

*Approved Minutes*  
*South Florida Ecosystem Restoration*  
*Task Force Meeting – Wyndham Miami Airport*  
*February 2, 1999*

Ms. Patricia Beneke opened meeting at 1:10 p.m. Task Force members were provided with the agenda and briefing binders (Enclosure 1). Ms. Beneke reported to the Task Force that the President's Budget had been released and the federal budget numbers were: Department of Interior \$151 million; Corps of Engineers \$128 million; Department of Agriculture \$8 million; EPA \$5 million; and NOAA \$20 million. She noted that the budget represented a serious commitment by the Federal government to move this restoration effort forward. During the State of the Union address, the President announced his proposed Lands Legacy Initiative which would dedicate \$1 billion to additional land acquisition throughout the country and stated that he would work with the Congress to make this a permanent funding revenue starting in 2001. The President also announced a \$1 billion initiative for livable communities. She stated that the federal government is looking forward to working with Governor Bush and his team.

Ms. Beneke also reported that an agreement on the Talisman land acquisition had been reached several weeks earlier and would provide over 60,000 acres to be used for water storage in the EAA. Ms. Dana Minerva added that EPA has proposed that 20% of the State Revolving Fund be used for grants rather than loans for non point source controls.

**The Following Task Force Members Were Present:**

Patricia Beneke, Task Force Chair - U.S. Department of the Interior  
Sue Alspach for Alex Penelas, Metropolitan Dade County  
Clarence Anthony, City of South Bay  
Peter Coppelman for Lois Schiffer, U.S. Department of Justice  
Mike Davis, U.S. Department of the Army  
David Jansen for Sally Yozell, U.S. Department of the Commerce  
Dexter Lehtinen, Miccosukee Tribe of Indians  
Dana Minerva for Jonathan Fox, U.S. Environmental Protection Agency  
Sam Poole for Sonny Williamson, South Florida Water Management District  
Patty Power for Jim Shore, Seminole Tribe of Florida  
Rick Smith for Allison DeFoor, State of Florida  
Rock Salt, Executive Director, South Florida Ecosystem Restoration Task Force

**The Following Task Force Members Were Not Present:**

Jonathan Charles Fox, U.S. Environmental Protection Agency  
John Horsley, U.S. Department of Transportation  
Glenda Humiston, U.S. Department of Agriculture  
Alex Penelas, Metropolitan Dade County  
Lois Schiffer, U.S. Department of Justice  
Jim Shore, Seminole Tribe of Florida  
Sonny Williamson, South Florida Water Management District  
Sally Yozell, U.S. Department of Commerce

**1998 IN REVIEW**

Mr. Sam Poole thanked the Restudy team and Working Group members and their staff for their work in 1998. He reviewed the Working Group's 1998 workplan, which was developed from the Working Group Charter and provided accomplishment highlights from the past year. Mr. Poole began by describing the process the Working Group

established to identify key issues among the agencies in order to help the Restudy team resolve them. For example, the Working Group established a team of experts to identify and define technical issues relevant to ASR, which resulted in a preliminary action plan to resolve those issues. The Working Group prepared recommendations for the Task Force letter to the Secretary of the Army as well as additional recommendations for possible inclusion in the second letter. A water quality team was established to prepare recommendations for the C&SF Restudy. Mr. Poole also reported that the scoping document had been approved for the Integrated Strategic Plan and a team had been established to develop a strategy to control and eradicate exotic plant species. The effective exchange of information has been achieved through the website providing electronic access to readahead packages for meetings and a number of key documents.

Mr. Poole reported that the annual Integrated Financial Plan has been developed to reflect coordination of federal, state, local and tribal funding requirements for projects and that recommendations have been developed for a coordinated budget request. He presented those documents for Task Force approval.

The draft Biennial Report was also presented for Task Force approval. Mr. Richard Harvey added that the Working Group would continue to focus on the tasks identified in the Working Group Charter in 1999.

