johnson to set up a follow-up discussion with the Commissioner noting that this process is designed to tease out concerns and allow for full discussion. Mr. Johnson reviewed the major deliverables and milestones. The Summary of Findings was released along with the draft EIS in May, the public review process is open until July 27, 2010 and the ROD is scheduled to be published in April 2011. He announced that a public scoping meeting is scheduled for that evening at the south Dade Government Center.

Mr. Duncan said he shared the Commissioner's concern that without the seepage barriers in place, Miami will flood. Everyone knows they will not allow Miami to flood and so the S-356 pump will be used but that will mean a reduced capacity to move water out of WCA 3, which is where they have constant flooding and a problem with the Cape Sable Seaside Sparrow (CSSS). He said the bridge is being built before the seepage barrier is in place. Mr. Johnson agreed it is critically important for all these steps to move forward and clarified that adding a bridge by itself does not raise water levels. He said the solution to high water is to get the water back into the historic flowway. Mr. Strickland reminded everyone this is a draft EIS and the process is set up to provide for this very type of discussion and to make sure they get all the concerns on the table. Mr. Ammon asked whether they looked at potential impacts downstream to threatened and endangered species. Mr. Johnson said yes but noted the project Biological Opinion is scheduled later. The Project Delivery Team (PDT) process brings all the agencies and affected parties together for detailed analysis. High water effects are currently causing impacts to two species, the Everglades Kite and the CSSS on the western side, so moving water from the western side to the east helps alleviate those problems.

Restoration Projects Update - COL Pantano emphasized the need to recognize and celebrate successes and he announced that the Melaleuca project was ready to go. He said momentum is the key and he recognized the extraordinary collective federal and state efforts and compromise needed to maintain momentum.

Mr. Stu Appelbaum said that the American Recovery and Reinvestment Act (AARA) funds have allowed them to move forward with a lot of projects and that the President's proposed FY11 Budget was also very kind to the Everglades by calling for the same funding level as FY10. Tamiami Trail construction is underway on the one-mile bridge and Merritt Pump Station work is underway for the Picayune Strand. The Corps is ready to award a second Picayune Strand contract by the end of this fiscal year provided

that the Project Partnership Agreement (PPA) for the Indian River Lagoon (IRL) South project can be executed.

The Kissimmee River Restoration dramatically demonstrates the before and after effects of our efforts. A number of contracts are underway in the Kissimmee and construction will be completed by December 2014. Site 1 is scheduled for bid opening on July 2nd for the first phase contract and is scheduled for award in late September. The second phase contract will depend on additional analysis but the current projection is above the Section 902 limit so additional authority may be required. The IRL South construction will be initiated in the latter part of the first quarter of FY11. The Melaleuca PIR was approved and they are finalizing the PPA and anticipating a contract award in late September 2010. The L30/L31 Seepage Management Pilot Project is scheduled for award in September 2010.

The Corps is tracking four Chief's Reports (C-43 Western Basin Storage Reservoir, C-111 Spreader Canal, Biscayne Bay Coastal Wetlands and Broward County Water Preserve Areas) to ensure these projects are ready for authorization if there is a WRDA 2010. A post authorization change report for the Kissimmee River Restoration will be submitted to Congress in June 2011 to address a Section 902 limit.

Ms. Estenoz noted the MWD project needs to move forward to flow more water south but she asked where the water is coming from since the bridging alone does not do anything to raise the water level. She said the water has to come from either the EAA or the lake so she asked what projects are slated to deliver more water and wondered if that conversation would take place today during the IDS agenda item. Mr. Appelbaum explained that it would not happen in that level of detail but he will provide an update on the IDS in terms of schedule changes and funding. Ms. Estenoz said that as a policy maker she needed to clarify what projects would be done first. If they are moving forward with Tamiami Trail, then what CERP projects will deliver the water to make Tamiami Trail achieve the promised restoration benefits and are those projects moving forward in the right time frame. She asked how the decisions they are making on what to build in the EAA fit together. She noted that Governing Board is anxious to have the Indian River Lagoon PPA move forward. She also noted the people of Martin County have been dealing with their own "oil spill" for the last several months in the sense that it looks like oil is coming into their pristine estuary through the canal because of a lack of storage.

Mr. Appelbaum agreed with Ms. Estenoz and added that it would be great if they had all the money and there wasn't a technical dimension to scheduling projects. Ms. Estenoz said she has been frustrated for years by a project-by-project approach when all of these projects have multiple benefits. She said the key is to assemble a sequence that kills the greatest number of birds with the fewest stones. Mr. Jodrey said CERP was enacted ten years ago with certain assumptions of when projects would be completed. Some of the projects were not completed on time, other projects are underway, and there is new science. The one-mile bridge and related components will finish the MWD project in 2013. The 5.5 mile bridge EIS requires Congressional authorization and funding. Congress asked for the study because the one-mile bridge does not provide the anticipated level of hydrologic benefits that MWDs was going to provide. He said a one-mile bridge is a first step but they need to restore natural levels between the WCAs and the park because both have suffered from the current water management.

