

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
SFWMD, West Palm Beach, Florida
May 16, 2007*

Welcome and Introductions

Ms. Kameran Onley called meeting called to order at 1:30 PM. She thanked Mr. Rick Roth as well as staff for the tour held that morning. She noted the purpose of the field trips and tour is to focus on restoration successes. Mr. Michael Sole apologized and said he was unable to participate in the field trip that morning due to drought and beach erosion issues. He noted key issues are having adequate funding for the Northern Everglades and CERP.

Kameran Onley, Chair, U.S. Department of the Interior

Michael Sole, Vice Chair, Department of Environmental Protection

Roman Gastesi for Jose "Pepe" Diaz, Commissioner, Miami Dade County

Judy Gray for Timothy Keeney, Deputy Assistant Secretary for Oceans and Atmosphere, U.S. Department of Commerce

Dexter Lehtinen for Miccosukee Tribe of Indians

Matt McKeown, Principle Deputy Attorney General, U.S. Department of Justice

Gary Mast, Deputy Under Secretary for Natural Resources and Environment, U.S. Department of Agriculture

Chip Merriam for Carol Wehle, Executive Director, South Florida Water Management District

Patty Power for Jim Shore, Seminole Tribe of Florida

Craig Schmauder for J.P. Woodley, U.S. Department of the Army

Dee Stewart for Benjamin Grumbles, Assistant Administrator Office of Water, U.S. Environmental Protection Agency

Task Force Member Whiparound

Mr. Gary Mast also thanked Mr. Roth for the tour. He reported USDA hopes to have the Farm Bill by the end of September. Mr. Craig Schmauder reported they are awaiting confirmation of Lt. General VanAntwerp and passage of WRDA. He also reported the agreement for the Interim Goals and Targets was signed. Ms. Dee Stewart said they are working on TMDLs for several water bodies and the proposal will be out by September 2007. Ms. Judy Gray noted Mr. Keeney was unable to attend but she was happy to participate adding she was a former Working Group member. Ms. Patty Power also noted Mr. Shore was unable to attend and they are working through WRDA amendments. Mr. Chip Merriam reported Ms. Wehle would attend the following day and the SFWMD is still dealing with the drought.

Mr. Sole stated the state is evaluating the TMDL process and will determine whether to use the existing process in light of the many moving parts in Everglades restoration. Ms. Onley stated she is happy to complete the Interim Goals and Targets Agreement. Mr. Dexter Lehtinen noted the Miccosukee Tribe's opposition to the current proposal to relocate Tamiami Trail and added that the bridging was never part of the Modified Water Deliveries (MWD) project. He said the relocation of Tamiami Trail has not been studied, is contrary to the record of decision and is politically driven. He said that doing these changes outside of the comprehensive planning process is the type of thing that will

destroy Everglades restoration. Ms. Onley said it was done in an open forum and she welcomed the opportunity to discuss this further. Mr. Roman Gastesi noted Commissioner Diaz was unable to attend and sent his regrets. He also commented that the Quarterly Newsletter was nicely done.

Quarter in Review and Quarter Ahead

Corps Update

Mr. Dennis Duke reviewed the accomplishments over the last ninety days which include the completion of the Final PIR on the Broward County WPAs and the continuation of the overall rehabilitation of the Herbert Hoover Dike. The Agreement on the Interim Goals and Targets was signed on April 27. Future items planned for the next ninety days include awarding the seepage berm and cutoff wall contracts for the Herbert Hoover Dike. They will also release the revised draft Lake Okeechobee Regulation Schedule Study and the Water Control Plan. They are looking at options for dealing with water supply while lowering operating levels to protect residents around the lake. They are currently dealing with drought issues such as deviation requests and working to preserve the integrity of the coastal wells.

Mr. McKeown asked whether it is the committee's view that they do not have authority to do what is now proposed. Mr. Duke said the legislation that authorized MWD was a very general authority. Mr. Woodley determined in 2006 that it was within his authorization to make that determination to include that feature to achieve the originally intended purpose. The authorization committees looked at it and thought it was in everyone's best interest to clarify and they introduced language. There have now been significant changes to the cost and if it stays in as current they will have a section 902 problem.