### Exotic Plant Species Update

Mr. Dan Thayer briefed the Task Force on the strategic plan for dealing with over 60 invasive exotic plants in south Florida. The draft assessment (Enclosure 2) will be completed by the spring will outline the problems, shortfalls and successes that will be the basis for the strategy. Mr. Thayer announced that a workshop hosted by the SFWMD is scheduled for February 22 – 23, 1999 to develop a strategy for dealing with the Old World Climbing Fern, a new problem species. Ms. Carole Goodyear noted that there are no standardized programs for exotic aquatics as they cover a wider range and are more difficult to deal with. Ms. Patty Power noted that Senator Craig is working on legislation entitled the Plant Protection Act addressing the importation of exotic plants that could disrupt agriculture.

### Land Acquisition and Construction Update

COL Joe Miller reviewed the ongoing Corps of Engineers' projects. The Corps currently has \$6.5 million in the budget for Critical Projects with an additional \$5 million expected as part of the reprogramming request for FY99. The Florida Keys Carrying Capacity Study Project Cooperation Agreement (PCA) was signed in December 1998 and work is underway on twelve other Critical Project PCAs. The work allowance for the Modified Water Deliveries project is \$14 million for this fiscal year with \$20 million scheduled for FY 2000. Construction of the S355 A & B structures is complete.

Mr. Dexter Lehtinen presented the Miccosukee Tribe's opposition (Enclosure 3) to the acquisition of the 8.5 square mile area. He noted that the SFWMD Governing Board resolution said the SFWMD would support the locally preferred option if the federal government pays for ½ the cost and the County goes along with it. COL Miller said the Corps was waiting for input from the County, but would proceed with an EIS in accordance with the local sponsor request. Mr. Lehtinen added the federal government violates the law by committing money without an EIS. COL Miller responded that the SFWMD Governing Board decided to proceed with full acquisition of the 8.5 square mile area as their locally preferred option. Mr. Davis added the Corps has not made a decision and similar to numerous projects around the country, the locally preferred plan will be considered with the appropriate NEPA documentation. Mr. Davis stated that there is no foregone conclusion that the Corps will go one way or the other. Mr. Lehtinen stated that he would do everything he can to get Dade County to disagree with the SFWMD and

requested the Corps not do anything until an EIS has been done. Ms. Beneke added that the appropriate NEPA document would be completed before there is a final determination. Mr. Davis said the Secretary of the Army would make the final determination.

Mr. Paul Warner reviewed the SFWMD's land acquisition efforts (Enclosure 4) and presented the 1998 Save Our Rivers Plan (Enclosure 5). In 1998, 21,000 acres were purchased in the Okaloacoochee Slough, 400 acres purchased in the Indian River Lagoon and 21,000 of 58,000 acres have been purchased in southwest Florida. Many parcels have been purchased in cooperation with the state and federal government.

Mr. Rick Smith reviewed the State's land acquisition efforts (Enclosure 6) and noted \$1.8 billion spent to acquire over 1 million acres around the State of Florida. A total of 80,210 acres have been acquired in the last nine years with Preservation 2000 funds. He reported that the Legislature had filed one bill to serve as a continuation of P2000, which expires in 2000. The State, the SFWMD and the federal government have acquired approximately 3.1 million acres combined since 1947. A total of 59,199 acres have been acquired with Farm Bill money.

Mr. Smith will be meeting with Richard Harvey and others through the Working Group process to develop the recommended list of priority projects for acquisition from the State, local and regional perspective. He encouraged the Task Force to inform legislators how land acquisition efforts at the State and regional level have helped in promoting ecosystem restoration. Mr. Clarence Anthony added that the Constitution Revision Commission placed it as a requirement of State Law that P2000 be funded and it is now in the Constitution. The Legislature has no choice but to continue funding it. Mr. Smith stated that one of the proposals in the Florida House of Representatives is to devote more emphasis on water resource and water supply development than to acquisition. The Governor has stated in his white paper that he wants to see a more balanced program.