Operational Issues

Lake Okeechobee Releases - COL Pantano reported that in March and April there was a tremendous amount of rainfall in south Florida and the lake was two feet higher than it should be for that time of year. It was an extraordinarily wet dry season. The Lake Okeechobee regulation schedule, which was implemented in April 2008, was developed under a flexible and collaborative process and seeks to operate within a 12.5' low and a 15.5' high. A foot of water in the basins that empty into the lake equals four feet of elevation change in Lake Okeechobee. Evapotranspiration and discharges have helped lower the lake levels and today it is at 14.18 feet, but if they had a major storm event they could reach a high-risk situation and the greatest risk would be failure of the dike from the inside out.

Because of the concern over the Lake Okeechobee discharges the Corps has traveled around the 16 counties and met with County Commissioners and members of the public. He said the Corps sought the opportunity to do the right thing and that it was difficult to look these people in the eyes and see the tremendous anger, frustration and impatience as they deal with this issue. Consistent with the Administration's position, he wants to be as transparent as possible. Cameras have been installed that provide a live feed so that everyone can see via the web the brown soupy water with lots of sediments moving across those structures which damages and destroys rivers and estuaries.

He reviewed some of the key points that he heard during these meetings:

- There is not enough storage north of Lake Okeechobee.
- The public expected more storage on public and private lands by now.
- Dirty water is not allowed to go south because of litigation and endangered species but allowed to go east and west. Why is that okay?
- The St. Lucie has the greatest concerns because it is smaller and if they could get disconnected from Lake Okeechobee that would be good with them.
- The canals should be maxed out to store water.
- A $4.5 million oyster project in the St. Lucie Estuary that has been all but destroyed as a result of Lake Okeechobee discharges.
- All are clearly supportive of efforts to construct reservoirs and STAs and make this work the way it needs to, they just don't understand why it has not occurred in the last decade.
- There are lots of opinions about species management.
- The rehabilitation of Herbert Hoover Dike (HHD) has been too slow, and there is a perception that its rehabilitation will raise the elevation of Lake Okeechobee.

COL Pantano proposed as a next step that they have a Lake Okeechobee Summit involving the 16 counties for the purpose of informing, educating and reaching consensus on the way forward.

Commissioner Diaz said the last time they tried to drain the lake down fast it created a series of problems. He asked what the plan was considering the predictions for major storms this year. COL Pantano said they are trying to get the elevation down to provide a cushion to absorb an extraordinary event for some period of time until they can move the water south. He noted that it takes forty days of releases to get 1 foot of elevation off the lake. Because they don't have the ability to draw down the

water quickly they have to steadily release it in order to build a buffer. Ms. Estenoz said the Corps has done a tremendous job and COL Pantano has shown a tremendous amount of fortitude to face the public during these difficult, heart wrenching conditions. The Governing Board met in Martin County during discharges and there were about 100 people screaming and yelling. She also reported that the Governing Board did a simulation exercise at their meeting in Martin County that showed the limitations of the system and provided urgency to increase capacity. She suggested they consider doing this simulation at a future Task Force meeting. Mr. Greg Knecht agreed COL Pantano is doing a wonderful job and that it is appreciated by the Governor's Office. Mr. Strickland thanked COL Pantano for his willingness to walk into these difficult situations and thought the idea of a summit was compelling. Ms. Darcy agreed the Task Force should consider the summit either by authorizing or blessing it adding they will need the results of a summit to inform future decisions. Mr. Strickland asked Mr. May and Mr. Jodrey to follow up with COL Pantano and Ms. Estenoz.

Everglades Restoration Transition Plan (ERTP) - Mr. Paul Souza provided an update on the development of the ERTP noting this was the first phase. He provided the status of two endangered birds. The Cape Sable Seaside Sparrow (CSSS) had a precipitous population decline in the early 1990s and has not rebounded and the Everglades Snail Kite had a dramatic population decline since the year 2000 when there were over 3,000 birds to fewer than 700 today. The good news is that every scientific review has reached the same conclusion that Everglades restoration is needed to help recover both these birds. Restoration and recovery are fundamentally tied and underscore the sense of urgency to complete Everglades restoration. He was heartened to hear about the advances in the potential next phase for Tamiami Trail bridging because this is fully consistent with long-term restoration. He believes this is a step in the right direction and will help move water away from where it does not belong. The FWS will be completing a Biological Opinion on the Tamiami Trail next step project this year and he expects it will provide notable benefits to both of those endangered species as well as tree islands and other fish and wildlife. He expected that there would be some transitional issues.