Mr. Patrick Hayes (Martin County Soil and Water) said the reservation of water for the natural system is not meeting MFLs and yet the water in the rock pits has been sent to the coast for the utilities and to prevent salt water intrusion. He said they were told the quality of the water will be better once the pits are fully operational. Mr. Merriam clarified that at this time they have temporary permits allowing them to use enough water to protect the wellfields.

Acceler8 Update

Mr. Tommy Stowd reported on the projects which have been completed and currently under construction noting costs are nearly \$340 million. Upcoming projects include intermediate design for Deering Estates, L-31E culverts for Biscayne Bay and site selection for the C-111 Spreader Canal. A number of phases for the EAA Reservoir will continue throughout the summer.

Mr. Patrick Hayes said that almost every federal project they have is within some 298 water control district boundary and he questioned whether they had the proper authority over volume and quality of water being discharged into these federal projects.

Mr. Merriam replied they have the authority to go into more rulemaking but do not have the authority to force a retrofit.

Mr. Dan Clark (Cry of the Water) asked whether the Broward County WPA includes Weston, Holiday Park and the area south of the Hillsboro Canal/S-39. He also added that he has been told that the area south of the S-39 has a large concentration of arsenic in the soil. Mr. Strowd said Weston and Holiday Park are included but not the area south of the S-39 and he offered to provide him with a point of contact for additional information.

Northern Everglades

Mr. Tom Teets reviewed the project area and the legislation which provides a dedicated state funding source through 2020. Legislation provides for the development of a technical plan to identify the storage and water quality treatment requirements for the Lake Okeechobee watershed by February 2008. He reviewed the appropriations noting there is \$30 million for projects that will have a positive effect on the Caloosahatchee and St. Lucie Estuaries. He reviewed the initial steps that will be undertaken for the Lake Okeechobee Watershed Protection Plan which include assembling the SFWMD team, developing the schedule to meet mandated deadlines and developing planning assumptions. Mr. Sole suggested bringing the LOWPP issue before the Task Force in addition to the other venues already planned.

Mr. Patrick Hayes thanked everyone for their work on the northern Everglades issue adding this is critical for the estuaries. Mr. Sole noted Governor Crist heard the concerns which were raised loud and clear.

Mr. John Adornato (National Parks Conservation Assoc.) said this is just one piece of the overall puzzle and noted his concern with Aquifer Storage and Recovery (ASR) and whether it will come to fruition. He added that they won't be able to supplement all the storage needed and said he hoped they will look at new alternatives as well as a comprehensive solution.

Mr. Paul Gray (Audubon) also expressed his thanks and said they are extremely supportive of this effort and added he looked forward to working with everyone.

Avian Ecology Workshop

Mr. Paul Souza noted the Task Force gave the green light to proceed with this second workshop and the final grant paperwork was sent to the Sustainable Ecosystems Institute (SEI). Workshop is planned for the summer of 2007 and will have a multi species focus. A detailed scientific report will be produced as well as a peer reviewed scientific publication and provided to the Task Force.

Mr. Sole thanked Mr. Souza and his staff and said he is confident they will be able to work out these issues. He asked how they would select the peer reviewers. Mr. Souza noted the tremendous amount of opportunities available throughout the process and said he would entertain every opportunity available to bring people in.

Mr. Sole also noted the Corps raised the issue of deviation of the regulation schedule and he clarified that as it relates to the WCAs, they are asking the Corps to hold that scenario to the very end and move forward unless conditions get drastic and there is no other choice. DEP and the SFWMD clearly recognize it is something they want to avoid.

Mr. John Adornato said he looked forward to the workshop adding that the protection of the sparrow is vitally important. He noted the importance of MWD, CSOP and putting more water to the east. Mr. Souza said that everyone recognizes that MWD and CSOP is just one step in what they want to see happen. They have limitations and flood protection is a concern that needs to be worked through along with DECOMP and ENP Seepage Management, for example.

Mr. Dan Clark (Cry of the Water) asked for clarification of what was meant by saying there would be more water on the east noting his concern that there is no STA along the Hillsboro canal and they get harmful algal blooms out on the reefs when there are pump releases.

Paul Souza clarified it would be more water into Northeast Shark River Slough of ENP, down through the southern system.