Mr. Bill Leary provided an update on the Department of Interior's land acquisition efforts. The Talisman land swap has been successfully negotiated with a Joint Venture (U.S. Sugar, Florida Crystal and the Sugar Cooperative). The government will receive 45,114 Talisman and Joint Venture acres for possible use for water storage with the option to buy 800 additional acres from Florida Crystal. The State will purchase 763 acres in the Parker Tract and they also have 1,600 leased acres. Interior previously purchased 2,250 acres and the SFWMD is purchasing 5,280 acres. There is a total of 55,868 acres available for water storage and other restoration purposes as of today. Additionally, there is 10,708 STA acres, which completes the SFWMD's obligation under the Everglades Forever Act. All parties are working hard to have the purchase agreement executed for a closing in Mid April.

## Task Force Approval Items

**Integrated Financial Plan and Coordinated Budget Request** – Mr. Terrence "Rock" Salt presented both documents which had previously been approved by the Working Group and recommended for Task Force approval. Mr. Dexter Lehtinen expressed concern over the Task Force endorsing those projects in the IFP with funding that still needs "to be determined" and then hearing later that he endorsed something that has changed in scope from what is presented now. Rock clarified that an approval would be an endorsement of a requirement. The Task Force approved both the Integrated Financial Plan and the Coordinated Budget Request.

Ms. Beneke noted Ms. Sally Yozell's request for the Cross-Cut Budget to contain some recognition of the Lands Legacy Initiative, which is a new federal program. Mr. David Jansen added the program would affect programs at the Florida Keys Sanctuary, Protected Resources Fisheries work and coral work. Since there is a likelihood that

additional dollars will flow to South Florida, he suggested adding a footnote. Rock Salt suggested adding a sentence on the cover sheet "an initiative of the Administration that could provide additional funds and is supported by the Task Force". Patty Power suggested also adding "Task Force would be looking to that initiative to help fund some of the needs in south Florida".

**Public Outreach Strategy** – Ms. Bonnie Kranzer reviewed the strategy and noted that restoration success depends on public outreach and involvement. Mr. Anthony applauded the framework and suggested that given the diverse community in south Florida, an effort needs to be made to reach out to the various minority communities. The Task Force approved the strategy.

**Biennial Report** – Mr. Paul Warner reviewed the proposed report. The Water Resources Development Act (WRDA) 96 requires the Task Force to issue this report to Congress. An earlier draft had been presented at the December 3, 1998 mini Task Force meeting. Mr. Lehtinen suggested an additional statement be appended to the report as a minority view (Enclosure 7a). The Task Force was asked to review the minority view for discussion the following morning.

**Integrated Strategic Plan** – Ms. Linda Dahl reviewed the Integrated Plan for restoring and sustaining the south Florida Ecosystem. The plan will describe the linkages among government projects that will achieve shared ecosystem goals in the region. Phase I is the assessment phase, currently underway, where the team will review plans from throughout South Florida and seek to clarify a common vision. In Phase II, the information will be brought together in a Symposium/Summit with the goal of developing strategies. It is hoped that at the end of this effort there will be tools to measure performance. Phase III is the writing and editing phase to document the common vision and outline the implementing strategies. The completion date is 2001.

**Multi Species/Endangered Species** – Mr. Steve Forsythe provided a status of the recovery plan, which is part of the broader restoration effort and goes beyond the Restudy effort. He reported that many comments were received during the public review period and that the final product will be completed in May 1999. A recovery team (MERIT) will prioritize recovery and restoration activities identified in the recovery plan. They will conduct "on the ground" recovery/restoration activities at the species and community level. A Steering Committee, chaired by the FWS with members of the Working Group, will interface with MERIT and the Working Group on policy and decisional issues. FWS has designated a representative to each of the PCT's to bring back projects and ideas to help recover the species.

## UPDATES

**NPDES Permit** – Mr. Richard Harvey provided an update on the National Pollutant Discharge Elimination System as authorized by the Clean Water Act. The permit now being considered by EPA is for STA 1 west which will discharge into the Loxahatchee National Wildlife Refuge. EPA is working with FDEP and SFWMD to resolve outstanding issues. EPA can issue the permit with an interim discharge authority that would allow the STA to be used if the permit is challenged similar to the ENR project. Once the draft permit is issued there will be a 30-day public comment period.