He said the ERTP is a sincere effort to advance the multi-species conservation strategy. The initial phase is modest, but modest benefits are needed and will set the table for additional phases that will allow them to incrementally advance restoration. The first phase is focused on the regulation schedule for WCA 3 otherwise known as the Interim Operations Plan (IOP) for the protection of the CSSS which has been in place for some time. They are trying to take all of the lessons learned from the past decade and build them into a revised regulation schedule that will protect the sparrow, improve conditions for the kite, tree islands and other habitats and wildlife species. He recalled that in 2008, Tropical Storm Fay put a huge amount of water throughout the entire Everglades ecosystem to include WCA 3 and there were serious concerns about tree islands being inundated and wildlife drowning. He said that everyone got together and identified flexibilities that were available in the water infrastructure. Those flexibilities along with the driest November in history demonstrated that they could limit flows into the WCA from the north, find ways to move water into WCA 3B, and find ways to gap the old Tamiami Trail to move more water.

He said the team has been working to complete the Biological Opinion review by end of this year. He reviewed the notable partner involvement and regular coordination calls and said they are coming

closer to having a suite of alternatives for broader public involvement. He reviewed the schedule and noted the final EIS/ROD will be completed in January 2011. He stressed that the transitional period will be a major challenge until the day they can declare victory and have restoration and all its constituent parts completed.

Mr. Knecht said DEP supports the transition plan and any measures that can be taken to benefit the Everglades and endangered species. DEP is concerned about the significant potential impacts of an exceedance or violation of the Consent Decree but he believes that a solution can be found. Mr. Souza said he was also confident they can figure out a way to move through it. Mr. Duncan said he appreciated all the emphasis on the protection of WCA 3, calling it a refreshing change. He said the Tribe has suffered for 11 years and it is clear that IOP, the 1999 Biological Opinion, and the reasonable and prudent alternatives have not worked. The sparrow numbers in Subpopulation A continue to decline. They have asked for other actions, like relocation of the remaining 12 birds or a captive breeding program. He said Subpopulation A is the biggest problem because the S-12s have to be closed. He said the whole system is being held hostage for a dozen birds and he is hoping this Biological Opinion will consider something different. Mr. Souza said Subpopulation A is about 40 birds based on the latest transect surveys noting they haven't seen a rebound since the crash of the early 1990s. He said everything they can do to move that water back to where it belongs will help them.

Mr. Ammon said it was his understanding that the latest draft of this plan is to revert to an old operational scheme, which means the S-12s will be closed either more often or for longer. This may impact the Snail Kite even more and that was contrary to multi species management. Mr. Souza said there are a series of alternatives that are being outlined. It is their strong position that they have to protect the sparrow and improve conditions for the kite.

Updating Everglades Restoration Plans

Integrated Delivery Schedule (IDS)

Mr. Appelbaum reviewed the robust effort in 2007/08 to develop the IDS, which includes CERP and non-CERP projects. A hybrid approach was adopted to finish projects underway or authorized as well as other high priority restoration projects. He noted that the September 2008 IDS is now referred to as the baseline and focuses on projects through 2020. He highlighted the relatively minor changes to the baseline and said the June 2010 schedule is marked draft because changes are being discussed with the SFWMD. Projects beyond 2020 are reflected on a second page with a schedule of TBD. He noted a number of policy challenges, issues and constraints such as the water quality litigation and the River of Grass (ROG)/US Sugar Acquisition that have occurred since the baseline was developed. He recognized state and SFWMD funding challenges. He said that although they have spent a lot of money to date their ability to get credit in CERP is governed by the Master Agreement and that credit is received when an individual Project partnership Agreements (PPAs) is signed. He said the next PPA to be signed is the Indian River Lagoon South project noting that project had a tremendous amount of credit. He said the Corps was sensitive to the cash flow implications as well as agrochemical policy and Corps process challenges. He said now is a good time to re-evaluate the IDS to determine what if any changes are needed.

Ms. Estenoz agreed the time is now and asked for clarification on the process to amend the IDS. Mr. Appelbaum explained there is no defined process in the Pro Regs for the IDS and one of the issues is whether there should be. Up to this point they have accepted the recommendations, input and guidance from the Task Force. Ms. Estenoz said the good news is that this will force them to focus the sequencing approach on the right parts of the system and on those projects that address the greatest number of environmental challenges. She said the Task Force should help facilitate that discussion. Mr. Appelbaum said he thought the process to develop the IDS was very successful and worked well. Ms. Power recalled it being a painful process and added that it would be useful to have these issues discussed to the point where everyone is comfortable before looking at how these projects need to be potentially re-arranged if at all. The water quality issue is something they need to understand clearly before factoring it in. She said it is not about keeping everyone happy and doing projects throughout the system. Mr. Strickland said the idea was not to resolve all the issues today but to tee it up for the next Task Force meeting since each one of these issues are significant.

