

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
Stuart, Florida
May 4, 2004*

Welcome and Administrative Announcements

Assistant Secretary Craig Manson welcomed the Task Force and recalled his last visit to Florida during the Everglades Coalition conference in January. He thanked the Martin County Commissioners for hosting the meeting and recognized their leadership in Everglades restoration. He greeted Ms. Colleen Castille, Mr. John Paul Woodley, Mr. Henry Dean as well as the representatives from tribes and all the great Task Force partners. He said that ecosystem restoration in Florida remains one of the highest priorities with the Department of the Interior. He regretted that Ms. Ann Klee could not be present and he recognized the tremendous job she did while at Interior and as the Task Force Chair. He introduced Ms. Marti Allbright, the new Task Force Chair, and presented her with the gavel. He noted that she was ideally suited to be the chair and recognized her current work as the Executive Director of Take Pride in America.

Ms. Allbright thanked Judge Manson and called the meeting to order at 1:15 PM. She was pleased to have been appointed to the Task Force by Secretary Norton. She thought that this approach exemplified Secretary Norton's concept of the four C's: communication, coordination, consultation all in the effort of conservation. The partnerships and the collaborative spirit to accomplish a greater goal set an example for the rest of the country. She said she was pleased to be present and thanked Judge Manson for taking the time to join the meeting. Ms. Allbright informed the group that Judge Manson was also the Co Chair of the Coral Reef Task Force which was scheduled to meet in Miami in September. She said the members would discuss the possibility of meeting with the Coral Reef Task Force in September later in the agenda. She thanked Martin County for hosting the meeting as well as the social and the tour scheduled for the following morning. Ms. Allbright recognized the large shoes she would be filling, noting that Ms. Klee was a tremendous talent and had done a marvelous job. She hoped that Ms. Klee would be able to join the group at a future meeting. She encouraged everyone to keep focused on achieving their shared goals. She welcomed Ms. Colleen Castille as a new Task Force member and noted the wealth of experience she brings as the Secretary of the Department of Environmental Protection.

Craig Manson, Assistant Secretary for Fish, Wildlife and Parks, U.S. Department of the Interior

Marti Allbright, Chair, U.S. Department of the Interior (DOI)

Colleen Castille, Vice-Chair, Secretary, Department of Environmental Protection (DEP)

Billy Causey for Timothy Keeney, Deputy Assistant Secretary, U.S. Department of Commerce

Henry Dean, Executive Director, South Florida Water Management District (SFWMD)

Jose Diaz, Commissioner, Miami Dade County

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

Alan Farmer for Benjamin Grumbles, Acting Assistant Administrator, U.S. Environmental Protection Agency (EPA)

Mack Gray, Deputy Undersecretary, U.S. Department of Agriculture

Dexter Lehtinen, Special Assistant, Miccosukee Tribe of Indians

Simone Marstiller Deputy Chief of Staff, Governor's Office

Patty Power for Jim Shore, Chairman, Seminole Tribe of Florida

John Paul Woodley, Jr. Assistant Secretary of the Army for Civil Works (ASA(CW))

Michael Collins, Chair, Water Resources Advisory Commission, Task Force Advisory Body (WRAC)

Greg May, Director, South Florida Ecosystem Restoration Task Force

Whiparound

Ms. Patty Power representing Mr. Shore said she looked forward to working with Ms. Allbright. Commissioner Diaz said he too would miss Ms. Klee and he looked forward to working with Ms. Allbright. He thanked Mr. Woodley for his support of the Miami River dredging project.

Mr. Lehtinen said the process approved by WRDA 2000 and required by NEPA is being circumvented by moving forward with project components before the EIS is completed and the Project Implementation

Reports (PIRs) are presented to Congress. He noted that the SFWMD has indicated it might go forward with some CERP components. He said he was not sure that legally and conceptually this was a good approach. If they expedite a component and move forward without completing an EIS and seeing the impacts, then they are depriving Congress of the right to say no. He also expressed concern that careful attention be paid to agencies in the field to prevent them from engaging in “incremental desires” or failing to carry out projects once they have been authorized, such as Modified Water Deliveries (MWD). Congress approved a modified GRR that allowed the 6-D component to move forward and now the Corps has published a GRR for the Tamiami Trail component. Just like Indian River Lagoon (IRL), MWD needs to go forward and yet they are being urged to redesign components of MWD. He asked when they would quit redesigning it and actually “do it”. Ms. Allbright thanked Mr. Lehtinen for raising his concerns.