Working Group Report

Mr. Dan Kimball noted the Working Group is reviewing the Strategy to include the organization of the report and will bring the initial set of recommendations on modifications to the subgoals and objectives to the Task Force at the September meeting and final recommendations at the December meeting. The scoping phase of the ENP Seepage Management was presented to the Working Group and the final PIR is planned for March 2010 with completion in 2013. Team identified policy issues and is working through its schedule and budget. A pilot project is planned between L-31 and L-30 with a 220 foot cutoff wall but there are concerns with timing and results. The team is also weaving back the feedback into the alternatives and is looking at a phased approach. There are also concerns with a wide range of seepage management options, alignment of the schedules and savings clause issues which are all being dealt with by the PDT.

Consultation

C-43 Draft Project Implementation Report (PIR)

Ms. Beth Marlow, Project Manager from Corps provided a presentation on the Caloosahatchee C-43 Canal Western Basin noting the draft PIR is currently out for public and agency review. She provided an overview of the PIR and noted the purpose is to restore the quantity and timing of freshwater flows to the Caloosahatchee Estuary. The team looked at several different alternatives but was looking to optimize the storage feature as described in the Restudy. Alternative 3B was selected and it provides for a 170,000 ac-ft. reservoir, 1,500 cfs pump at a cost of \$31 million. The initial cost of \$446 million includes recreational features such as boat ramps, trails, and facilities. Public comment on the draft PIR/EIS runs through June 11th. Final PIR/EIS scheduled for completion by July 20th with publication in the Federal Register in September 2007. Acceler8 construction starts in February 2008.

Mr. Sole said one of the challenges and significant issues is the water quality component. He noted that Gov. Crist wants to pursue putting a water quality feature in that project. He asked how they could proceed with the reservoir and aggressively move forward with an associated STA or water quality improvement project. Ms. Marlow said the team recognizes that it's a big issue and wants to do something recognizing that water quality not a specific project purpose for this PIR. She added the quickest way to get benefits was to finish this PIR for the reservoir (it doesn't cause any degradation and could possibly help water quality). To go forward on the federal side would be to pursue the Caloosahatchee watershed PIR that would look beyond storage. They are planning to kick that effort off in September.

Mr. McKeown asked if they are coming at that from a "do no harm" or net benefit perspective. Mr. Sole said they are looking to improve water quality and enhance water quality features but they don't want to cause delays. Mr. Duke added that for issues such as this, his charge to the teams is to come up with the best plan to improve the resource and to figure out responsibilities for those improvements. Mr. Gastesi asked if they have funding available. Mr. Strowd said they have identified a mechanism to fund it.

Mr. Sole said that some of the funding provided in the northern Everglades bill was to evaluate water quality in the C-43. They don't have a TMDL yet but they can move forward with a water quality feature. He noted Gov. Christ wants them to move forward aggressively on addressing water quality in the C-43. Mr. Sole explained the general design feature is an STA like those constructed south of the EAA and like the one accompanying the C-44 reservoir.

Ms. Power said the presentation is helpful and the project is very important to the Seminole Tribe. She asked for the PIRs to be briefed per the Programmatic Regulations. These projects need to be looked at from a policy level which will also provide an opportunity to create support as they are moving forward. She added that she has not yet seen support for Everglades restoration dissipating. She asked to see where they are today compared to what was expected in 2000 and asked if there is an Acceler8 related project. Ms. Marlow said the West Basin Storage Reservoir is a 170,000 acre-foot reservoir and it is going through a parallel process. Mr. Strowd said that in essence it's the same project. Mr. May said it would be helpful if they added an overlay of Acceler8 projects for the PIRs. Mr. Duke said the state can implement these projects under state law and they are part of the plan. The planners were charged to work independently to develop the best plan (reaffirmation) and the state took the initiative to include the reservoir at the same time. Information was being exchanged to facilitate analysis. In this case, the projects are one and the same.

Public Comment

Mr. Patrick Hayes, referring to the Caloosahatchee, asked how many days worth of protection would be provided on the low end, discharges on the high end and how long it would take to fill up as a deterrent to blowing up the estuaries. Chip Merriam clarified the C-43 Reservoir is only one piece of a big puzzle and they are working with technical staff to re-evaluate MFLs. The C-43 is part of the recovery plan to achieve that minimum

flow. Ms. Marlow offered to provide Mr. Hayes with additional information following the meeting.

