

Approved Meeting Minutes
South Florida Ecosystem Restoration Working Group
West Palm Beach FL
May 1, 2002

Meeting called to order at 8:45 AM. Agenda (Encl. 1) ratified. Draft minutes (Encl. 2) presented. Billy Causey introduced Robert Quireck (Encl. 3), visiting sugarcane farmer and Churchill Fellow from New South Wales.

Working Group Members	May 1	Alternates
Chuck Aller - FL Dept of Agriculture and Consumer Services	-	Ray Scott
Ernie Barnett – FL Dept of Environmental Protection	√	
Ronnie Best – U.S.G.S.	√	
Brad Brown – NOAA, National Marine Fisheries Service	-	Essie Duffie
Billy Causey – NOAA, FL Keys Nat'l Marine Sanctuary	√	
Kathy Copeland – South Florida Water Management District	√	
Kurt Chandler – Bureau of Indian Affairs	-	
Wayne Daltry - Southwest FL Regional Planning Council	√	
<i>Local Government Vacancy</i>		
Gene Duncan – Miccosukee Tribe of Indians of FL	√	
Maureen Finnerty – National Park Service	√	
Roman Gastesi – Miami Dade County	√	
George Hadley – U.S. Dept of Transportation	-	
Thaddeus Hamilton - U.S. Department of Agriculture	√	
Richard Harvey – Environmental Protection Agency	√	
Ronald Jones – Southeast Environmental Research Center	-	
Barbara Junge – U.S. Attorney's Office	√	
COL Greg May - U.S. Army Corps of Engineers	√	
Ken Metcalf – Department of Community Affairs	-	
Peter Ortner – NOAA	-	Judy Gray
Donna Pope - FL Dept. of Transportation	-	Marjorie Bixby
Fred Rapach – Palm Beach County Water Utilities Dept	√	
Terry Rice – Miccosukee Tribe of Indians of Florida	√	
Jay Slack – U.S. Fish and Wildlife Service	√	
Rick Smith - Office of the Governor of Florida	√	
Ron Smola – U.S. Department of Agriculture	√	
Steve Somerville - Broward County Department of Natural Resource Protection	-	Patti Webster
Craig Tepper - Seminole Tribe of Florida	√	
Joe Walsh - Florida Fish and Wildlife Conservation Commission	√	
Julio Fanjul, Special Advisor	√	
Rock Salt, Special Advisor	√	

COL May noted there was an administrative error with the water quality topic and there wasn't sufficient time to prepare the presentations. He reassured everyone that this item is very important and would be discussed at the next meeting. He added that water quality issue goes beyond CERP and needs to be discussed as well. This forum is needed to discuss difficult issues in a collegial forum. Richard Harvey clarified that the expectation is that Corps and the WMD as the two lead entities in CERP would present their perspective of what CERP will or will not do in terms of water quality at the next meeting. Richard Harvey said the yellow book assumes the water delivered to the CERP component would be in compliance with the State water quality standard, but that is highly unlikely. He suggested discussing the consequences of building a facility that cannot be operated. He noted this was on the agenda at his request and it was removed at the last minute. Rock Salt noted this issue would be discussed at a future meeting. Ernie Barnett said the agenda needs direction from the Task Force and the Working Group is not charged with taking the lead on water quality. DEP is proudly taking the lead on this issue. He announced that the ERC would be meeting on May 30th to discuss this very issue. Billy Causey said water quality is the most paramount concern in the Florida Keys and there are people convinced there is a state cover-up of the black water event. Ray Scott said he wanted to hear some discussion on this issue particularly with the unknowns. Rock Salt noted the Charter charges this group to assist agencies in the carrying out of their responsibility and the guidance on water quality is not as aggressive as it is on other issues. Fred Rapach

echoed Ray and Richard's comments and added that this is the forum to discuss water quality. He suggested this group make a determination of what it would do. **Follow-up: Fred Rapach requested an update on the WRDA legislation.** Jay Slack stated the quality component of the water is very important and ecological restoration will not be achieved without it.