Mr. Duncan said that when they started talking about CERP there was an expectation that the state was going to meet water quality standards. He said that water quality is absolutely critical to building these CERP projects and it needs to be integrated. Restoration with dirty water will destroy the Everglades. Mr. Ammon said almost all of the challenges are inextricably linked to the state meeting its water quality requirements for the existing water that's going to the Everglades. He said the additional water that will be made available by CERP has to be cleaned up and the Assistant Secretary for the Army has made progress on the cost sharing associated with the additional water quality treatment on a case-by-case basis. He said because of existing cost sharing policies it will become more and more difficult for this group, or the Corps, or the state to focus on what's most important for the Everglades. The Corps can never get out in front of the local sponsor in funding on CERP, but the state or the district can get out in front of the Corps and this constraint will drive sequencing in the future. The state has invested $1.8 billion in the Everglades Construction Project (ECP) to address existing water quality concerns and they know billions more will be needed. The local sponsor will have less to put towards Everglades restoration due to the economic slowdown. They have already invested $2 billion in Everglades restoration but don't get credit until a project is authorized and the PPA is signed. They may not be able to do what's most important but may have to do the project that gets them credit so that everything can move forward.

Ms. Power echoed Mr. Duncan's comments and said the discussion was that the feds were not going to do water quality and that the state would pay for it. She said how that would work was always very confusing to her. They are at a point where they need to have a serious discussion and figure out the constraints of what they are doing. Mr. Duncan said that if the Everglades are a national priority they have to apply that kind of logic to the water quality and water storage. Ms. Estenoz said she could not agree more with Mr. Duncan and Ms. Power and the firewall between water quality restoration and everything else is not serving the Everglades. They need to identify all of the policy, regulatory and other constraints. She said the Task Force can be instrumental in figuring out what is stopping them from being much more unified in their approach.

Mr. Strickland noted it was an excellent discussion and demonstrates that they are in a different place than they were. He said they need to keep their plans updated and be aware of the financial, political and environmental realities. Mr. Silva noted that water quality coming was to the forefront and EPA has been thrust into the lead role with the court case. He said they want to make sure they work closely with all the agencies. He thanked all of the presenters and said he supported the concept of the Lake Okeechobee Summit.

Public Comment

Mr. Kahlil Kettering (National Parks Conservation Association (NPCA)) announced support for the Tamiami Trail Phase 2 plan adding it is evident they need more bridging to get the water to Shark River Slough where it belongs. NPCA is looking for a seamless integration with Phase 1 and hopes there would be savings from moving forward quickly. It is important to have progress on a suite of projects such as DECOMP and seepage management. NPCA is concerned with the ERTP and the impacts to the sparrow due to the limited flexibility with the system. It is important to move forward with these projects in a way that they will provide results to ENP and the WCAs.

Mr. Jonathan Ullman (Sierra Club) noted the club has 7,000 volunteers in SE Florida and 800,000 members nationwide. He said the Everglades skyway is one of the top priorities of the club. They are part of a larger grassroots coalition that supports the skyway. They were excited to hear the NPS announcement proposing a 5.5-mile plan. Although the skyway coalition was endorsing the 10.7 miles from the beginning they are willing to support the 5.5-mile plan. It will provide the most bang for the buck by producing millions of dollars of economic development for south Florida and by giving the Everglades a fighting chance.

Mr. Bradley Stark (public) said he supported the Tamiami Trail Phase 2 Plan. The economy in Florida is based on tourism and there are few places in the US as unique as South Florida. He moved to Florida in 1983 from the Northeast and he has seen a decline in the Everglades, reefs, bays and estuaries. He said he would rather have the 10.7-mile skyway but the 5.5-mile will get the job done. It not only improves the estuaries and bays, but it also protects the aquifer from saltwater intrusion. And it will protect the aquifer in the future from sea level rise. He noted that to better understand the situation one could look at the satellite image of Tamiami Trail and notice the color above and below the trail. Looking at the same image before human intervention is really depressing. The skyway is the most effective thing that can be done for the dollar, will secure the tourism-based economy in the future, and in the short run will help as a stimulus for jobs.

Ms. Laura Reynolds (Tropical Audubon) noted it was clear that one mile will not achieve sheetflow and for that reason Tropical Audubon supports the 5.5-mile bridge, Alternative 6E. Tropical Audubon commends Interior for putting together a quick response and a plan that is affordable and brings much needed water to the southern end where wildlife thrived historically. The project is also critical for climate adaptation, which was the major theme of the Listening Session the prior day. Everglades restoration is the key to Florida's adaptation response to climate change. It is clear to Tropical Audubon that the state and Miami must stop building in low lying areas. Upholding Miami's Comprehensive Master Plan is an important component and they shouldn't be putting people in harm's way. Multiple

species in the south have suffered population declines and the snail kite has experienced a 90% decline because of the lack of water in the system. Single species management is impossible and an ecological thing of the past. The northern Cape Sable Seaside Sparrow population will not get inundated as a result of this project and will demonstrate this is way to recover the species.

