

*Approved Meeting Summary  
South Florida Ecosystem Restoration Task Force  
ZOOM Meeting  
May 7, 2020*

**1. Welcome, Goals and Administrative Announcements**

Dr. Timothy Petty, Assistant Secretary for Water and Science, U.S. Department of the Interior, called his first Zoom Task Force meeting to order at 9:00 AM. He thanked Mr. Adam Gelber and the staff at Office of Everglades Restoration Initiatives (OERI) for the extra work involved in putting this meeting together using the ZOOM platform due to COVID-19.

Ms. Sandy Soto (OERI) provided some technical instructions for the ZOOM platform and conducted the roll call.

Mr. Noah Valenstein (FDEP) thanked Dr. Petty and the staff for putting this meeting together using this platform. He noted they are all operating under a new normal and it is great to see their teams continue to work together to continue serving the public and protecting the environment.

To view the webcast in its entirety and access power point presentations and handouts, please visit:  
<https://www.evergladesrestoration.gov/tfm/>

**2. Task Force Member Introductions and Opening Remarks**

Task Force members were asked to introduce themselves and provide brief introductory remarks. The following Task Force Members were in attendance:

*Timothy Petty, Task Force Chair and Assistant Secretary for Water and Science, U.S. Department of the Interior*

*Noah Valenstein, Task Force Vice Chair and Secretary, Florida Department of Environmental Protection*

*Ron Bergeron Sr., Governing Board Member, South Florida Water Management District*

*Jose “Pepe” Diaz, Commissioner, Miami-Dade County*

*Gene Duncan, Water Resources Director, Miccosukee Tribe of Indians of Florida*

*Ryan Fisher, Principal Deputy Assistant Secretary for R.D. James, Assistant Secretary of the Army – Civil Works*

*Nicole LeBoeuf, Acting Assistant Administrator for NOAA’s National Ocean Service, U.S. Department of Commerce*

*Stephanie Maloney for Jeff Clark, Acting Assistant Attorney General, Environment and Natural Resources Division (ENRD), U.S. Department of Justice*

*Bill Northey, Under Secretary for Farm Production and Conservation, U.S. Department of Agriculture*

*Patty Power for Jim Shore, General Counsel to the Seminole Tribe of Florida*

*Kevin Ruane, Mayor, City of Sanibel*

*Ed Smith, Director, Office of Water Policy and Ecosystem Restoration, Florida Department of Environmental Protection*

*Gerald Solomon for Joel Szabat, Acting Under Secretary for Policy, U.S. Department of Transportation*

*Mary Walker, Regional Administrator for Region 4 for Henry Darwin, Acting Deputy Administrator, U.S. Environmental Protection Agency*

*Eric Sutton, Special Advisor and Executive Director, Florida Fish and Wildlife Conservation Commission*

## **Approval of Meeting Minutes**

The draft minutes from the October 2019 Task Force meeting were presented for approval. Mr. Kevin Ruane made a motion to approve which was seconded by Mr. Diaz. The minutes were approved without objection.

### **3. Restoration in the time of COVID-19**

*U.S. Army Corps of Engineers* - COL Kelly noted the Corps has been working across the entire U.S. and its territories to create additional hospital bed spaces. At Florida's request they ended up building a hospital at the Miami Beach Convention Center. Many of the folks who took part in that unique effort take part in many of the activities and construction efforts across the South Florida Ecosystem. He noted there have been no delays on any ecosystem restoration projects due to COVID-19. They continue to engage the public remotely and have had over 200 participants on some of the calls. He thanked the U.S. Fish and Wildlife Service (USFWS) for their help to de-conflict some of the process issues related to Combined Operating Plan and Central Everglades Planning Project (CEPP) South. The Integrated Delivery Schedule (IDS) will be updated and presented at the next Task Force meeting.

*South Florida Water Management District* – Mr. Drew Bartlett noted the herculean effort to transition from normal to COVID operations. The South Florida Water Management District (SFWMD) was charged by the Governor to make a difference and get things done to improve water quality and reduce discharges. They had their first public engagement meeting to look at water quality features associated with the C-43 Reservoir using ZOOM technology and have since continued to use ZOOM for other public meetings. He reviewed the improvements made in Stormwater Treatment Area (STA) 3/4, the construction underway in the C-43, the removal of Old Tamiami Trail and the hydration of cells in the C-44 STA. They have also acquired almost 20,000 acres of wetlands in Water Conservation Area (WCA) 3A to make sure that oil exploration would not take place in the precious Everglades environment. They also broke ground on the Everglades Agricultural Area (EAA) Reservoir STA. He recognized the perseverance of staff at the SFWMD and the kindness of the community in south Florida.

*U.S. Fish and Wildlife Service* – Mr. Larry Williams noted his office primarily implements the Endangered Species Act (ESA) and works on a lot of partnership programs. The USFWS has two main roles in managing and restoring the Everglades ecosystem. They work with the Corps, the SFWMD and other partners to design the restoration projects and permit those under the ESA. They also have their national wildlife refuges that are open to the public and make up big important parts of the Everglades landscape in the South Florida Ecosystem. Some of the monitoring for the Cape Sable Seaside Sparrow, Caracara and other species is happening at a slower pace due to COVID-19. Some of the work they do with the planning documents that require collaboration has also slowed down as well. Staff has adapted to this new paradigm and all the required documents have been completed on time. Part of their overall strategy is to coordinate early and often and make sure their partner agencies have what they need on time. Ms. Kathy Burchett, who supervises the refuges in Florida, along with her staff have done a wonderful job in keeping the refuges open during COVID-19.

Mr. Gene Duncan noted the Savings Clause in WRDA 2000 says that not only are we to reserve water for the environment but also for fish and wildlife. He asked if the USFWS had taken a position that water is not important to be reserved for fish and wildlife.