Ms. Onley noted that water quality and funding are important concerns as well as how this fits in with the goals and objectives of CERP.

Briefing on Lake Okeechobee

Dr. Paul Gray noted the confusion caused by an Associated Press article published on the same day Audubon issued their report. He clarified that in its report, Audubon was addressing new things that have been learned about Lake Okeechobee since the Restudy. He noted the Northern Everglades initiative will address many of their concerns. Dr. Gray provided a Power Point presentation (Encl. 3) reviewing the phosphorus data since 1974 which shows an increase in phosphorus in Lake Okeechobee. He reviewed data showing phosphorus surface loads from Lake Okeechobee as well data on annual flows to tide. Mr. Gray said they historically had clusters of flood and drought back in the 1940s and they might have returned to that pattern now. He added that weather is extremely variable but looking back they can see patterns and suggested they need to revisit some of the original assumptions. They need to be able to store and treat more water and they will need to increase their efforts in the Kissimmee Valley which has been left out of CERP. He recommended they use the Northern Everglades initiative to revisit estimates of storage and water treatment needs, to integrate watershed management and to continue with on-going projects such as CERP, LOW, KRR, LOPP, etc.

Public Comment

Mr. Dan Clark (Cry of the Water) presented a Power Point (Encl. 4) addressing the issue of illegal discharge pipes which are open circuit discharge pipes that are supposed to have NPDES permits but don't. He noted he has complained to DEP for four years and he hopes that this issue will be looked at given the current water shortage. He stated that the technology exists to do away with these pipes and use closed circuit pipes and added that the cooling tower outfalls are also impacting beach erosion and could be dangerous as well. He said that DEP is not doing a good job in enforcing NPDES permits and suggested it may be an issue that DOJ may need to look at similar to what it did in Puerto Rico.

Ms. Stephanie Clark (Cry of the Water) quoted the Sun-Sentinel population article saying there will be an additional 400,000 people in Broward County by 2020. She said it is time for a moratorium on building and added that maybe it's time for a water resource impact fee. She urged them not to take water from the WCAs and give them to people when they're not complying with water restrictions.

Mr. Dan Clark said that more communication and coordination is needed and asked that Mr. Richard Harvey be brought back to Working Group adding that many are working on issues that involve one another.

Meeting adjourned at 5:00 pm.

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
SFWMD, West Palm Beach, Florida
May 17, 2007*

Welcome and Administrative Items

Ms. Onley called the meeting called to order at 9:00 AM. The March meeting minutes were presented. Mr. Sole made a motion to approve which was seconded by Mr. Mast and the minutes were approved as presented. Ms. Onley welcomed Ms. Carol Wehle who was in attendance.

Consultation

Integrated Delivery Schedule

Mr. Duke reviewed the restoration program and reminded everyone of the vision which is to restore the sheet flow to the Everglades by 2020 while addressing the estuary needs as well as the other needs of the ecosystem. The integrated schedule will include all Corps and SFWMD restoration efforts identified in the Yellow Book as CERP as well as Foundation Projects. He stressed that no projects will be removed from the list and they are dealing with just the sequencing. They are developing a draft schedule that will include the funding needs to support the schedule. He provided a current snapshot of the foundation projects and the CERP initially authorized projects and he reviewed the Corps funding to date for those projects. He reviewed the challenges that remain with section 902 and the multiple PIR concept. He reviewed the projects with multiple PIRs which include the EAA; DECOMP; C-43; C-111 Spreader Canal and Biscayne Bay. Next Steps include preparing the initial draft integrated schedule, analyzing the benefit stream to ensure the plan would achieve the vision. The draft schedule will be presented to WRAC, GB, WG and TF. Public workshops and stakeholder meetings are also planned. The CERP portion will be used to update the Master Implementation Sequencing Plan. Ms. Onley said the intent is to get public input which they need. As decision makers they need to ensure they are working on the right projects and they will come back with specific proposals for input.

Mr. Sole announced the Senate passed their version of WRDA the prior evening and he thanked Senators Martinez and Nelson as well as Senators Boxer and Inhofe.

Ms. Wehle thanked the Governor and the Florida Legislature for the Northern Everglades Program adding they need to quantify the volume storage they need north of Lake Okeechobee and then determine how that impacts the need for storage south of Lake Okeechobee. The SFWMD concurs with DEP and said they will have a difficult time supporting anything that increases wetland impacts.