Mr. Tom VanLent (Everglades Foundation) noted they have been working on Everglades restoration for a long time. There was a perception that it was so complicated that it was best left to the technical professionals who would somehow work in the background and out would pop restoration. Recently they have seen the importance of real federal leadership with Secretary Darcy, Secretary Salazar and Secretary Strickland and state leadership with Secretary Sole and Chairman Buermann and his colleagues on the Governing Board and with a collective vision one can actually move forward and make progress. The projects that should be the focus for the IDS are storage and treatment in EAA, DECOMP and seepage management, and Tamiami Trail. The State of Florida has shown bold leadership in the River of Grass (ROG) process. The Governing Board and DEP have shown a collaborative, inclusive and productive way of finding solutions. He is disappointed with the lack of progress on DECOMP and seepage control noting that it has taken the Project Delivery Team (PDT) six years to design a culvert between WCA 3A and 3B. The Corps' FACA interpretation has precluded effective dialogue between the agencies and the public. The team is stuck in an endless loop on the same issues. Moving forward will take the collective efforts of people in the room. He said he was deeply appreciative of the leadership and can actually see a light at the end of the tunnel.

Mr. Patrick Hayes (Martin County Commissioner) noted he had only missed one or two Task Force meetings over the last ten years and he has learned a lot. He said he could see the members going home tonight asking themselves what their children's priorities are going to be. Forty years from now when their grandchildren are sitting in those seats what will their priorities be and what opportunities will they have. In recent years they have let a sparrow and a kite determine the quality and fabric of their ecosystem. He said he would suspect that they will not be doing that. He acknowledged COL Pantano, the current Governing Board, and the Administration in Washington because he has seen a dramatic re-focusing from the mandate of flood control to starting to grapple with returning the vitality to a system they depend upon. They are dealing with many challenges and the repercussions of 100 years of drainage. The fundamental item they have taken out of the system is letting Mother Nature do what she does best. The opportunity is water and when it rains and the ground is wet in the rainy season the SFWMD discharges 100 billion gallons a day to tide. He suspects their grandchildren will be taking advantage of that. He said he would be incredibly surprised if a snail and a kite will be driving the discussion.

Ms. Martha Musgrove (Decision Makers Forum) thanked COL Pantano noting that nothing pains her more than what she has seen happen to Lake Okeechobee. The lake continues to deteriorate and it is now a murky mess. There is only one community around the lake that draws its drinking water from it. She developed the Decision Makers Forum which held a summit in 2008 and the Secretary of Agriculture, Secretary Sole, Ms. Wehle, COL Grosskruger, and over 245 people crowded in an auditorium in Belle Glade. They had a very vigorous discussion and it worked well. She reminded the Task Force that they are the summit and urged them to bring in the scientists and get informed on how to deal with

these issues. Six months after the summit in 2008 the Governor was talking to US sugar about buying the land. She said the point is don't come to the summit without your wallets.

Ms. Julie Hill (Audubon) stated that in watching these presentations she realized how much has changed since the last Task Force meeting. Not only have they broken ground on Tamiami Trail they are now looking at another 5.5-mile bridging plan which Audubon supports. Lake Okeechobee is back on the front burner due to weather and Audubon supports holding a summit. In looking at the IDS one can begin to see project completions in 2012 and 2013. She urged them to begin to have discussions on operations and operational flexibility.

Everglades Water Quality

Mr. Strickland reminded everyone that water quality is essential to every element of restoration efforts. He also noted that it is currently in litigation and affects every agency as well as the habitat in profound ways due its low nutrient characteristics.

Presentations

Mr. Nick Aumen provided a summary of Everglades water quality issues. He explained that the Everglades evolved under very low nutrient levels, which is common in tropical and subtropical systems with a lot of sunlight, warm temperatures, and good growing conditions. The total phosphorus in the un-impacted Everglades is right at detection limits and is typically below 10 ppb. The Everglades evolved under these conditions so the plants and animals are accustomed to these low levels of phosphorus. Research demonstrates that even small changes in total phosphorus can cause big changes in the ecosystem. For example very tiny increases in phosphorus cause changes in the periphyton communities which form the basis of the food web. These communities may shift to types of periphyton species that higher organisms cannot feed on. At 20 ppb some of the plants such as water lily start to drop out. Cattails thrive under nutrient rich conditions and will form a dense monoculture when phosphorus levels increase from less than 10 ppb to 40 ppb. And once sediments become enriched it can take decades to reverse.

Current efforts to deal with phosphorus focus on reducing nutrient inputs at both the source and downstream. Historically some of the greatest successes in reducing air and water pollution resulted from reducing the pollutant at the source. The state in partnership with the federal government has built more than 50,000 acres of STAs on former agricultural lands. The STAs mimic what the Everglades did naturally to take up phosphorus by removing it from the water flowing downstream and storing it permanently in the sediment. The STAs have been very beneficial and have removed well over 70% of the inflows of phosphorus. Research demonstrates that more needs to be done to reduce total phosphorus concentrations to a point that causes no harm to Everglades plants and animals.