Mr. Williams stated absolutely not, the USFWS knows that water is important for all types of fish and wildlife throughout south Florida including all the different landscapes that we are all used to working in such as the Caloosahatchee, Indian River Lagoon, Biscayne Bay, and Everglades National Park (ENP).

Their mission is to help conserve fish and wildlife. The USFWS does not take a position on the Savings Clause.

Congressman Brian Mast said that everyone needs and cares about water but questioned whether anyone would say that it is best for the South Florida Ecosystem to manage the water allocations through the lens of the year 2000 when Florida's population was 6.5 million people. There needs to be beneficial flows to the Everglades and to the Caloosahatchee and they need to get to the place where everyone can benefit from the infrastructure projects. Ecosystem restoration is the goal of this Task Force and he hoped they can get to that.

Mr. Bergeron agreed with the Congressman that the Task Force should be involved in water supply for the environment and for future growth as well as proper volumes of water for the Everglades. Extremely important for our drinking water and for future generations.

#### **4. Director's Report**

Mr. Gelber reported on activities since the October 2019 Task Force meeting. The Working Group (WG) and Science Coordination Group (SCG) held two joint meetings to continue working on their priorities. Two additional meetings are planned for June and September. Of the six priorities that were identified, two ongoing intensive efforts are underway on the Invasive Exotic Species (IES) Strategic Action Framework and the System-wide Ecological Indicators. They continue to work on the Task Force's Biennial Report and the final draft will be brought before the Task Force for approval in October.

The Task Force, at its October 2019 meeting, requested the WG/SCG identify "action items" for discussion at future Task Force meeting. The WG/SCG conducted a workshop session at their December 4, 2019 meeting and further refined these action items at their February 25, 2020 meeting. Several common themes emerged:

- The interconnectedness of restoration efforts, particularly in the southern end of the ecosystem where seepage management plays a key role;
- The continuing need for vigilance regarding IES and that successful IES programs require a full toolbox and adequate and consistent funding; and
- The role of science in restoration is paramount, specifically regarding RECOVER.

#### **5. Office of Everglades Restoration Initiatives (OERI) Update**

Ms. Allyn Childress provided an update on three OERI activities:

*System-wide Ecological Indicators* – In 2006, the Task Force established a suite of 11 system-wide ecological indicators based upon their collective ability to comprehensively reflect ecosystem response in terms of space and time. Ecological indicator summaries are included in the Task Force Biennial Report. Users were asked how they feel about the purpose and utility of the reporting to see if any improvements can be made. One-on-one interviews were conducted with agency leaders and an interactive session was held as part of the February WG/SCG meeting. The results indicated that there is a high level of support for the current reporting and that there is room for improvement. One of the primary concerns raised was the need for continued funding to maintain consistent information and support trend analysis. The feedback will be used to improve the Ecological Indicator section in the 2020 Biennial Report with further improvements to be made to the 2022 Biennial Report.

*Integrated Delivery Schedule (IDS) Alternative Scenarios* – At its October 2019 meeting, the Task Force requested having different funding scenarios available for the IDS. The WG/SCG conducted a workshop session at their December 2019 meeting to discuss potential funding scenarios and further refined the concepts at their February meeting. OERI, USACE, FDEP and SFWMD staff worked to develop a draft illustration of those hypothetical scenarios. The IDS in paper form is an 11x17, two-sided placemat that illustrates the sequencing strategy for the Comprehensive Everglades Restoration Plan (CERP) and some associated non-CERP projects. The IDS includes projected timelines for the planning, design, construction, and testing of these projects. Estimates of future costs to sustain the depicted schedule of planning and construction are also included. The current IDS is dated October 2019 and was presented at the October 2019 Task Force meeting. Due to the complexities involved, it was determined that a graphic illustrating the comparative costs/timeframes for the hypothetical scenarios would be sufficient to communicate the impact of alternative funding levels on the overall suite of IDS projects. Three alternative scenarios were developed that included all the projects on the current IDS and used a 3% inflation rate for annual increases in construction costs. The graphic with the alternative scenarios, intended as a companion to the IDS, was presented. The take-away from the exercise was that if the annual funding requirements, as estimated in the IDS, are not realized, the effort to implement the current suite of projects will take longer and cost more.

*Invasive Exotic Species (IES) Strategic Action Framework* – The Task Force has been a leader on this issue, having formed the Noxious Exotic Weeds Task Team (NEWTT) in 1997 and that effort was followed by the establishment of the Florida Invasive Animal Task Team (FIATT) in 2004. Several stand-alone reports on invasive exotic species were also put out by the Task Force and invasive exotic species are included in the Task Force’s Biennial Report. In 2012, the Task Force asked for a review of current efforts and for recommendations from the WG and SCG. In 2013, OERI along with the federal, state, tribal and local partners embarked upon the development of the IES Framework. That partnership continues as they work to update the IES Framework to reflect progress made since 2015 as well as identify priorities going forward. The invasion curve remains the guiding structure for the IES Framework upon which their goals are objectives are based. The invasion curve shows that the longer we wait to address an invasion, the bigger geographically and more expensive that effort will be. An analysis of the progress made since the 2015 IES Framework indicates that there are now more programs in place, especially in the early detection and rapid response (EDRR) goal area. Several examples were reviewed. Priorities for the next 5 years build upon the progress made to date and include expanding many of the programs and tools that have been implemented. There is an increased focus on prevention tool development and prevention capacity building. One of the priorities includes enhancing coverage of the innovative 1-888-Ive-Got1 hotline that is manned by the Florida Fish and Wildlife Conservation Commission. In addition to identifying priorities, the team is also developing a snapshot budget for the past fiscal year to determine if the priorities and the budgets align. The 2015 snapshot budget indicated that invasive exotic plant funding far outpaced the funding for animals and that the funding for EDRR for both plants and animals needed to be increased for it to be effective. Future funding needs to build on investments.