Mr. Alan Farmer noted Mr. Benjamin Grumbles sent his regrets for not being able to attend this meeting. Mr. Jim Murley said Mayor Anthony also sends his regrets. Mr. Andrew Emrich welcomed Ms. Allbright, Judge Manson and Ms. Castille to the Task Force.

Mr. Billy Causey noted Mr. Tim Keeney was unable to attend the meeting. He encouraged the two Task Forces to coordinate in September and noted that what happens on the lands impacts both positively and negatively the coral reefs. He said no other reef system in the world is under the stresses they have here. September would be an ideal opportunity for collaboration and coordination. He noted the President’s Commission on Ocean Policy had issued a draft report and NOAA was preparing comments. Finally he noted that the Sanctuary, EPA and state partners were planning a summit in Key West in August 2004.

Mr. Mack Gray announced Mr. Niles Glasgow, his agency’s representative on the Working Group, would be replaced Mr. Ed Wright in June. Ms. Simone Marstiller reiterated the State of Florida’s commitment to the Everglades restoration.

Mr. Henry Dean welcomed Ms. Allbright and Judge Manson. He said he would provide a short presentation that might address some of the concerns raised by Mr. Lehtinen. He noted the twenty-fifth anniversary of the Conservation Recreation Lands (CARL) program and said that one of the first acquisitions was on Hutchinson Island. He also noted Preservation 2000 passed under Governor Bob Martinez in 1990 and Florida Forever passed under Governor Bush. He noted Florida’s strong history of conservation and strong citizen support for land acquisition in support of conservation.

Mr. John Paul Woodley announced that Lake Okeechobee was at the 14 foot level as a result of improved water management. Consequently the Corps had been able to cease pulse releases of freshwater into the Indian River Lagoon and return to a more natural flow regime. He said that a contract had been awarded for the Taylor Creek STA and the IRL PIR had been approved at the division and was in Washington at the Corps headquarters.

Ms. Castille said she was pleased to join the Task Force and recognized its previous successes. She noted the last time she was in Martin County was to attend a meeting with members of the community regarding the devastating freshwater releases to the St. Lucie River and was pleased to see a solution had been found. She stressed that Everglades restoration was Governor Bush’s priority and they would take every opportunity to work with the stakeholder groups and members agencies to move forward on Everglades restoration projects. She noted their success with the help of the Florida Legislature in appropriating \$100 million for Save Our Everglades, \$25 million for land acquisition, \$10 million for Lake Okeechobee and a number of projects to remove septic tanks from the Indian River Lagoon. In addition to the WMD’s matching funds, the state has committed over \$900 million for restoration since the passage of WRDA. She said she looked forward to working with everyone and reiterated DEP’s commitment to Everglades restoration.

Administrative Items

Ms. Allbright presented the February meeting minutes. Commissioner Diaz moved the minutes, Ms. Power seconded. **Minutes were approved as presented.** Ms. Allbright noted that Mr. David Struhs’ departure left the Vice Chair position vacant. Mr. May reviewed the protocol for electing a Vice Chair noting that a simple majority of the members present was required. Mr. Lehtinen nominated Ms. Castille contingent

upon her interest. Ms. Castille said she would be pleased to serve. Commissioner Diaz seconded the nomination and there were no further nominations. **All members voted in favor of Ms. Castille for Vice Chair.**

Director's Update

Mr. May extended his thanks to Martin County and recognized Ms. Suzanne Stout, Manager of Riverside Park, Mr. David Grant, Assistant to the County Commission and Mr. Ross Wilcox, Environmental Administrator for Martin County. He noted that the Coral Reef Task Force would meet in Miami Beach September 14 – 15, 2004 and they were looking for opportunities to have some synergy between both Task Forces. He asked the members to consider changing their September 15 – 16 meeting dates in order to provide an opportunity for a joint session and social. He said members would be polled on their preference via e-mail. Ms. Allbright said she wanted to be mindful of everyone's schedule and address the most important issues. She asked everyone to think about what they would like to see on the agenda. Mr. Gray said he is a member on both Task Forces and welcomed the opportunity to have the meetings overlap. Mr. May reviewed the updated workplan (Encl. 2) which identifies Task Force products and priorities.