Mr. Tom Teets provided a summary of efforts underway to improve water quality in the Everglades. He reported that since 1994 the SFWMD, and the Corps by building STA 1 E, has constructed over 50,000 acres of STAs and invested over $1.8 billion. In the water year 2009 over 1.2 million acre feet of water was treated reducing the total phosphorus load by 82%. Compartments B and C are under construction and should be completed by the end of the year. This will add another 18,000 acres of STAs at an

investment of $350 million. These are large and challenging efforts. Compartment C will require 4,800 cubic yards of cement for the foundation. Migratory birds are nesting on the construction roads at Compartment B and crews are waiting for the birds to fledge so hauling can start again. He reviewed the STA performance data noting that it will improve once Compartments B and C are online.

Under the Consent Decree, a fourteen station sampling network within the Loxahatchee National Wildlife Refuge (NWR) is used to determine if there has been an excursion or an exceedance within the refuge. There have been two recent violations/exceedances in 2004 and 2009. After the 2009 violation/exceedance it was recognized that more work needed to be done. Consequently a planning effort with all the parties was initiated in January to develop a strategy to improve the water quality. Initial discussions focused on reducing the phosphorus entering the refuge through various strategies including sub-basin, basin, and regional scale projects. He reviewed the two basin scale studies underway north of Lake Okeechobee and the application of some of the same techniques south of Lake Okeechobee. As a result of Judge Gold's recent ruling the scope of this effort has been expanded and expedited. All of the parties associated with the litigation have been invited to participate with the SFWMD to identify a suite of projects to meet a long term flow-weighted mean of 11-12 ppb for total phosphorus. The expedited schedule is being driven by the order requiring EPA to file an Amended Determination by September 3rd.

Future challenges include water quality treatment of existing flows. This will involve optimizing source controls for basin level and regional scale efforts, avoiding impacts to endangered species and migratory birds, and rehabilitating STA 1E. He said that another challenge will be addressing the water quality needs for restoration flows noting that coordinating current water quality obligations with restoration needs is not a small challenge. He explained that STAs require a nice steady flow while restoration requires a rain driven type system with a natural variability of high flows and low flows. He said that legacy phosphorus will continue to hinder efforts to reduce loads and concentrations for many years and that the SFWMD is working with the Corps to address CERP water quality cost sharing issues and state and SFWMD funding uncertainties.

Ms. Wehle reported that the District will have $50 million a year of discretionary revenue. She said given limited resources and the large scale of the greater Everglades ecosystem restoration with four important goals (quality, quantity, timing and distribution), the questions is do you exclusively fund one to the exclusion of the others or do you agree to continue with an integrated approach. The federal government has been incredibly supportive, but the state will be financially challenged for another couple of years. If there is no local sponsor match for CERP, then the Army Corps won't be able to get appropriations. They need to be careful about not continuing with an integrated approach towards Everglades restoration. Mr. Strickland welcomed Ms. Wehle and thanked her for her comments. He reminded everyone that these conversations are taking place during a delicate time given the judge's ruling and they want to address these issues in a generalized way.

Mr. Jim Giattina wrapped up the water quality presentations by recognizing that critically important work on Everglades restoration has been accomplished and much progress has been made over the last 20 years. He also recognized that significantly more work lies ahead to restore the quality of the water

entering the Everglades Protection Area (EPA) and to ensure that the water is distributed at the right time and in the right amount to achieve the ecological restoration they all desire. Judge Gold's April 14th order specifically addressed the remaining work that needs to be done to ensure that water quality flowing out of the Everglades Agricultural Area (EAA) is achieving the level of water quality needed to comply with the numeric water quality standard for phosphorus. The standard of 10 ppb was adopted by the state, approved by EPA, and affirmed by Judge Gold. Judge Gold has created a mandate for EPA to develop a comprehensive and specific path forward to ensure the numeric standard is achieved in the Everglades. EPA takes that decision seriously with regard to the Amended Determination and will meet the September 3rd deadline and satisfy the order's directives using the legal authorities available to them under the Clean Water Act (CWA). EPA recognizes this is a very challenging order given the time constraints. It will build on the tremendous work that has been accomplished thus far and welcome everyone's ideas as they evaluate and describe the remaining work to be done. He said that EPA will be conferring with the SFWMD, Florida DEP, Miccosukee Tribe, other federal partners, and interested parties as they move through this process, but in the end it is EPAs responsibility and obligation to make a decision that is technically defensible.

Member Discussion

Mr. Gene Duncan said he appreciated those comments. He added that it would be easy to solve water quality discharge problems into the refuge by simply diverting the flows and in the name of hydropattern restoration re-distribute those flows on the northern front. The justification being that they are re-hydrating an overly dry area and that is restoration too. Florida Bay and the park need the water but unless there is water quality those areas will be destroyed by dirty water. He said he was somewhat leery of proposals to take a balanced approached if that means using dirty water to achieve the desired quantities of water. Ms. Wehle clarified that using water that did not meet standards was off the table, but rather the question is how to get the biggest bang for the buck for $50 million.