## **6. Report on WG and SCG Activities**

Mr. James Erskine, WG Chair, focused his presentation on those items the WG and SCG will be working on going forward which include the Biscayne Bay and Southeastern Everglades Restoration (BBSEER) study which was launched by the USACE. The topic of sea level rise will continue to be discussed at their meetings with NOAA providing updates and the USACE briefing them on their coastal storm risk management feasibility studies that are underway. The COP and the CEPP are very important for getting

water from the Everglades Wildlife Management Areas into ENP and as those projects proceed, it will be important that they remain on schedule. The National Academy of Sciences' Committee on Independent Scientific Review of Everglades Restoration Progress will be releasing their report in the fall. They anticipate there being recommendations related to RECOVER and restoration science and the southern estuaries (Biscayne Bay, Florida Bay and the Ten Thousand Islands) and those recommendations will be brought back to the WG and SCG for discussion.

## **7. REstoration COordination and VERification**

Mr. Bob Johnson presented on behalf of the RECOVER inter-agency partnership, a multi-agency, multi-disciplinary team of scientists, modelers, planners and resource specialists set up to organize and apply scientific and technical information in support of the system-wide goals of CERP. In order to achieve its mission, RECOVER needs support with:

- Reauthorization of Adaptive Assessment and Monitoring program
- Funding and personnel resources to complete 5-year plan tasks
- Rebuild a robust team capable of meeting science needs through CERP completion
- Participation of RECOVER agencies and tribes
- More coordinated integrated reporting across Everglades restoration efforts to improve efficiency and provide consistent information

RECOVER has a specific role and works with the Project Development Team (PDT) throughout the planning phase from scoping to production of a Chief's Report. RECOVER also has a role throughout the implementation phase to include design, construction and operations maintenance repair, replacement and rehabilitation phase (OMRR&R) once the projects are up and running to make sure the projects are providing the benefits they anticipated. It is critically important to make sure the work they are doing is achieving the benefits and they are learning from the projects they have completed. Funding for monitoring was constant until about FY 2011, it then went from \$7.2 million down to \$3.8 million. As a result of the reduced funding, they have lost 10 projects completely in terms of monitoring and have had reductions in another 25 projects. Resources are needed for RECOVER to be fully engaged during plan formulation, design/construction and operations. As more non-CERP and CERP projects come online, there will be a need for more RECOVER involvement in system-wide assessment and adaptive management.

Ms. Nicole LeBoeuf thanked the WG and SCG for developing these priorities and discussing sea level rise at their meetings. Florida is ground zero for sea level rise impacts and she thanked them for allowing NOAA the opportunity to present how they address sea level rise in relation to restoration. They are committed to supporting these efforts in south Florida and elsewhere and they want to ensure that NOAA is here to share the best of its information on timely and relevant data regarding sea level rise in south Florida.

## **8. Tamiami Trail Next Steps, Phase 2**

Mr. Bob Johnson noted that from a restoration perspective, this project will improve water conveyance and marsh connectivity and is also a good example of expanding their partnerships. They have been able to bring the transportation agencies into the water management and land use agencies' process to move this project forward. The Dept. of Transportation and the Federal Highway Administration have provided the bulk of the funding. He highlighted those things already built as part of Modified Water Deliveries (MWDs) and Tamiami Trail Next Steps, Phase 1. He provided an in-depth review of Phase 2 which will modify the remaining 6.7 miles of the roadway. They are working to resolve impacts to the Miccosukee

Osceola camp. They are entering the implementation phase and project is expected to be substantially complete by Nov. 2024.

Mr. Ronnie Bergeron added that another obstacle is the 8.5 square mile area. Any obstacle that could stop MWDs has to be addressed. He complimented the NPS, the USACE and the SFWMD along with the other agencies, adding that they are at the threshold of being able to move water south which is important to the central Everglades and Florida Bay.

Mr. Diaz echoed Mr. Bergeron's comments about the importance of moving this water but without the seepage wall, they must have protections for flooding in place as noted in Senator Marco Rubio's letter that explained the sensitivity of what they go through in Miami-Dade County and the southeast portion of the Everglades.

#### **9. The Western Everglades Restoration Project (WERP), Central Everglades Planning Project (CEPP) South and Everglades Agricultural Area (EAA) Reservoir**

Mr. Howie Gonzales reviewed the FY20 budget which totaled \$235 million and \$13.821 million for construction and operations and maintenance, respectively. They are looking at \$250 million for construction and \$10.052 million for operations and maintenance in the President's FY21 budget. Details of the allocation by project are available in the justification sheet. He reviewed the project purpose for the WERP noting that the USACE informed the Task Force at its October 2019 meeting of its intent to terminate the project. Letters of support were received from the SFWMD, FDEP, Interior, NPS, the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida. Following Task Force guidance, a follow-up meeting was held in February 2020 and they reinitiated study efforts including preparation of a 2<sup>nd</sup> SMART planning waiver request. Once completed, this project will be in line for WRDA 2022 consideration. Project purpose was reviewed for CEPP which was authorized in WRDA 2016. They received a New Start confirmation for FY20 and the Project Partnership Agreement (PPA) will be executed in July 2020. The construction contract award for CEPP South is expected in September 2020. The SFWMD has been designing and constructing features of CEPP South for the last couple of years. Once they execute the PPA it brings the work done by the SFWMD into eligibility for work in kind cost share credit. There is a linkage between the progress and completion of the Combined Operational Plan to CEPP South. The goal of the EAA Reservoir project was also reviewed. The project was authorized in WRDA 2018 and the required follow-up report is expected for May 15<sup>th</sup>. With the completion of that report, they will then await the construction funds and approval to execute the PPA to then award the construction contract.