Working Group Report

Mr. Jay Slack provided an update (Encl. 3) on their last meeting and noted their efforts to work on Task Force priorities. At the Task Force's request a multi-species management workshop was held to identify key issues and actionable items that would help move ecological restoration and multi species activities forward. Presentations were provided by the agencies and perspectives were provided by several members. They developed an initial list of high priority issues and recognized related issues like those being dealt with by the Combined Structural and Operations Plan (CSOP) Advisory Team. They also explored the overarching issues with regards to multi species, single species and ecosystem management. An exercise was conducted with the help of a facilitator to identify specific issues, categorize them into broader issues and then prioritized them. Although these were just the initial steps, Mr. Slack wanted to provide the Task Force with an opportunity to comment. He reviewed the issues noting the "get the water right" goal was presumed to be an assumption for each of these issues. Marine species were recognized as well as the need for sound science to underpin actions. He asked the members for any questions, comments or concerns. Ms. Power said she was glad to see the communication among the agencies and noted that the Seminole Tribe in partnership with the Corps of Engineers was building a Critical Project in coordination with US Fish and Wildlife Service (FWS), EPA and other regulatory agencies. She noted their experience with Endangered Species Act (ESA) issues over the years and hoped multi-species management would get needed attention.

Science Coordination Group (SCG) Report

Mr. Rock Salt explained the new science group included a combination of scientists and managers. He introduced Peter Ortner who would be able to answer technical questions and introduced other members of the group. He provided a presentation and draft annotated outline for the plan to coordinate science which will define and prioritize programmatic-level science needs critical to restoration success as defined by Task Force goals and objectives. The group's approach was primarily based on the conceptual ecological models (CEMs). These models are based on scientific hypothesis that attempt to link the stressors with the attributes of the ecosystem. Using these models the team will identify needs and gaps and prepare a series of options for Task Force consideration. They hope to develop these options such that the Task Force will be able to "adopt and embrace" the corrective steps. He proposed a two-phase approach to respond to Congress using two of the models for the September 2004 report. He reviewed the key milestones and noted an interim draft would be provided electronically by the end of July. The final plan would be presented at the September meeting for approval. In addition to the needs and gaps, the group is also reviewing the importance of quality control such as independent or peer review. Once approved by the Task Force, the plan would be updated periodically and the Task Force would be kept informed. Mr. Peter Ortner said that the needs and gaps workshops have been scheduled for May 13 – 14, 2004. He also noted that the conceptual models are going to be submitted for peer review in a special issue of the Journal of Wetlands. Ms. Castille asked how that review would affect the actions taken by the Task Force. Mr. Ortner recognized the need to conduct a formal peer review by the Journal and that the CEMs may be modified as a result of that review. He also noted that RECOVER had its own process for peer review. He did not, however, expect a change in substance at the programmatic level. Mr. Salt said that drafts would

be provided as they were completed. Ms. Allbright asked if everyone was comfortable with receiving these drafts via e-mail. There were no comments.

Combined Structural and Operating Plan (CSOP) Advisory Team Report

Ms. Carol Rist reminded the Task Force that the team was created to assist the Task Force in providing recommendations to the Corps during key phases in the CSOP process and by doing so increase stakeholder participation. The team has been assisted by Bob Jones who has facilitated their meetings. She reviewed the membership and noted that the alternates to voting members were also listed. The team has held seven meetings to date and has received numerous briefings. To respond to the Task Force's request the team was developing strategic performance expectations. Once developed, the team would consider the Corps' performance measures in light of the expectations. She presented the draft work product (Encl. 4) from the April meeting and noted that final action was not possible because of questions concerning the S-356 pump.