Mr. Lehtinen noted his concerns on distributing water into areas that have not been previously impacted. He stated that 28% additional lake water would do damage if it were not cleaned when it goes into WCA 3A and the load reduction requirements are not met. He added that the federal government should not replace the 404 permits with an NPDES permit.

Science Forum – Mr. Nick Aumen announced that the Forum is scheduled for May 17 – 19, 1999 in Boca Raton. A Science/Management linkage will be discussed to show how science is being used. The forum will illustrate the role of science in supporting management decisions for restoration.

Cape Sable Seaside Sparrow – Mr. Steve Forsythe stated there is an ongoing Section 7 consultation with the Corps and District. A workshop is scheduled the following week with scientists who have looked at the science of the sparrow. It remains to be seen whether any emergency water management procedures would need to be taken, depending on rainfall.

Mr. Lehtinen pointed out the Miccosukee Tribe concern's (Enclosure 7b) over the lack of science in support of the draft biological opinion. He noted the action taken the previous year without a biological opinion and stated that water levels in WCA 3A did serious damage to endangered species and the Everglades. He called it a classic example of the federal government giving second class status to non-federally owned Everglades. He added that Dr. Stuart Pimm is an ecologist not a biologist and does not know anything about the sparrow. Mr. Lehtinen asked the Task Force to require Dr. Pimm to provide his data. Rock Salt responded to Mr. Lehtinen that the SCT was working with the American Ornithological Union to conduct an independent review of the science on this topic. Mr. Salt added that the SCT workshop was scheduled for the following week and that Dr. Pimm would participate.

Water Quality Interagency Group – Mr. Harvey complemented the Corps on the Restudy. It is recognized that the quality, quantity, timing and distribution need to be right to achieve the restoration goals desired. The Restudy, once fully implemented, will address these issues, yet more needs to be done for water quality. The Working Group established a Water Quality Team to work with the Corps to take maximum advantage of the opportunity the Restudy has presented to improve water quality. An agreement has been reached where the Corps has agreed to cost share a water quality component for a feature once the appropriate State and Federal agencies have done their job. Team will be charged with developing a Comprehensive Water Quality Protection Program for south Florida.

Land Acquisition Priority List – Rock Salt reviewed the Committee Report language from the FY99 Interior Appropriations Bill requiring the Secretary of the Interior to submit a comprehensive acquisition plan for non federal lands by March 31, 1999. The Secretary asked the Working Group to prepare a priority list similar in concept to the Farm Bill list. Mr. Harvey added that a meeting had been scheduled for February 12, 1999 to initiate a process to establish criteria for ranking these different land acquisition projects.

## PUBLIC COMMENT

Mr. David Guggenheim (Everglades Coalition) – thanked those who participated in the annual Everglades Coalition Conference and recognized Rick Smith for his efforts. The Conservancy will donate time and staff to work with the SFWMD in the acquisition of the southern addition to the Crew project over the next year. The Coalition has not formed a position on the Implementation Plan, but it is clear that work remains to be done. The Coalition does not support a delay in the Restudy to conduct a peer review.

Mr. John Arthur Marshall (Arthur R. Marshall) applauded the public outreach efforts with the Integrated Strategic Plan. He provided written comments for consideration of a flowway (Enclosure 8).

Mr. Tom Adams (National Audubon Society) noted the tremendous opportunity for federal funding and praised the Administration for the budget. He noted the support for the Better America Bonds Program that can provide \$700 million in tax credits and the Lands Legacy Initiative, which will provide the Marine Sanctuary additional resources.

Ms. Madeleine Forten (8.5 square mile area resident) doesn't get any easier talking to a room full of people that want to take your home away. Maintaining the Momentum report talks about public outreach, yet no public outreach has been conducted in reaching the residents of the 8.5 square mile area. There is no link with restoration and taking people's homes away.