Mr. Ruane noted his concerns that \$130 million in federal funding for the EAA in the President's Budget is being diverted to the C-23 and the C-24 reservoirs. The EAA continues to be a top priority for the City of Sanibel and the Governor of Florida as well as the President. This project will significantly reduce the damaging discharges to Lake Okeechobee and the coastal estuaries. It was authorized as a Section 203 Post-Authorization Change Report (PACR) and should not be considered a new start project. Funding in the President's budget was identified for the EAA Reservoir and it should not be diverted to any other projects. They strongly urge the Task Force to go on record opposing diverting any funds from the EAA Reservoir to the C-23 and C-24 projects and allow it to move forward as intended. Mr. Valenstein said he was excited to see them starting to turn dirt on the EAA project and he appreciated the SFWMD and federal partners for their work on that. As with the funding, they really appreciate the federal partners' willingness to discuss issues as they come up.

## **10. Curtain Wall as Part of a Comprehensive Flood Protection and Restoration Strategy in South Dade**

Mr. Akintunde Owosina reminded the members that restoring the Everglades and Florida Bay hinged on increasing water levels in ENP while simultaneously managing resulting seepage. The CEPP included installation of a curtain wall as part of the seepage management strategy. Several studies have identified curtain walls as part of a comprehensive flood protection strategy in south Dade. The key pieces involve sending water to Northeast Shark River Slough, re-hydrating ENP and getting flows to Florida Bay. In accomplishing that objective, water levels in ENP are raised. Due to the high transmissivity within that region they will induce seepage into the developed areas to the east. The area around the 8.5 square mile area (SMA) is one of the areas where they would see some seepage impacts. The recently completed COP, developed after the completion of MWDs, has been able to address the flood control issues in this area. Flood control issues will not be limited to the 8.5 SMA but will extend to regions in the southern part of the system. In south Dade, the goal is to improve flood control in areas impacted by elevated water tables. The use of a less permeable material placed in the flow path will help manage groundwater and allow a little higher water level in the natural areas and a little lower water table in the developed areas. Characteristics of curtain walls include: passive groundwater management solution that is typically not switched on and off; non-selective in function as it blocks flows in both directions; effective solution to provide flood protection in conjunction with other measures including pumping; and little to no maintenance and operational costs after construction. The concept of curtain walls is not new, dating back to the 1990s. The SFWMD has evaluated the concept of curtain walls in 2015 and as recently as 2018. There were multiple requests from stakeholders, legislators and other interested parties to implement a comprehensive flood protection strategy for south Dade. The goal for this year is to identify key concepts that will support design and determine a conceptual project for subsequent design and refinement. They have already moved forward with data acquisition and site-specific details. This effort will involve a large public planning process and they will begin holding public workshops and one-on-one meetings with the partners in the next several weeks. The timeline planning process will be completed by February 2021.

Commissioner Diaz noted it has been 18 years since this idea of a seepage wall was first discussed. That seepage wall continues to be extremely important. If the seepage wall is not done, water will be wasted to the east onto the farmlands and create flooding. This project needs to be completed before they continue to increase the flow of water going south. That was stated very clearly by Senator Marco Rubio when he wrote that letter on March 20, 2018.

## **11. Task Force Consultation on the Interagency Agreement with the National Academy of Sciences (NAS) for Independent Scientific Review of the Comprehensive Everglades Restoration Plan (CERP)**

Ms. Eva Velez stated that when Congress authorized CERP in 2000, it required the Secretary of the Army, Secretary of Interior and the Governor Florida, in consultation with the Task Force, to establish an independent scientific review panel convened by the NAS to review the plan's progress toward achieving the natural system restoration goals of the plan. The panel is to produce a biennial report that includes an assessment of the ecological indicators and other measures of progress in restoring the ecology of the natural system envisioned in the plan. They have worked with the NAS' Water and Science Technology Board to complete this work and biennial reports have been published since 2004. In addition to the guidance provided by Congress, the Programmatic Regulations (Pro Regs) provide additional guidance about consulting with the Task Force upon expiration of the agreement to extend the agreement with the NAS or select another body to convene an independent scientific review panel as required in WRDA

2000. The purpose of this presentation is to consult with the Task Force in their decision to continue their relationship with the NAS. The Memorandum of Agreement (MOA) was executed in 2015 and goes through April 2021. The Cooperative Agreement (CA) was also executed in 2015 and goes through August 2020. They are proposing a similar framework to renew the work with the NAS under a new MOA that would be executed this year and cover the time period 2020-2026 and a CA between the Corps and the NAS that would include the 2022 and 2024 report cycles. They are working to complete the interagency review and execute both the MOA and CA in August 2020.

Mr. Duncan said he would appreciate having more than one option. He sees the NAS' report as an incredibly expensive report and believed a state university could do the work for less money. The NAS made recommendations on aquifer storage and recovery that both the SFWMD and the USACE ignored. That money could be used, for example, on exotic species removal and make a lot of on the ground progress. He reminded the group that WRDA doesn't specify that it has to be the NAS and they could do the same thing for less money and would be willing to make a motion to that effect.

Ms. Nicole LeBoeuf said she sees this as an important report to provide that independent scientific review of our restoration efforts and the application of the report may be something the Task Force could consider further. She acknowledged the support thus far and they would like to see the continuation of this independent report as not only a component of our work but for informing our efforts particularly given changing coastal conditions going forward.