Ms. Estenoz said they are in a catch 22 because while they have the political will and the right leadership at the table to develop some bold solutions that were not available five or six years ago, the state is no longer rolling in the dough. The trick is to figure out the break point for return on investment. She asked Mr. Teets if at some point you can spend a lot more money and get only a little more benefit. Mr. Tom Teets replied that the state has been working from 12 ppb and EPA and DOI have been working from 11 ppb. They are doing a lot of analysis of what it takes to get to 12 ppb and what it takes to get to 11 ppb. Mr. Jim Giattina said the reason they are modeling to 11 ppb as a long term design objective is because they believe it is more closely related to the ambient standard that was adopted. They are in the midst of doing a technical evaluation and 11 ppb may or may not be the ultimate limit. He noted that the judge did not give them the option to consider economics and they will have to try to define the most technically valid approach.

Mr. Strickland explained that he had to leave and asked Don and Greg to take over. He re-emphasized that they will be working to schedule future Task Force meetings on a regular basis and will schedule the next Task Force meeting in October. He noted they will be working to pull together a public meeting or a conference on issues associated with Lake Okeechobee. He said they have had a very robust

conversation and are seeing some threads appear in terms of things they need to be addressing with water quality being the most immediate challenge. He noted the positive conversations going on outside of the meeting between the parties in view of the legal constraints they are all facing. He explained that he needed to fly to Louisiana to deal with some immediate oil spill response issues noting that it will be the beginning of a long-term effort to restore the Gulf. He said approximately $14 billion has been invested in Everglades restoration, several major pieces of legislation have been enacted, several important projects have moved forward, we have a road map and significant political consensus. And although we lack resources we are working together like never before. The folks in the Gulf Coast would dream of being where we are now with the Everglades. This effort and those sitting around the table are an example to the country and beyond of how to make progress. The fact that these are tough issues shouldn't discourage us. Ms. Wehle thanked DOJ, EPA and DOI for the amount of time and attention that has been given to this issue as well as Mr. Aumen and the people in Atlanta who have made a commitment to this effort stating that it's never been better.

Responding to a question from Ms. Estenoz Mr. Giattina said that EPA was developing a comprehensive and specific set of remedies to achieve water quality standards. Ms. Power asked how EPA's TMDL nutrient proposal would work into this. Mr. Giattina said he did not think it would directly because they already have a numeric standard for phosphorus for the marsh and are not attempting to change that in any way. He said they would need to wait and see how the numeric standards that they ultimately adopt for the South Florida waters including the canals would influence things. Ms. Power asked how water quality would impact what CERP will ultimately look like. Mr. Giattina said that when they adopt criteria for Class III waters, how the state achieves those standards or maintains those levels is going to be an important issue. Mr. Knecht noted Ms. Power raised an interesting question, if EPA establishes numeric nutrient criteria for those other waters and there is a CERP project that discharges into those waters that doesn't meet the numeric nutrient criteria, then what happens. If the waters didn't meet the criteria going into the facility, is there ability for the Corps/federal government to cost share any of those water quality improvements. So EPA by establishing numeric nutrient criteria has the potential of raising more challenges in implementing CERP.

Mr. Duncan said that there is one set of criteria for rivers, another for lakes, another for the marsh, and the requirement is to protect the most downstream waters, which are the estuaries. But he noted that the scheduled date to establish the number for all of the upstream waters is ahead of the date for the estuaries when they should be working on the estuaries first. Mr. Giattina said they are aware of timing issue and will not finalize the downstream protection values for the estuaries until they have the appropriate criteria for the estuaries. He explained that the most robust data set was available for the inland waters so they were able to move forward quickly in that area and once the criteria for the downstream estuarine waters are available adjustments would be made as needed. Ms. Estenoz asked whether there is a danger of doing something now for current water quality that would preclude future restoration efforts as flows increase. Her biggest worry is that they just clean up the existing water, which is a remedial imperative but not restoration, and do nothing else for the Everglades. Mr. Ammon said they have not looked at the longer term implications of a 10 ppb water quality standard and how it will affect CERP. He noted that even with the EAA A1/A2 reservoir there was not enough proposed

water quality to meet 50 ppb let alone 10 ppb. So when they start expanding footprints to meet everyone's goals he could not guarantee that they may not be either precluding some options for CERP or superimposing footprints that may not be optimal at the end of the day. Mr. Giattina said they are very cognizant of that issue and the last thing they want to do is put the Administrator in a position of advocating a plan that destroys the estuaries. They are trying to look at the future flows and evaluate what will be needed.

Mr. Jodrey said that water quality is not so much remedial in Interior's view but a base condition for restoration. We always knew we needed to have the right quality of water entering the Everglades. There are some tremendous opportunities and uncertainties and it is ironic that the funding constraints are hitting them right now. But that does not mean the federal government can't do more to get additional resources since this is a top priority for the Administration. Ms. Estenoz agreed with Mr. Jodrey and asked Mr. Giattina to consider, in responding to Judge Gold's order, requiring the Governing Board to deal with new water only as it becomes available.