Ms. Patty Power asked for clarification of the linkage in WRDA 2000 between completion of MWD and start of construction. Mr. Duke said that no construction funds could be appropriated for certain components until completion of MWD. Those components were referred to by name or component in the legislation and the restriction

is placed on the appropriators. Ms. Power noted everything could be moving along fine and then get tangled up because of MWD.

Mr. Schmauder asked Mr. Duke to expand on the Integrated Delivery Schedule and its relationship to the National Academy of Science (NAS) criteria and the process he envisions to get this schedule briefed to the federal principals. Mr. Duke said support is needed from the administration on the schedule and funding. The Academy said they are trying to answer a lot of questions before moving forward and it would be smarter to incrementally implement projects.

Public Comment

Ms. Jamie Furgang (Audubon of Florida) said there are series questions with the new schedule and is a way to get federal funding for CERP components in Acceler8. But she questioned what happens to the PDT when you shift from looking at the big project to looking at the component. She cautioned they may end up developing components to the detriment of the entire project. She also questioned what message would be sent to Congress by sending up pieces of the projects and how it would impact future WRDAs.

Mr. Duke said they still have the big picture but they know the parts they want to implement now. Mr. Sole said this effort is to focus on getting key “big picture goals” done and whether Acceler8 is part of it or not is irrelevant. Ms. Wehle Carol said they are talking about two things, schedule and splitting of PIRs. They have two choices either stop and put the PIR on hold or do the PIR to cover the storage they have identified to date. They do realize that some of the PIRs will be postponed for a few years until they answer the “north of the lake issue”. The side benefit for the C-43 Reservoir, if the PIR is finished then they can get credit. Ms. Wehle said she recognized the money the Corps gets would first go to MWD.

Ms. Jamie Furgang said she appreciates this type of dialogue and noted they are not opposed to the state getting the 50% that they are due.

Ms. Sara Fain (NPCA) said NPCA supports looking at new and innovative ways to implement restoration. She noted that NRC’s report states that an incremental adaptation restoration approach is not a reshuffling of priorities but reflects an incremental approach that would provide some restoration benefits as well as address critical scientific uncertainties. DECOMP is an example of a bold idea and the PDT has split it into two PIRs that appear to not have real restoration benefits. She said it was concerning that the C-111 Spreader Canal PDT met and spent a considerable amount of time trying to determine what uncertainties will be resolved.

Ms. Wehle said that there is only a certain amount of money that the SFWMD has available and the direct benefit of the C-111 Spreader Canal Project is Everglades National Park and whatever they want done with that money is what the SFWMD will support. She reminded everyone that the District does not have condemnation authority and Ms. Ruthie Clements has not been able to spend the money due to there being no willing sellers.

Ms. April Gromnicki (National Audubon) thanked the Secretary for bringing up the passage of WRDA in the Senate and she thanked the SFWMD for their help.

Ms. Wehle offered to have Ms. Clements discuss the land acquisition challenges and have Mr. Tommy Strowd discuss the challenges due to price increases in construction at the September Task Force meeting.

Action Items

Scientific and Monitoring Program

Mr. Chip Merriam reported they are spending over \$53 million on monitoring and that is expected to increase by 30 percent over the next decade. The SFWMD is trying to get the other agencies to help so this does not continue to be the “gift that keeps on giving”. The SFWMD has to do the monitoring in order to fulfill and balance its mission. He stressed there are many unknowns in terms of monitoring demand. In the Northern Everglades Program, for example, the legislation incorporates a lot of the data gathering they are already doing. He reviewed the mechanisms in place to manage monitoring which includes using new technologies or processes as well as ongoing challenges and the actions that are being taken to overcome them. He said their request to the Task Force is to determine whether there is a mechanism so that there isn't such a large demand or a mechanism that allows them to cut back as the regulatory process moves forward.