Mr. Noah Valenstein said they appreciate the effort to make the report, which is required, better each year and challenge themselves to make it usable, efficient and making sure they get the most bang for their buck.

Ms. Eva Velez clarified their Congressional guidance and Pro Regs require that they consult with the Task Force which has been done and they have heard support. Mr. Duncan would like for them to look at other entities in the future and she believes they can do both based on the discussion. They need to execute the contractual agreements by August and they can look at other entities for the next contractual cycle.

Dr. Petty said they want to allow the Task Force members to provide input to Mr. Gelber and the OERI team while still allowing the USACE to move forward with their process.

Congressman Brian Mast seconded the comments of Mayor Ruane regarding the funding for the EAA Reservoir. As a member of Congress, the intent of Congress was clear in WRDA and the EAA Reservoir was written as a modification, not a new start. He along with Senators Rubio and Scott along with Rep Rooney and others have been in contact with Mr. R.D. James on this issue.

### **Public Comment**

1. Ms. Lisa Interlandi (Everglades Law Center) said that no one is advocating for agencies to abandon the savings clause. The determination of when and how it applies was appropriately made by the USACE in LOSOM. The savings clause has been raised every time an effort is made to manage the lake or any part of the system in a way that benefits the environment. The savings clause does not apply when there is a drought or the need for water restrictions and it does not apply to the state's decision on how to allocate water. It has never been applied to any of the regulation schedules for Lake Okeechobee. The bottom line is that the savings clause does not preclude lake and water management decisions that are different than they were in the year

2000. It doesn't preclude water managers from considering and making decisions that are based on public health and safety. She urged the Task Force to put this issue to rest.
2. Mr. Tom Van Lent thanked the Task Force for continuing this important work of Everglades restoration during COVID 19 which speaks to the Task Force's commitment. Everglades restoration should be an important factor in everything that is done by the agencies and progress should be seized at every opportunity. During the PDT meetings for LOSOM, the voices for the central Everglades are being lost and overwhelmed by a narrow focus on lake operations. Opportunities to send water from Lake Okeechobee to the Everglades in non-flood times have been precluded by the policy determination of what the scope of the project is. They are also now looking at raising the lake stage and he believes there is a lot of misinterpretation about what those consequences would be. For example, in the 2008 regulation schedule, the EIS estimated there would be no reductions to deliveries from Lake Okeechobee to urban areas. The Everglades gets no new water from the lake so raising the lake has no benefit unless they already have a water supply demand. They strongly urge the USACE and the agencies to go back and look at opportunities for Everglades restoration in the LOSOM process.
  3. Ms. Celeste DePalma (Audubon Florida) thanked the USACE for continuing to advance construction of restoration projects while they work hard to keep our families safe by building field hospitals. She thanked the SFWMD for continuing to move projects forward and for breaking ground on the EAA Reservoir STA. She is discouraged to see that \$150 million originally dedicated to advance the construction of the EAA Reservoir project, a component of the CEPP, is now being redeployed to the C-23 and C-24 STAs. The EAA Reservoir project is a critical component of CEPP and they fought hard to get it planned, authorized and funded. This is the one project that will help the St. Lucie and Caloosahatchee estuaries, the WCAs, ENP, Florida Bay and all the communities that rely on the Biscayne aquifer being recharged for their water supply. This project is a priority for the State of Florida, the Florida Congressional delegation and the Trump Administration. The President's FY21 budget was increased to \$250 million to provide more resources to the USACE to accelerate design and construction of the EAA Reservoir project.
  4. Mr. Chris Davidson (south Florida resident) said he is a hotel manager on Sanibel Island. High flows cause wage and job losses due to decreased working opportunities in a multitude of industries, not just hospitality. They see an increase in the use of taxpayer money for unemployment and public assistance and a decrease in investment. Many businesses have taken out loans that negatively impact their operations for years and even decades. Unlike hurricanes and fires, businesses are unable to take out insurance for high flows which are major revenue impacting events.
  5. Ms. Lisa Pretty (Collier County resident) is a third-generation ranch owner and former FWC Commissioner. Her property is on the northern border of the BCNP and she noted her concern with how BCNP is being managed. She removes exotic vegetation on her property and does prescribed burning and she does not see it happening in BCNP like it should. They are ground central for panther habitat and the panther population in BCNP and ENP is decreasing because of poor management and changes in historical hydrology. She asked for the money to be increased and used responsibly.
  6. Mr. Mike Melton (sportsman) lives in south Dade County and spends much of his free time in Big Cypress. He thanked the Administration for its support of Everglades restoration. The area south of Tamiami Trail is devoid of all mammals and resembles ENP when it should resemble Picayune Strand and be full of wildlife. If the NPS does not manage BCNP better, the area north of the trail will look like the area south of the trail. There has been a gross mismanagement of

BCNP and there needs to be more burns and they need to be more aggressive against invasive plants and animals. There are many areas where Melaleuca has completely taken over, choking out native flora and fauna. Pythons are killing our game and they need to drive the invasion curve down. He asked that funding for the management of BCNP be increased for prescribed burns and invasive plant management adding that funding should reflect the land mass that is being managed. Oversight is also needed to ensure the most efficient use of our resources.