Ms. Ibel Aguilera (8.5 square mile area resident) an unwilling seller and stressed that now is the time to help one another. This issue needs to be looked at as a human issue and not as an unsupported scientific issue. The residents in this area support restoration and the acquisition is unnecessary. Support of the people is important and many people are beginning to lose interest in the Restudy because of a credibility issue. She urged reconsideration of the decision to acquire this area.

Ms. Maria Gonzalez-Rauchmann (8.5 square mile area resident) property owner in this area who would be happy to her land if it were necessary to save the Everglades. The hydrologists and other experts such as Alan Hall in his memo have stated that this area does not have to be acquired. Vowed to fight tooth and nail to keep her land. The Corps plan provides mitigation and the residents are happy with that as long as they can remain. She urged the group to look at other alternative.

Mr. George Christadoulous (8.5 square mile area) has been fighting this since 1981 and has always felt that the land is high and doesn't understand why it needs to be acquired. He said he was suspicious of the SFWMD's motives to take away this land and later possibly sell it.

CPT Ed Davidson said problems in the Florida Keys are as a result of being poor stewards. The local government has been utterly irresponsible and the near shore carrying capacity has been exceeded. This problem needs to be corrected with public dollars and possibly billing residents in their monthly water and sewer bills. The Keys need to solve their own problems.

Ms. Shannon Estenoz (World Wildlife Fund) appreciative of the Administration's commitment, written comments will be provided on the Implementation Plan. Full buyout of the 8.5 square mile area is the most sustainable solution to rehydrate Shark River Slough.

## 8.5 SQUARE MILE AREA

Mr. Lehtinen stated the 8.5 square mile area is far from the Everglades and is not present on historic Everglades maps. He noted Governor Graham's Chapter 380 Committee as well as Governor Martinez's Commission both recommended the 8.5 square mile area not be acquired. He added that Dante Fascell arranged for the Modified Water Delivery Act to acquire the Park expansion area. He stated the Chiles Commission in 1995 also recommended not acquiring this area. Four review teams with public input have looked at this and all four said not to take it. SFWMD staff should not be allowed to put together a private meeting and within sixty days come up with an economic analysis that says the area should be taken. The federal government should not be using restoration money for a non-restoration project when the Corps' plan works. He noted that less than 29% of the private land ownership in the park expansion area has been acquired in the last ten years and questioned how the remaining acquisition could be completed by 2001. Mr. Smith noted the Chiles' Committee Report proposed subdividing the 8.5 square mile area into a wetland reclamation zone, a seasonal agricultural transition zone and a residential zone.

Mr. Alan Hall, SFWMD, stated that Mr. Lehtinen's comments were technically correct, but misleading. He added that McVicar and Associates conducted the hydrologic analysis indicating the Corps' 1992 Plan would allow for restoration of flows in Northeast Shark River Slough, however, the detailed analysis pointed out it would not do a good job at providing flood protection to the residents of that area. Other alternatives were identified that indicated flood protection could be provided to the residents of the area but with additional costs. The alternative that provided the best solution based on the analysis was the total acquisition alternative. The SFWMD Board voted unanimously to support the total acquisition alternative as their locally preferred option as a result of six hours of testimony and public input at their hearing in November 1998. Since the hearing in November 242 residents have contacted the SFWMD and expressed their willingness to sell their property. The SFWMD Governing Board has conditioned moving forward on this project until funding agreements are in place with the Department of the Interior and the Miami Dade County Commission.

## LIGHTNING ROUND

Mr. Nick Aumen briefed the Task Force on the Asian Swamp Eel issues. He stated there is an informal interagency group to address the Swamp Eel issues but no agency has agreed to lead this issue.

Meeting adjourned at 6:45 p.m.

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*Task Force Meeting – Wyndham Miami Airport*  
*February 3, 1999*

## WELCOME AND INTRODUCTIONS

Patricia Beneke opened meeting at 9:07 a.m.