Mr. Dennis Duke reported the CSOP Principals met that morning and were looking at a narrow interpretation based on the assumption that MWD and C-111 would be in place and the operation plan should reflect those facilities. He noted the S356 pump station issues primarily involved the question of whether or not there was a need for additional capacity at one central point. If there was a need for larger capacity or additional structural improvements, then those would be handled under a phase II follow-on effort. He said that MWD was scheduled for completion in June 2006 and they needed an operational plan ready when it comes online. Mr. Lehtinen asked whether that meant that the Corps would not talk about other structures. Mr. Duke clarified that meant that the team reached a stalemate over the S-356 issue. As a result he was considering splitting this issue into two phases. Phase I would be the plan before them now and phase II would have additional items needed to address enhanced environmental benefits or enhanced flood protection or both. Mr. Lehtinen said he did not understand how the project could be built now and decide how to operate it later. Mr. Duke reminded everyone that the agencies agreed on developing the project first with the final operating plan developed later per the 1992 General Design Memorandum for MWD and the 1994 Report for C-111. They were now asking the team to focus on how the features of those two plans would be operated recognizing that there may be additional issues that cannot be addressed with the features they have. Ms. Allbright suggested adding a detailed discussion of the S-356 as well as the issues of disagreement after the Corps' update. Mr. Gray said the major concern he has heard from agriculture is with this pump and it not being turned on. Mr. May reminded the Task Force that the draft work product was provided for information and does not yet represent a consensus agreement because of disagreement over the pump issue. He also noted that the list of team members has been updated to include voting alternates and the addition of Monroe County as a non voting member. Mr. Lehtinen made a motion to approve the alternates and allow them to vote in the absence of their principal and to allow Monroe County to participate as a non voting member. Commissioner Diaz seconded. **Motion carried, none opposed.** Mr. Lehtinen said the team had done a remarkable job in dealing with these challenging issues in just seven meetings.

Indian River Lagoon (IRL) Letter of Support

Mr. May reviewed the draft Task Force letter in support of the IRL PIR which was requested at the February Task Force meeting. He noted that the IRL plan has been through two opportunities for public review, once during the development of the feasibility report and once during the development of the draft PIR. He said that the Corps will publish the final PIR and SEIS in the federal register at the end of week. Mr. Lehtinen suggested the Task Force could indicate support for the IRL project conceptually but that because the public process on the PIR had not been completed, it was premature to say the Task Force endorsed it. Mr. May added that it was his understanding that this was the final PIR and EIS and that any new comments would be incorporated into the Chief's Report. The Corps would be asking for agency comments when they released the final draft. He asked the members when they thought it would be appropriate for them, as a Task Force, to weigh in. Ms. Power asked whether the purpose of the letter was to communicate the Task Force's support to Congress or to the Corps in support of what they are doing. She said the Seminole Tribe also shared the concern of taking a position on something they have not seen and yet she noted the Task Force "would miss the boat" if they waited until the September meeting. Mr. May clarified the draft letter is addressed to the Army. Ms. Allbright asked Mr. Lehtinen, Ms. Power, Mr. May, Mr. Woodley and Ms. Castille to work on the letter as a subgroup. The letter was revised over the

break and Ms. Castille presented the changes and made a motion to approve and Mr. Dean seconded, none opposed. **The motion carried to approve the letter as amended.**

South Florida Ecosystem Restoration Update

COL Carpenter said that as District Commander he has over nine hundred employees and it is his responsibility to improve the quality of life for everyone in Florida, Puerto Rico and the Virgin Islands. He introduced Dennis Duke who provided a presentation (Encl. 4) reviewing the history of the C&SF project which changed the flow from its historic natural patterns to a highly managed system with large discharges to the east and west. He noted that they were over fifty five years into the project and it was only about 60% complete. The project was highly successful in that it did what it was intended to do in terms of providing land suitable for agriculture and urban development. He reviewed some of the adverse, unintended consequences which included too much/too little water, reduction in wading bird populations, degradation of water quality, repetitive water shortages, salt water intrusion, declining estuary health and 1.7 billion gallons of water pushed out to tide daily.