Working Group (WG)/Science Coordination Group (SCG) Discussion

Mr. Knecht reviewed the Task Force reports due this year. He said the Biennial Report and the Strategic Plan will be combined while the Integrated Financial Plan (IFP) and the Land Acquisition Strategy (LAS) will be in the same format as 2009. Mr. Jodrey noted the Biennial Report is the Task Force's opportunity to communicate to Congress and that the members will receive a draft report before the next Task Force meeting. Ms. Susan Markley reviewed the Plan for Coordinating Science (PCS) noting the 2008 plan is still sound and this report will focus on progress since 2008. She reviewed the timelines for the preparing the various reports. Ms. Markley also provided a brief update on the activities of the WG and SCG to include the three information briefs (New Science, Climate Change and Invasive Exotic Animals) and reviewed the follow-on work that has been identified as a result of the briefs. Mr. Jodrey said the members don't have time to read a 150 page report.

General Member Discussion

Mr. Duncan noted that the state of Florida combined all their reports into one Everglades Consolidated Report and suggested the feds could do the same. M. Jodrey agreed it was an excellent idea and asked the staff to think about how to consolidate the reports. He noted the only report mandated by law is the Biennial Report in WRDA 96.

Ms. Estenoz asked where she could find Lake Okeechobee storage in the IDS. Mr. Appelbaum replied it was on page 2 since it is scheduled beyond 2020. Ms. Estenoz said that if ASR and Lakebelt are important sources of water for flow then some other storage source has to be identified whether it's the River of Grass (ROG) or not. Mr. Jodrey said that at some point they are going to have to revisit the assumptions on which the plans are based. Mr. Appelbaum noted that CERP was developed with flexibility so that as things change over the next 30 years and new science becomes available the plan can be modified.

Mr. Jodrey asked when the Florida Supreme court will rule on the ROG. Ms. Wehle said the court makes announcements every Thursday but they were about to break for the summer and there is no time limit.

Mr. Jodrey asked if SFWMD staff could make a ROG presentation at a Task Force meeting. Ms. Wehle said it was a good idea since the information from the ROG planning effort will drive Everglades restoration in the future. Ms. Estenoz also suggested they add simulations similar to what was done at the Everglades Coalition Conference using satellite images. Ms. Wehle reported that the Glades communities are impacted economically by many of their actions and they are trying to do small things like stormwater retrofits. She asked that any agency with grant programs or programs for rural disadvantaged communities let her know.

Public Comment

Mr. Jim Murley (FL Energy Climate Commission) said the commission was created by the legislature in 2008 and they have been involved in climate change and energy issues. He noted the prior day the Climate Change Adaptation Task Force met in Miami and noted the importance of Everglades restoration to the region and to the state to address climate change issues. Commissioner Sorenson said it best by saying they must fight water with water.

Ms. Julie Hill thanked everyone for the insightful comments and encouraged everyone to expand the conversation to include things like source controls in the EAA. She said Audubon is a party to the litigation. She noted that one of the most important things to come out of the ROG planning effort is that it took things to a new level and she hopes they use that to move restoration forward.

Ms. Martha Musgrove reminded the Task Force that they are the summit. She said the give and take discussion is useful for the staff and public and hoped it would continue. She volunteered her services to make the summit a success.

Next Steps and Closing Comments

Regarding the summit Mr. Jodrey noted that the Task Force has the ability to appoint advisory bodies and receive recommendations. He said recommendations would be presented to the Task Force at its meeting in October. Mr. Jodrey suggested the WG explore options for assistance to local communities in the EAA. Ms. Wehle added the Collins Center can make a presentation to the WG. Ms. Estenoz asked whether the Task Force would be interested in the operations simulation. Ms. Power said that any new information on the IDS and water quality should be on the next TF agenda and Mr. Jodrey agreed. Mr. Knecht noted that EPA's amended determination will be available by that time. Ms. Estenoz said that the suite of cost sharing issues should also be on the next agenda.

The meeting adjourned at 4:20PM.

Enclosures:

1. Briefing Binder
    a. Administrative Items
        i. Agenda
        ii. Meeting Minutes
        iii. TF Roster
2. Key Restoration Activities

    a. Tamiami Trail Presentation
    b. Tamiami Trail Fact Sheet
    c. Summary of Findings and Draft EIS
3. Restoration Projects Update Presentation
4. Lake Okeechobee Discharges Presentation
5. Everglades Restoration Transition Plan (ERTP) Presentation
6. Updating Everglades Restoration Plans
    a. Integrated Delivery Schedule (IDS) Update
    b. Integrated Delivery Schedule (IDS) Leaflet
7. Everglades Water Quality
    a. Introduction to Everglades Water Quality Presentation, ENP
    b. Everglades Water Quality Presentation, SFWMD
8. Strategic Coordination and Documentation Presentation
9. Information Briefs
    a. Climate Change
    b. Invasive Exotic Animals
    c. New Science