### The Following Task Force Members Were Present:

Patricia Beneke, Task Force Chair - U.S. Department of the Interior  
Ernie Barnett for David Struhs, Florida Department of Environmental Protection  
Peter Coppelman for Lois Schiffer, U.S. Department of Justice  
Mike Davis, U.S. Department of the Army  
Allison DeFoor, State of Florida  
David Jansen for Sally Yozell, U.S. Department of the Commerce  
Dexter Lehtinen, Miccosukee Tribe of Indians  
Dana Minerva for Jonathan Fox, U.S. Environmental Protection Agency  
Sandy O'Neil for Alex Penelas, Metropolitan Dade County  
Richard Pettigrew, Governor's Commission for A Sustainable South Florida  
Eugene Pettis for Sonny Williamson, South Florida Water Management District  
Craig Tepper for Jim Shore, Seminole Tribe of Florida  
Don Woodward for Glenda Humiston, U.S. Department of Agriculture  
Terrence "Rock" Salt, South Florida Ecosystem Restoration Task Force

### The Following Task Force Members Were Not Present:

Jonathan Charles Fox, U.S. Department Environmental Protection Agency  
John Horsley, U.S. Department of Transportation  
Glenda Humiston, U.S. Department of Agriculture  
Alex Penelas, Metropolitan Dade County  
Lois Schiffer, U.S. Department of Justice  
Jim Shore, Seminole Tribe of Florida  
Sonny Williamson, South Florida Water Management District  
Sally Yozell, U.S. Department of Commerce

## C&SF RESTUDY

### General Update

Mr. Stu Appelbaum showed a slide presentation (Enclosure 9a), which highlighted the revised Implementation Plan that had been released on January 25, 1999 (Enclosure 9b). The Implementation Plan consists of a set of guidelines, the identification of a process for developing components, a schedule and a recommendation for initial project authorization. Public outreach and public involvement will continue as well as the use of an interagency Implementation Team. Implementation of the plan will require it to be packaged into smaller components while assuring that the system-wide goals are realized. Implementation of projects needs to be coordinated with those projects currently underway. Integration of contingency plans is essential to address uncertainties. The RECOVER Team is the interagency study team that worked on the comprehensive plan and will continue to provide the system-wide focus, project scheduling, implementation

schedule and the 2010 case study. There should be no pauses in the schedule, while waiting for authorization.

## Governor's Commission Update

Mr. Richard Pettigrew reviewed the Governor's Commission Report (Enclosure 9c). He made it clear that he wanted to try and help with the 8.5 square mile area and that any plan that does not work or protect the Everglades to the maximum extent is wrong. He said he was proud of the fact that the SFWMD Governing Board "bit the bullet" and is asking the Dade County Commission, Mayor Penelas and the County Manager to support full buyout. The mission is to save the remaining remnant of the Everglades. Dr. Bonnie Kranzer added the Governor's Commission report provided several recommendations on the Restudy recommendations on assurance to water users, increased water storage, improved water quality, and Restudy scope expansion and coordination.

## Aquifer Storage and Recovery

Mr. Richard Harvey reported that EPA has worked with the Corps to work out the water quality language and asked the Task Force to endorse that concept. The draft assessment report will detail the uncertainties associated with ASR. Although it has been used throughout Florida, it has never been proposed at the scale in the Restudy. The Working Group established an Issue Team to address these uncertainties. Seven issues were identified that needed to be addressed, including quality of source water (EPA agreed to consider regulatory flexibility), regional hydrogeology (know the aquifer can store the water but can it be recovered), and ASR storage and recovery rates. The Working Group has approved the report that identifies the issues and findings as well as recommending strategies. Ms. Dana Minerva suggested the Task Force accept the report.

## Second Task Force Letter

Rock Salt reviewed the first Task Force letter to Secretary of the Army Caldera and reported that the Corps had responded to the eleven issues in that letter and suggested that O&M cost sharing was the key, unresolved issue. The Working Group recommended the Task Force support a 50/50 cost share for O&M costs. Eugene Pettis asked for serious consideration on behalf of the SFWMD for a 50/50 split of the O&M costs. Mike Davis assured the Task Force that the Corps is seriously looking for flexibility to make the plan work. An argument can be made that the beneficiaries of this are federal facilities. The Task Force directed Mr. Salt to prepare a draft second letter expressing strong support for the Restudy Comprehensive Plan.