COL Carpenter reviewed the program activities (Programmatic Regulations, MISP, Banding and Regional PDTs) the Corps was undertaking. He noted the Master Implementation Sequencing Plan was the Corps' effort to get the projects that produce the most benefits moved forward in the process using the best available science. The Corps and the SFWMD will work with stakeholders to develop five-year increments in a process called "banding." He noted that the organization had the capability to work on nine PIRs simultaneously. The purpose of banding is to focus on individual projects so they can complete them. Once there is an approved PMP, then they will publish milestone dates. Regional PDTs have been created to enable decision makers and senior agency folks to attend meetings. These PDTs will also facilitate policy decisions. He noted the current program was over \$10 billion with \$8.4 billion for CERP. He said the Corps was moving out on Modified Water Deliveries and would build what was authorized to the best of their ability. He noted the Corps had acquired 341 tracts in the 8.5 Square mile area to date.

Mr. Duke provided an update of the Critical Projects. He noted that because the program cap is fixed at \$150 million they will not be able to get to three projects: Southern Crew, Tamiami Trail Culverts and Lake Trafford Restoration. While the SFWMD proceeds with construction to obtain early benefits, the Corps was looking at options to address these three projects. He noted the C-111 project was under construction and portions of the detention basins have been completed. The land swap between Everglades National Park and the SFWMD for the portions of land needed to take place before the detention basins could be completed. He explained that as a result of Hurricane Irene in 1999 the Corps initiated the Miami Dade Canal Study to examine flood problems. They were exploring opportunities to improve the major canal system and enhance flood protection. He said the reconnaissance report had been completed and the Corps was preparing a Project Management Plan (PMP) with SFWMD to identify costs, etc.

He then provided an overview of the CERP noting that the FY05 budget request included a recommendation for \$2 million for a new construction start for the pilot projects. He said COL Carpenter and General Castro had signed the Indian River Lagoon – South recommended plan and transmitted it to Washington. The major features include 130,000 acre feet of storage in the reservoirs, 35,000 acre feet of STAs, 92,000 acres of natural storage areas, 31,000 acres of flood plain restoration and muck removal with total project cost \$1.2 billion. He said that they will publicly notice the final report of the Corps of Engineers and the proposed report of the Chief of Engineers. He finished by announcing the Corps would host a National Environmental Restoration Conference on December 6 – 10, 2004 in coordination with the GEER Conference.

COL Carpenter closed by saying the Corps is working hard and noted their program included much more than just CERP. He assured everyone of the importance of showing continuous success and putting things on the ground and said the Corps was committed to making this a success.

Ms. Power asked whether the Corps provided a briefing on the Southern Golden Gate Estates (SGGE) at the February meeting to satisfy the requirements of the programmatic regulations. Mr. Duke explained it was not briefed due to modeling challenges but that it was starting to come together. Mr. May said the

Task Force would need to provide feedback on what constitutes consultation in terms of the level of detail and format.

SFWMD/Corps Partnership – Opportunities for Accelerating CERP Projects

Mr. Dean agreed with COL Carpenter about the need to move forward and maintain the momentum of Everglades restoration while at the same time ensuring the delicate balance of making sure the money is spent wisely. He said informal discussions started last Spring between the Corps and the SFWMD to explore options to move ahead with surface water storage on a faster pace than contemplated with the original schedule. They looked at several key projects including the Talisman Reservoir below Lake Okeechobee, C-43 basin to the west, C-44 basin to the east of Lake Okeechobee and the L-8 Reservoir. He said the SFWMD is working in partnership with the Corps to try to move out with some early starts with the goal to move dirt and provide for water storage as soon as possible recognizing that capturing water is a key component of Everglades restoration. The L-8 Reservoir is an ongoing success story located in Palm Beach County north of the Loxahatchee Refuge and will store 45,000 acre feet when it reaches capacity in December 2007. This project will provide the ability to restore the flow in the Loxahatchee River ten years ahead of schedule at 1/2 to 2/3 the estimated costs. He noted one of the Governor's initiatives has been the successful recruitment of the Scripps Research Institute and the SFWMD had worked closely with Palm Beach County and representatives from Scripps to locate a flow-way on the campus site.