7. Ms. Rae Ann Wessel (Sanibel-Captiva Conservation Foundation) applauded the SFWMD and the USACE on their efforts to moving things forward during this difficult time. She underscored the comments made by Mr. Ruane and request that the Task Force take a position opposing the special interest request to add the savings clause into this year's WRDA bill. The lake regulation schedule is not a CERP project, it was created long before CERP and will exist long after CERP is done. The regulation schedule and its operations are created to ensure that Congressionally authorized project purposes are met. The USACE has made a commitment in the LOSOM process to reflect lessons learned over the past 20 years and incorporate operational flexibility to balance operations to meet these multiple project objectives. The proposed language would be devastating to the west coast and the Caloosahatchee. The WSE schedule held the lake dangerously high and damaged the whole ecosystem in Lake Okeechobee. Hurricane Irma, for example, pushed lake levels up and had it hovered over Lake Okeechobee there would have certainly been a breach of the dike. The risk of levee failure increases risks for the lakeside communities and ensures that the Caloosahatchee and St. Lucie estuaries are devastated with longer duration and high deluges of dirty water. She urged the Task Force to use best available science in developing LOSOM and oppose any special interest language addition.
8. Mr. David Schuldenfrei (past President of Sanibel-Captiva Association of Realtors) noted he has been marketing Sanibel and Captiva real estate and vacation rentals for over 44 years and every year environmental issues have gotten worse. They are finally seeing a light at the end of the tunnel and he asked that they do not do anything that will change the direction they are heading in. The savings clause has no place in LOSOM and will take them back 20 years. Real estate, vacation rentals and all the businesses that go with it are barely surviving and cannot deal with another major environmental issue.
9. Ms. Nyla Pipes (One Florida Foundation) believes there is a lot of dangerous messaging happening which is not accurate. The sugar farmers, utilities, people concerned with the environment and the tribes are all concerned with water supply and Lake Okeechobee. There seems to be a tendency to ignore the role of groundwater and freshwater head created by Lake Okeechobee to supply water to the south. If they don't keep the ground wet enough, they will not be able to hold water in the WCAs which is where a lot of south Florida's utility water supply comes from. She asked that everyone take a step back and stop with the misinformation and get back to the spot where they realize that CERP was founded on the spirit of cooperation. Their entire water supply is reliant on what they do with Lake Okeechobee. As for the EAA Reservoir new start, she said that the C-23/C-24 Reservoirs are equally important and is another area where they need to work together.
10. Mr. Harry Pickering (Everglades Conservation and Sportsman Club) noted that their 40-acre club grounds are located on the southwestern edge of the WERP boundary in Ochopee, Florida. They just published South Florida Deer study which documents that a sustained high surface water level is a contributing factor to deer mortality. The study concludes that sustained surface water level of 19.5 inches will result in a 9% mortality rate and a sustained 39-inch surface water level will result in a 22% mortality rate. The study concludes that deer experience a lower reproductive success rate during times of high water. They have concerns about how and when

water will be moved through the S-344 and the three proposed water structures that will be built into the L-28 South canal levee. The water being moved west into the BCNP should not be permitted to reach such dangerous depths during the fawning and rearing seasons and water levels west of the levee should be closely monitored. He asked the SFWMD and FWC to please consider a plan in the future to have limited opportunity quota hunts in the C-139 Annex, renamed the Sam Jones/Abiaki Prairie. He also urged that appropriations for eradication of *Melaleuca* in BCNP be significantly increased.

11. Mr. Franklin Adams (Florida Wildlife Federation) said he was glad the Task Force was still working on these issues. The federation has a long history, going back 84 years, with the Everglades and Big Cypress. They continue to be concerned with restoration planning getting the water levels and water quality right. As they seek to restore, they need to be certain they do not exceed the historical natural water levels and highlighted what has happened to the tree islands and deer populations in WCA-3A and WCA-2. Finally, they need to incorporate restoration water levels in the BCNP. The roads and canals have had an adverse impact on water coming into BCNP which has caused many of these costly wildfires in recent years. Invasive exotics continue to come into these areas where roads and canals have been removed.
12. Mr. Tommy Strowd (Lake Worth Drainage District) explained they are a special taxing district created by the Florida Legislature in 1915 and they serve the water resource needs in southeast Palm Beach County for both urban and agricultural land uses. There were several protections identified in CERP, one was the reservation of water for the environment to ensure that any new water created in CERP would not be permitted away. There was also the savings clause that protected the water that existed at the time CERP was authorized. They wanted to ensure that implementation of CERP including physical or operational modifications to the C&SF project did not cause significant adverse impacts on existing legal water users. The LOSOM, currently under development, and system-wide operating manuals were first identified in CERP and intended to be an overarching operational protocol that looks at not only the system but the individual components of the project. It is impossible to separate the function of the lake from the various components of CERP or the components of the C&SF project. Since the implementation of the C-43 and C-44 Reservoirs will likely occur when LOSOM is authorized they believe it is reasonable to consider they are coordinated.
13. Ms. Sarah Barmyer (National Parks Conservation Assoc.) emphasized the importance of moving forward with Everglades restoration projects at the heart of the greater Everglades ecosystem that will benefit the federal interests and our national parks. Those are the central Everglades projects which include the EAA Reservoir and the bridging of Tamiami Trail. The central Everglades projects need to continue to advance so that they can flow more freshwater south to ENP and Florida Bay where it is desperately needed. Construction of the EAA Reservoir needs to start as soon as possible. Any misinterpretation that the EAA Reservoir is a separate project from the central Everglades project is creating bureaucratic delays by triggering a problematic new start limitation issue. They believe this is inconsistent with the post authorization change report in WRDA 2018 and inconsistent with President Trump's budget priorities in both FY20 and FY21. They are excited to see the continued progress on Tamiami Trail and urged them to resolve the challenges related to the Osceola Camp and ensure funding is allocated so that the completion of Tamiami Trail is not delayed. Regarding the savings clause, NPCA is concerned with any effort to lock in consumptive water users that were in place in 2000 and doing so before any CERP projects to send water south are brought online.
14. Mr. Doug Gaston (Audubon Florida) reiterated some of the comments made earlier about the savings clause, it doesn't apply to the lake regulation schedule. The USACE has consistently,