## Biennial Report

The Task Force agreed to include the modified text regarding the Miccosukee Tribe's Minority Report in the Biennial Report. Mr. Eugene Pettis suggested the text be included somewhere other than in the beginning of the report.

## Science Resolution

Dexter Lehtinen presented a draft resolution on science for Task Force consideration. After full discussion and minor editing, the Task Force approved the Resolution (Enclosure 10). The Task Force agreed to forward this resolution to Secretary Babbitt, Governor Bush and the Secretary of the Army.

## PUBLIC COMMENT on the Implementation Plan

CPT Ed Davidson stated that it is time for the Task Force to take a higher profile leadership position on key issues, particularly the science peer review question. All the agencies need to take a hard proactive look at the staffing levels that will be required when the phases of these programs begin to get implemented. It would be unwise to outsource and hire contractors to get the job done.

Mr. Mark Kraus (National Audubon Society) applauded the passing of the Science Resolution and complemented the staff and their hard work that they have done. He complemented this process which allowed the NGO's and interested parties to come into the process and comment meaningfully. National Audubon Society has some serious concerns about the Implementation Plan yet they feel it is going in the right direction. They are committed to continue providing comments. He urged the Restudy Team look into the Floridan Aquifer Management Plan and the need to understand what is happening to the aquifer.

Ms. Shannon Estenoz (World Wildlife Fund) shared the broad concerns with the Implementation Plan, specifically with the assurance language that currently exists in the plan. She suggested broadening the concept that "implementation of the Restudy happens in a way to ensure maximum and expedient benefits to the natural system". Encouraged including measurable restoration targets that could be measured across time. She noted her concern over the \$400 million glass ceiling on funding and would like to see an approach that identifies the needs and let that dictate the funding stream. Finally she is concerned about projects that WWF wants to see elevated to the initial authorization list as well as land acquisition and ensuring that land will be there when it comes time to implement projects in the water preserve areas.

Mr. Richard Grosso (Environmental and Land Use Law Center) as General Counsel and Executive Director of a non profit law firm that represents members of the community on Everglades and Florida Keys issues. The primary focus of the Center is to link land use decisions to the science and engineering going into the Restudy. Recommended accelerating all of the land acquisition components of the Restudy in the water preserve areas by either putting them on the initial authorization list or expedite the dates by which the acquisition will happen. It is the opinion of the Center that State Land Use Policy and Environmental Permit laws will not protect those areas. He provided written comments (Enclosure 11) for the record.

## EVERGLADES INTERIM REPORT

Mr. Gary Goforth provided a slide presentation on the Everglades Report (Everglades 12), required by the Everglades Forever Act of May 4, 1994, which represents the most comprehensive summary of data available. He reported that the report had gone through an extensive peer and public review process with over 100 pages of comments responded to in the appendix. The primary focus was to compile available data and findings to influence future decision-making. The Legislature directed the SFWMD to look at the implications of Stormwater Treatment Area 3-4. The water quality findings reaffirmed that phosphorus levels entering the Everglades are a critical concern and current water quality control programs have been effective in reducing phosphorus loads. The report also concluded that water quality in the Everglades Protection Area is in full compliance with standards with some exceptions.

Mercury levels in the Everglades, particularly in sports fish, are at high enough levels to impair use of the resource. Mr. Harvey stated the SFWMD did an excellent job putting this together and is a good source of information. Mr. Lehtinen added the report is great, however, follow-up is needed.