Next he talked about the Everglades Agricultural Area (EAA) Reservoir project on the Talisman property south of Lake Okeechobee. He said this project would serve as the linchpin of Everglades restoration since it would be capable of storing 360,000 acre feet of water on roughly 30,000 acres of land. Located just north of the STA 3/4 it will provide the ability to moderate the peaks and valleys and allow the release water over time. He said they were working hand in hand with the Corps who had the lead on developing the PIRs. He said these four reservoirs along with MWD and C-111 projects would provide the majority of the CERP benefits currently scheduled to take thirty years complete, but in just five years. The SFWMD hopes to conclude an agreement on what would become the adopted PIR and receive federal credit for monies the state would expend. He reiterated the urgency to keep the momentum of CERP going and noted that local governments have made it clear to him that they want to see action, i.e. water storage. He said the SFWMD recognized this approach had some risk of not getting a dollar for dollar match in credit.

Mr. Dean went on to say that the SFWMD would go ahead and build the L-8 Reservoir on the land that had been acquired a year ago. He anticipated the PIR would be approved after the project had been completed. By doing this the SFWMD had been able to jump start the Loxahatchee River Restoration ten years ahead of schedule at half the costs. Mr. Lehtinen asked whether the EIS was done with the project as a pre-project condition. Mr. Merriam said if all or part of an accelerated project was inconsistent then they would not get credit and confirmed the federal process required NEPA. Mr. Lehtinen said under NEPA one alternative is no action and, therefore, if component A is already built then the no action alternative would include the completed component. Mr. Merriam clarified the without project condition would include an already constructed project and that the SFWMD would be taking a risk. Mr. Duke added that if it was considered as an alternative, then it would be considered again in the federal EIS for the federal recommended action.

Martin County Commission Presentation

Commissioners Doug Smith and Sarah Heard welcomed the Task Force members to Martin County. Commissioner Smith commented how difficult it was to get everyone in Martin County to agree on something and stressed the overwhelming sense of urgency in Martin County to move the IRL PIR forward. He explained Martin County had suffered severe degradation to the environment and the economy over the last few years as a result of unnatural releases of water. He thanked COL Carpenter and Mr. May for their efforts to restore more natural conditions and presented a video supporting the IRL. He invited the members to attend the social that evening.

S-356 Issue

Mr. Lehtinen said it was his understanding that there were some attempts at the CSOP Advisory Team meeting to put restrictions on the use of the S-356 pump based on the amendments to the GRR for

alternative 6-D that would lead to concerns that flooding would not be addressed properly in the vicinity of the L-31N canal. He said the Principals met this morning and have indicated they do not intend such restrictions and that the pump can be used at full capacity and would put that in writing for the CSOP team. If that was the case, then MWD would be implemented in a way contemplated previously. He added that the current S-356 pump was not the pump MWD intended. Ms. Allbright said part of the purpose of the Task Force was to ensure that factual information was available and that misinformation was clarified. Mr. Lehtinen said this was important because the 1989 Act required that the 8.5 SMA area be protected against flooding caused by MWD implementation and noted it had been a problem for a long time. The Act also added a great deal of property to ENP. He said the discussion about restricting the pump seemed to be another indication of an incremental effort to reduce flood protection to South Dade. Mr. Gray agreed that flooding in South Dade was a major concern and he was not sure whether it had been resolved satisfactorily. Mr. Dean said the principals (ENP, FWS, USACE and SFWMD) met that morning and were working to reach a consensus on how CSOP will operate and would provide guidance to the CSOP Advisory Committee. Ms. Allbright introduced Mr. Dan Kimble, the Acting Superintendent of ENP.

Strategic Plan Update

Ms. Linda Friar provided a presentation (Encl. 5) on the update of the Strategic Plan and Biennial Report for 2004. She reviewed the contents both volumes and noted that comments and feedback were due by May 20, 2004. Ms. Castille said the state would provide language for their invasive species management program. Ms. Allbright said she wanted to ensure that everyone's comments were incorporated before the draft goes final. Mr. Murley asked whether the CSOP issues would be incorporated in the draft. Ms. Power suggested getting a red lined version followed by a conference call, similar to previous reviews. Mr. Lehtinen said he preferred to go through the red lined draft in a meeting rather than on a conference call. Ms. Allbright suggested they wait to see the comments before making a decision. Mr. Lehtinen said that if minority views were incorporated into the report, then a conference call would probably be acceptable. He referred to the State's Long Term Plan to Achieve Water Quality as an example of a matter subject to debate and noted that this report seemed to adopt the plan. He did not believe this was appropriate. Ms. Allbright clarified if there were issues that required a full discussion in person then members should contact Mr. May and a special meeting would be scheduled, if not, then the red lined version would be provided followed by a conference call.