and we believe correctly, interpreted the savings clause and the Pro Regs to apply the savings clause to CERP projects. Those regulations anticipated changes to lake regulation schedules and characterized those as intervening non-CERP activities to which the savings clause analysis does not apply. There is a desire to use the regulation schedule in place on December 2000 as the baseline and they know that regulation schedule kept the lake dangerously high which resulted in the loss of 45,000 acres of SAVs in the lake and posed extreme risk of failure to the Herbert Hoover Dike (HHD). The harm to the ecosystem and the integrity to the HHD are the two reasons the USACE is undertaking the rehabilitation of the dike and the re-evaluation of the lake regulation schedule. The schedule needs to be based on science and sound data. Congress directed the USACE to balance multiple interests including the environment and they should not put their thumbs on the scale in favor of one of those congressionally authorized purposes to the detriment of the others. He encouraged the Task Force to reject that proposal and allow that process to go forward.

15. Ms. Shannon Estenoz (Everglades Foundation) placed on the record the foundation's strong support for the USACE's current policy position that the CERP Savings Clause does not apply to the LOSOM and urged the Task Force to be supportive of the USACE. Although this topic is not on the agenda, the Task Force is the best opportunity they have, to address the President's top policy leaders in the Everglades. The savings clause was inserted into WRDA 2000 to shield water users from CERP projects that would reduce water supply sources without first replacing those sources with new ones of comparable quality and quantity. The idea was, as restoration benefits are being delivered, they would not come at the expense of permitted water supply as governed by the State of Florida. LOSOM is not a CERP project but an authority the USACE has in order to operate Lake Okeechobee in the wake of major dike repairs. To apply the savings clause before restoration benefits are delivered is really to undermine 20 years of Everglades restoration policy with regards to benefits versus cost. The notion that the savings clause is an artifact of CERP and would apply to the USACE's other responsibilities and authorities, including operating Lake Okeechobee is absurd. She urged the SFWMD to do what it can to explain how water moves through the system, the notion that stacking water in Lake Okeechobee somehow helps the Everglades and ENP is incorrect.
16. Mr. Cary Bible (resident) reminded everyone that CERP was passed over two decades ago and asked whether they have been effective with the public trust in the water supply that belongs to everyone. There are many stakeholders and because the issues are so complex, they require multiple inputs and a strong commitment by everyone to put aside these special interests. There isn't a single reservoir or a single STA that will fix all of this. Look at what has been done over the past 20 years and ask yourselves if they have truly accomplished everything they should have. He sees timelines extending out to 2039 with tons of funding that scare him as a Florida citizen. He wondered about the future they will leave their kids. He wondered how this state will look like in the future and if it would be a drought and plague filled desert with no life. He asked that they ask themselves if they are doing what is truly best for the Everglades, for the 12 million who live in the Lake Okeechobee watershed and for future generations. He asked that they protect the Everglades.
17. Mr. Vic Chabra (south Lee resident) said he has lived in Florida for about 25 years and thanked the Task Force for what it is doing. He wanted to address the issue of herbicide spraying. He begged them to address what is in the water and how the Earth can be used to clean the water. He is not sure if exotic plant management is the same in water as it is on land but when you talk about diversification of funds, he begs them to address what the Earth does and how it cleans the water. He hopes that the FWC steps up with a revised proposal about chemical usage because it

is happening in every single waterway. He also questioned why the usage is so heavy right before a heavy rainfall. He is certain laws are being broken not only from the environment and usage standpoint but from the corporations that advise how and when to spray. The water can flow but it must be clean. Please address what is in our water, our land, soil and our people.

18. Mr. Mike Elfenbein echoed Mr. Duncan's comments on the savings clause and supported Mr. Ruane's comments on using science and not politics to form policy. More importantly he wanted to address the poor management of the Big Cypress and the catastrophe that is sure to follow if they remain on course with WERP. The science is indicating that elevated water levels will have negative consequences on both flora and fauna. The South Florida Deer Study indicates that elevated water levels will have negative consequences for deer and the federally protected panther which relies on deer for survival. Budgets for invasive plant management and prescribed fires. The majority of the BCNP remains untreated and improperly managed and he hoped those from the federal agencies that were responsible could change that. They are running out of time and Big Cypress is dying. The federal agency responsible for its management is responsible for its death.
19. Ms. Irela Bague (Greater Miami Chamber of Commerce) noted that this TF has heard from many Miami Dade County stakeholders asking for the start of the planning process for the Biscayne Bay Coastal Wetlands (BBCW) Phase 2. She thanked the USACE and the SFWMD for agreeing to engage in the development of a Project Management Plan and creating a larger planning process by combining BBCW and C-111 now called the BBSEER project. As they move forward with this planning process, she hoped all the stakeholders can come together and focus on improving the entire southern Everglades ecosystem and adequately and equally restore water flows to Florida Bay, ENP, Biscayne Bay and Biscayne National Park.
20. Ms. Marisa Carrozzo (Conservancy of Southwest Florida) expressed her continued support for projects like the EAA Reservoir advancing as quickly as possible, which benefits the Everglades and northern estuaries. The idea of applying the CERP savings clause to LOSOM is concerning. The Lake Okeechobee regulation schedule is not a CERP project, therefore the savings clause does not apply. It has also been suggested that they go back to the WSE schedule baseline for LOSOM even though the WSE caused serious issues with dike integrity and contributed to harmful discharges to the Caloosahatchee and St. Lucie estuaries. They urge the TF and the USACE to underscore why they need develop LOSOM with a focus on sound science and balanced water management. They need to continue to reject attempts to undermine restoration efforts by sending them back to an old and unsuccessful model for water management. She thanked the TF for developing the IDS alternative scenarios, an essential tool to show how long restoration will take with different funding levels.
21. Mr. JohnBob Carlos (Everglades Gallery) said he has grown up in the Everglades and has done a lot of work to save parts of the Everglades. On WERP, he said that increasing water levels by will critically impact those areas and cause a major loss to an area that is already being impacted. Secondly, in the last few years he has seen a major decline in wildlife in BCNP and more Melaleuca. He asked that BCNP be supported financially. He asked that in healing the Everglades, they not exclude the locals, the indigenous people and the Gladesmen.
22. Mr. Travis Thompson (resident) echoed several of the comments made about the management of invasive species in Big Cypress. They will need to spend a lot of money to fix this problem down the road. It is very concerning that, at the federal level, they are not willing to put money into fighting invasive species. He asked that they also consider the limitations on the use of herbicides. They see a lot of pushback on herbicide usage and he hoped they don't get caught up