Plan to Coordinate Science (PCS)

Mr. Greg May noted it is a Congressionally directed duty for the Task Force to coordinate science and the Science Coordination Group (SCG) was created to help accomplish that. He noted the passionate discussions at the September, December and March Task Force meetings on the PCS with three themes: it was a good plan with a lot of logic and thought behind it since it's based on the Conceptual Ecological Models; primary flaw with it not differentiating between major gaps and other gaps; secondary flaw was that the language was not as clear as it could be on the purpose and how plan was intended to be used. SCG is proposing a two-step process, first to issue a Request for Proposal to Dr. Jeff Jordan to convene a panel to develop a process to develop priorities and recommend priorities to the Task Force and they will then form a small drafting team to come up with an Executive Summary and include Dr. Jordan's review.

Ms. Wehle said this is an issue she feels passionate about and what will meet the needs of the SFWMD is a strong statement in the document as well as the Executive Summary that this effort was to identify all gaps, large and small, and in no way is this to say that all of these studies are required for projects to move forward and also an acknowledgement that there is only a certain amount of revenue and they need to prioritize what science will be done. Ms. Wehle asked for Ms. Joan Lawrence to assist her staff with preparing the language. Mr. May agreed and suggested that those folks who are interested could participate. Ms. Onley thanked Mr. May and Mr. Haddad for their work.

Public Comment

Mr. Patrick Hayes (Martin County Soil and Water) said the pre WWII drainage permitting that they have been trying to operate under is “hamstringing” them. He noted the excellent tour the prior day to Roth Farms and its use of BMPs. He said it is obvious they need a major push on best development practices. He said there is a new mandate in the state of Florida to provide a built system and an environmental system that supports the built system. He said they no longer have an estuary in Martin County he urged the Task Force to get the general public behind this effort and have serious development management practices.

Ms. April Gromnicki informed the group that the Chairman of the Interior Appropriations Subcommittee is interested in coming down to see the Everglades.

Next Steps and Closing Comments

Ms. Onley thanked the Task Force staff. She noted the next meeting is scheduled for September in the Miami area and she asked for suggestions for a field trip.

Ms. Jamie Furgang suggested going out to the C-111 and seeing the Biscayne Bay Coastal Wetlands project area as well as the Visitor Center at ENP. Mr. Sole suggested, as an alternative, for the Task Force to meet in Naples and have a field trip to the Picayune Strand. He added that it offers the opportunity to see actual restoration benefits. Ms. Power suggested seeing MWD and Tamiami Trail given the level of controversy surrounding those issues. Carol Wehle suggested they highlight Everglades national Park in September and Biscayne National Park in December. She suggested that perhaps Mr. Dan Kimball could put together a tour highlighting those things the Task Force should see. Mr. Sole and Ms. Onley agreed and Mr. Dan Kimball was asked to begin planning for the field trip.

Ms. Onley noted the next agenda will include: the Strategy subgoals and objectives; presentations on increases in land and construction costs; Corps will provide a more detailed look at Integrated Delivery Schedule and agenda will allow enough time for interaction; PCS language to be provided by Ms. Wehle; and RFP will move forward to Mr. Jeff Jordan. Ms. Onley said she is amazed by everyone’s passion for restoration and recognized everyone’s commitment.

Ms. Wehle thanked Ms. Jamie Furgang, Ms. April Gromnicki, Audubon and the environmental community for helping get the Northern Everglades and ERP legislation passed. She also thanked Mr. Kimball for his work on the S-12s adding the state Legislature appropriated money to clean out the culverts. She thanked Barry Rosen and his group for their help during the recent drought issues. She congratulated Mr. Paul Souza and his staff for being named Team of the year. Mr. Schmauder said the next several months will be critical for WRDA which is needed not only by south Florida but the entire nation. Mr. Sole echoed Ms. Wehle’s thanks and added that these meetings are helpful in ensuring transparency which is critical for success.

Meeting adjourned at 11:30 AM.

Enclosures:

1. Briefing Binder
 - a. Agenda
 - b. Task Force Roster
 - c. 2007 meeting calendar
 - d. Draft March 2007 meeting minutes
 - e. Facilitator's summary
 - f. Meeting evaluation summaries
 - g. Corps Update Power Point
 - h. Acceler8 Power Point
 - i. Northern Everglades Power Point
 - j. Avian Ecology Workshop Power Point
 - k. C-43 Draft PIR Power Point
 - l. Scientific and Monitoring Program Overview
2. Dr. Paul Gray's Power Point
3. Dan Clark's Power Point