Public Comment

Ms. April Gromnicki (Audubon of Florida) was pleased that an agreement was reached with US Sugar and urged the group to complete the EAA project as soon as possible. She urged everyone to support the approval of IRL and SGGE. She was pleased that they had new start authority for CERP and hoped these projects would begin quickly. She said that land acquisition was the foundation for CERP and supported additional funding to accelerate land purchases before it was too late.

Mr. Patrick Hayes thanked the group for acknowledging the Loxahatchee as a problem. He acknowledged the District is moving forward and suggested water supply and reservations be highlighted in the document.

Mr. Stan Bronson (Florida Earth Foundation) discussed their sponsorship program.

Mr. May provided administrative announcements regarding the IRL tour the following morning. Ms. Allbright signed the Task Force letter of support for the IRL (Encl. 6) and the meeting adjourned at 5:50 PM.

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
Stuart, Florida
May 5, 2004*

Welcome

Ms. Allbright reconvened the Task Force meeting following a tour of the IRL provided by the Martin County Commission. The following members joined the meeting:

*Roman Gastesi for Jose Diaz, Commissioner, Miami Dade County
Gene Duncan for Dexter Lehtinen, Special Assistant, Miccosukee Tribe of Indians*

Mr. Greg May reviewed the accomplishments from the previous day and linked them to the priorities of the Task Force. He summarized the due outs:

1. Recommended changes to the Strategic Plan and Biennial Report were due May 20, 2004 to Linda Friar or Marsha Bansee. A revised draft in red lined format would be distributed and either a conference call or a special meeting would be scheduled. Members were asked to provide their preference for a conference call or meeting. He noted that Mr. Lehtinen's preference would be based on the Task Force's willingness to have separate or individual member positions reflected in the document.
2. An e-mail requesting the members' preference for the September meeting dates would be sent. One option would allow for a joint session with the Coral Reef Task Force and the other option would keep the original meeting dates.
3. The signed IRL letter would be posted on the website along with the meeting minutes and presentations.
4. Science Coordination Group (SCG) would provide products to the Task Force as they are finished.

Task Force Consultation Discussion

Mr. May said he believed there was a difference between exchanging information and consultation. Consultation would involve providing information before the meetings so that the members could have an informed discussion during the meeting. He read the definition for consultation from the programmatic regulations. He noted at the February meeting that Steve Walker started to distinguish between agency level review (Level 1) versus a Task Force review (Level 3). He recognized that the individual members clearly represented their respective organizations and had specific legal and policy responsibilities in that regard. But he said as Task Force members they also had an opportunity to provide a more strategic view and as Mr. Walker noted, they could provide a, "final check and balance." He urged the Task Force to discuss their expectations for consultation and he reminded everyone that participation in the PDTs was always an option for very detailed engagement.

Ms. Power said the Seminole Tribe recommended the inclusion of the consultation provision for the Task Force in the Programmatic Regulations. She said the tribe believed that some issues should be vetted with policy makers. She suggested they look at what Congress authorized in 2000, the yellow book description of the project and note where it is now and what the PIR does and how it has changed. She also wanted to identify the project purpose and costs and compare that to the PIR. She thought that the alternatives analysis should be discussed to explain from a policy perspective why Congress should support this project. Ms. Allbright noted that timing was a critical consideration if the Task Force wanted to impact the decision-making process, alternatives consideration process or an explanation of the analysis in the end. Mr. Mike Collins suggested from past experience to not wait until the end. Mr. Duncan appreciated the need to consult at a strategic level, however, with nine PIRs ongoing simultaneously; he believed the "nitty gritty details would need to be brought here." For consultation to be meaningful, it must be pre-decisional. Mr. Dean pointed to the IRL PIR as a good example of consultation. There were extensive town hall