in the politicization of how they manage invasive species. He reminded everyone that historically, lakes are supposed to fluctuate a great deal.

23. Mr. Hank Ridings said he has heard a lot of information about budgets and water management but none pertaining to mammals and plant life. More studies on the effect to indigenous animals and plant life are essential to gauging the effects of CERP and WERP. The alarming disappearance and dwindling deer population in ENP, Big Cypress NP and Everglades Management Areas since the CERP program began. He hoped they were paying attention to this important natural gauge moving forward.
24. Ms. Kelly Ralston (American Sportfishing Association) thanked the TF for continuing to meet and work on Everglades restoration despite the difficult times we are in. They also appreciate the record levels of funding at both the state and federal levels. The IDS alternative scenarios will be a tremendous tool for them in advocating for funding. They support the RECOVER process to look at overall impacts and management of the system across the entire system. They encourage the TF to make the RECOVER process a priority. They also applaud the progress on the Tamiami Trail and the EAA STA but recognize that current challenges with LOSOM.
25. Mr. Jack Moller said the issue of the Savings Clause included nature as well as agriculture and potable water and maximum flows and levels were considered untouchable. He was glad to see everyone starting to work together on exotic species removal. He is concerned with the next phase of Tamiami Trail development and the existing public and private access locations to those properties should remain. He sent the Task Force extensive written public comments prior to the meeting.

### **Closing Comments**

Mr. Duncan said that Lake Okeechobee was managed all year at an incredibly low level and here they are going into the dry season and there is no water to send south. The water levels are 18 inches below ground in WCA-3A and the prior week they had a fire and the week before that ENP caught on fire. Florida Bay is experiencing hyper-saline conditions and there is no freshwater going into the bay. He is not advocating for any schedule, what he is saying is that there has been gross mismanagement this year. There is no water available in Lake Okeechobee and they have diverted water the entire year for the benefit of one vocal minority and the entire rest of the Everglades is suffering. This cannot continue.

Mr. Ruane supported Mr. Duncan's comments and they do recognize the importance of water south of Lake Okeechobee which is why they need the EAA and asked that they do everything in their power to expedite the needed funding.

Mr. Eric Sutton thanked the public for their comments on the fish and wildlife resources and the needs of Big Cypress. The Deer Study would not have been possible without a lot of the Gladesmen and women as well as the sportsmen. Mr. Ed Smith thanked Mr. Petty along with the OERI staff for putting together this meeting. He also thanked those providing public comments adding that they welcome the feedback. Mr. Ryan Fisher said he also appreciated the insightful comments that they will take into consideration. He acknowledged the EAA Reservoir new start is under consideration by Mr. R.D. James. Mr. Bergeron thanked all the stakeholders adding that they learn a lot from their comments. He also thanked his fellow members adding that it was a great honor to be a part of this Task Force. Mr. Valenstein again noted all the progress that has been made since the last meeting. Mr. Adam Gelber thanked the stakeholders for their perspective and reminded those who still wished to submit public comments had until the following day to submit them electronically.

Dr. Petty thanked everyone for their participation and everyone who provided public comments. He provided some closing remarks and adjourned the meeting at 1:06 PM.

To access power point presentations and handouts, please visit:

<https://www.evergladesrestoration.gov/tfm/>

1. Administrative Items
  - a. Agenda
  - b. Draft Minutes, April 2019 meeting
  - c. Lunch Options
2. Task Force Member Introductions
  - a. Charter
  - b. Membership Roster
  - c. Member Bios
3. SCG Leadership
  - a. SCG Charter
  - b. Membership Roster
4. Report on WG and SCG Activities
  - a. Presentation
  - b. WG Charter
  - c. Membership Roster
5. SFWMD Program and Project Update
6. Corps Program and Project Update
7. Consultation on the IDS
  - a. Task Force Consultation Fact Sheet
  - b. 2019 IDS Placemat
  - c. Power Point Presentation
8. Consultation on PIRs
  - a. Loxahatchee River Watershed Restoration Project (LRWRP) presentation
  - b. LRWRP Fact Sheet
  - c. Lake Okeechobee Watershed Restoration Project (LOWRP)
  - d. LOWRP Fact Sheet
9. Python Management – One Mission, Many Hands
10. Florida Coral Reef Tract Discussion
  - a. FDEP presentation
  - b. NOAA presentation
11. Background Information
  - a. WRDA 1996 excerpt
12. Miccosukee Tribe’s handout re: WERP (DOI Solicitor’s memo)
13. Miccosukee Tribe’s handout (excerpt of PL 93-440)
14. Miccosukee Tribe’s handout (PACR for the Everglades Agricultural Area)
15. Miccosukee Tribe’s handout (comments on Lake O. deviation)
16. Seminole Tribe’s comments re: LOWRP
17. Written public comments