## PUBLIC COMMENT

Mr. Mike Richardson (First National Bank of Homestead) invited the Task Force to schedule a future meeting in Homestead. He noted his concern over the status of critical projects in particular the two south Dade projects had been consolidated into the Biscayne Bay Feasibility Study. It may be inappropriate to merge those projects since they have different goals and timelines. South Dade is "paranoid about the possibility of additional land acquisition for restoration purposes". The Working Group had decided to limit the land acquisition priority list to those projects that had received public vetting and now Ms. Beneke stated the possibility of expanding it to include new projects. He asked that any new projects receive a thorough public review before they are included on the land acquisition priority list.

Mr. Don Chinquina (Tropical Audubon) is against the Corps mitigation plan for the 8.5 square mile area because the residents do not want flood mitigation, they want flood protection. He cautioned that anything other than full buyout would not solve the problem and asked the Task Force to support full buyout.

Ms. Shannon Estenoz (World Wildlife Fund) position on 8.5 square mile area has nothing to do with a "mistrust of government". It is a debate of flood protection versus full acquisition. The landowners do not want mitigation they want flood protection. Once the structures are on the ground, they will be operated to provide flood protection and the Everglades and the Miccosukee Indians lose. The only strategy to achieve a sustainable Everglades ecosystem is to fully acquire the 8.5 square mile area.

Mr. Mark Kraus (National Audubon Society) stated that the environmental community is behind acquisition of the 8.5 square mile area. One of the residents stated they wanted 5-acre zoning and it is currently 1 in 40 acre zoning. Densification is one of the main issues the residents are seeking. This will not push restoration forward but set it back. He asked that the correct and not political thing be done.

Mr. Lehtinen expressed his concern over DOI's role (Enclosure 13) in Everglades restoration. Mr. Peter Coppelman stated he had remained silent over the past two days while the actions of the federal agencies, his clients and lawyers have been characterized orally and in writing as "incompetent, misleading, unconscionable, illicit, erroneous, reckless, irresponsible, illegal and immoral". He stated that an enormous number of people at the federal, state and local level have been working as hard as they can and in good faith to address the enormous challenge of restoring the Everglades and the charges made and the rhetoric used has not made a positive contribution to this meeting.

Mr. Lehtinen responded that at a personal level you are entitled to praise for working hard, but it has nothing to do with public responsibility and public duties. In this case, it is 1999 and a 1989 law has not been implemented.

Meeting adjourned at 12:30 p.m.

Enclosures:

1. Briefing Binder

- a. Agenda
- b. 1998 Workplan
- c. 1999 Integrated Financial Plan
- d. Coordinated Budget Request
- e. Public Outreach Strategy
- f. Biennial Report
- g. Exotic Plants Update
- h. Land Acquisition and Construction Update
- i. Integrated Strategic Plan

- j. Multi Species/Exotic Species Update
  - k. Water Quality Talking Points
  - l. Land Acquisition Priority List
  - m. Draft Implementation Plan (January 25, 1999)
  - n. Aquifer Storage and Recovery Draft Assessment Report (January 1999)
  - o. ASR Talking Points
  - p. Rationale for Federal Cost Share (January 28, 1999)
  - q. Governor's Commission draft Restudy Plan Report (January 20, 1999)
  - r. Task Force letter to Secretary Caldera
  - s. Outline of Recommendations in Caldera letter
  - t. U.S. Senate letter on Restudy (dated January 22, 1999)
  - u. Lightning Round Ballot and Fact Sheets
  - v. Water Resources Development Act of 1996
  - w. Task Force Charter
  - x. Task Force Roster
  - y. Working Group Charter
  - z. Working Group Roster
  - aa. Newsclippings
3. Assessment of Invasive Plants
  4. Miccosukee Tribe – 8.5 Square Mile Area
  5. SFWMD – Land Acquisition Update
  6. Save Our Rivers
  7. State of Florida – Land Acquisition Update
  8. Miccosukee Tribe – Minority Statement to Biennial Report
  9. John Arthur Marshall Comments
  10. (a) C&SF Project(b) Implementation Plan(c) Governor's Commission Recap
  11. Task Force Resolution on Science
  12. Richard Grosso Comments
  13. Everglades Interim Report (Powerpoint Slide Presentation)
  14. Miccosukee Tribe's Concern over DOI's role