meetings and public hearings. He agreed the Task Force should have pre-decisional consultation, but said these PIRs were not produced in a vacuum. Ms. Power said it is important to present them to the Task Force if there was a significant change in what the project was intended to do. The Seminole Tribe was unable to review all of the PIRs and wanted to have a handle on where restoration was going in a general way and impact the decision-making process. Mr. Gastesi said it needed to be decided on a project-by-project basis. He thought detailed feedback could be synthesized from processes similar to the CSOP Advisory Committee. Mr. Collins suggested the Working Group could screen issues to bring to the Task Force. Mr. May noted that the Working Group charter provides for the Task Force to ask the Working Group to look at specific issues. Mr. Woodley said that he heard at least four different mutually exclusive concepts of what the regulations required and what would constitute consultation. He thought any one of the four would meet the requirements of the regulation and thought the real question was whether the Task Force was comfortable that they have satisfied that requirement. He suggested that a small committee vet this idea and develop some recommendations. Mr. Causey said there was a big difference between a status report and a briefing. He thought the easy PIRs could be vetted through the Working Group and passed on as bulk consultation items. The group could also identify the PIRs that needed a more detailed review. Mr. May noted the value of this discussion and suggested having some type of agreement as to what satisfies consultation. He suggested they start at the strategic level and define what constitutes consultation.

Mr. May reviewed agenda highlights for the September meeting: Strategic Plan/Biennial Report, Plan to Coordinate Science; consultation and the programmatic regulations; and joint session with the Coral Reef Task Force. He said a lot of their review could take place prior to the meeting. Mr. Collins reminded everyone that WRAC has established subgroups that are working on these issues are due to report back in August. He asked Mr. May to work with Mr. Rick Smith.

Public Comment

Mr. John Adornato (National Parks Conservation Association) welcomed the Task Force members, particularly the new Chair on behalf of Mary Munson. NPCA is interested in seeing CSOP, MWD and modifications to the C-111 project completed because they were critical to ENP. He said NPCA believed that the intended benefits of CSOP must be realized. Further phases or requirements should not hold this up and should be consistent with the restoration benefits. He noted the Florida City Development of Regional Impact and the concurrent request by Florida City request to annex land outside the urban development boundary were inconsistent with restoration, were inconsistent with Miami Dade County's intentions and inside the model lands. NPCA believes the lands should be used to restore Biscayne Bay and urged the developer not submit their application to the Regional Planning Council, but if they did, he urged it be opposed.

Ms. April Gromnicki (Florida Audubon) provided a handout (Encl. 7) regarding development in Miami Dade County. The Everglades extends beyond the borders of both Everglades and Biscayne National Park and there are three CERP projects under significant development pressure. While they were seeking to restore coastal wetlands to save Biscayne Bay and there were proposals to drain and develop thousands of acres in that same area. Biscayne Bay was in trouble and actually worse than they thought. Local development issues were very much this group's problem. She stressed the importance to figure out a way to protect the remaining Everglades between Biscayne and Everglades National Parks.

Mr. May thanked his staff for their work and support in making these meetings run smoothly. He noted that OED was a learning organization and that comments received were reflected in agendas and he encouraged continuous feedback. Mr. Dean thanked the staff for putting together the IRL tour. The meeting adjourned at 11:55 PM.

Enclosures:

1. Briefing Binder
 - a. Agenda
 - b. Meeting Minutes, February 2004
 - c. Meeting Calendar
 - d. Task Force Roster (April 29, 2004)
 - e. Vice Chair Protocol

- f. Consensus and Voting Protocol
 - g. Draft Task Force letter in support of the IRL project
 - h. SCG Power Point Presentation on PCS
 - i. Annotated Outline of the Plan to Coordinate Science (PCS)
 - j. Draft Strategic Plan/Biennial Report
 - k. Task Force Statutory Responsibilities
2. Workplan
 3. Working Group Update
 4. Corps' Power Point Presentation
 5. Strategic Plan Power Point Presentation
 6. Signed IRL Letter
 7. Audubon of Florida Handout