Strategic Plan Update

Linda Friar presented a power point presentation (Encl. 4) on the revised draft Strategy (Encl. 5) and Project Summary Table (Encl. 6). This version will incorporate into one document, information that is currently provided in four separate documents (Biennial, Strategic Plan, IFP and Full Cost Report). Comments on this document need to be submitted by May 14, 2002 and the revised document will be presented to the Task Force at the June meeting. The Science Plan and project lists are being updated by the SCT and will be discussed at the SCT's May 15th meeting. Rick Smith noted the interpretation of the number should be looked at, i.e. 5.6 million acres represents the total acquired since 1947 including Everglades National Park. Thaddeus Hamilton noted his concern over the outreach and environmental economic equity being pulled out of Goal 3. He suggested it be moved back since it is a part of the built environment. Linda Friar said the change was agreed on at the last meeting. Thaddeus Hamilton said it should be in both the guiding principles and in Goal 3. Fred Rapach agreed. Rock Salt noted there is currently no goal 3d, which was formerly an environmental justice sub goal and asked the Working Group for direction. He added that the plan is broken down into broad goals, sub goals, objectives and then measurable objectives (those projects that contribute and is measurable and can be tracked). It has become difficult to come up with efforts tied to specific objectives. Ron Smola agreed it should be in both places and asked for the opportunity to come back to the group this afternoon with some ideas. Fred Rapach made a motion for the environmental justice to be included in both the guiding principles and in Goal 3. He added that the question remains about developing performance measures. Ron Smola seconded motion. Wayne Daltry volunteered to help. Ronnie Best asked to see the text before voting on this. Action: Vote on the motion held until the afternoon session when text would be provided. Rock Salt clarified that this group is now talking about changing a portion of the document as it relates to environmental justice, which would require projects that contribute to the performance to be included in the matrix as well. He noted a process would be needed to allow for endorsement and approval after all the comments have been received on May 14 and asked the Working Group to give it some thought.

Programmatic Regulations

Stu Appelbaum provided a power point presentation (Encl. 7) and noted they have now entered into the formal rulemaking process. The draft proposed rule was submitted to OMB in April. The clearance process is governed by Executive Order and lays out how the process works and who is responsible for what. OMB has up to 90 days to review and provide comments and are aware of the time sensitivity. Given the state concurrence role, OMB will conduct a two-tiered clearance process. Interests may request a meeting with OMB during the clearance process to present issues. Once OMB is done it will be published in the federal register and a formal 60-day public comment period begins. OMB will review the document before it is promulgated.

Discussion on the Role of the Task Force in CERP Implementation

Rock Salt said the issue had been raised for the Task Force to have a stronger role. He noted WRDA 96 states the role of the Task Force during the development of the Comprehensive Plan. He asked if there needed to be similar language in the regulations for the Task Force to consult with the Secretary of the Army during implementation of CERP. The Miccosukee Tribe was advocating the Task Force to have an approval role. Fred Rapach asked if the regulation is the only vehicle to clarify the role or could the WRDA legislation be another vehicle. COL May said WRDA could be another vehicle. COL May asked if there is any language that needs to be recommended to the Task Force. Kathy Copeland suggested amending the Charter and said that it was not needed in the regulations since there is flexibility under the law. Terry Rice disagreed and said this goes back to how important to make sure things get done and said there should be language to ensure it goes to the Task Force for some type of action particularly since there will be products that have policy implications. Gene Duncan added the Task Force should have some oversight in anything that has far reaching policy implications. It is important to write the intent of the language. COL May said it is useful to have recommendations provided, however, there is concern when it comes to approval. Fred Rapach noted that when the Task Force reviews and make recommendations it

provides a way to include them in the loop. COL May noted the Task Force currently has the authority under WRDA 96. Rock Salt noted paragraph b has a broad coordination role but does not imply any authority of the Task Force to intrude. They could coordinate, but it would be different if they had a duty. COL May suggested thinking about this and come up with some suggested language to be reviewed at the end of the day. Wayne Daltry said an important role for the Task Force is to keep the Working Group on target by looking at the results not the process. Gene Duncan saw a huge deficiency by not having something go before the Task Force. Rock Salt noted he has not heard a single statement against the Task Force having a role, however, there is a difference of opinion as to whether the regulations have to say that and the nature of that engagement. Ernie Barnett said there was a lot of authority in WRDA 96 and this could end up limiting potential opportunities for the future. He suggested possibly amending the Charter. **Follow-up: Terry, Fred and Thaddeus volunteered to draft language for discussion later this afternoon.**

Update on Water Projects and Initiatives

Dennis Duke provided a Power Point presentation (Encl. 8) on current ongoing projects:

- Florida Keys Carrying Capacity Study – draft model reviewed by the National Academy of Science, weeklong series of public workshops held in April and model revised to reflect comments received and issues raised. Updating input files, all modules are to be included except for the marine module, which needs extensive work. Revised output will be posted at the end of May and final report due out in July 02. Richard Harvey hoped the Corps uses other analytical techniques. Billy Causey noted two resolutions passed on the marine module asking for outside review and for NOAA to engage in the modeling efforts. Quality of life changing due to what happens on land and in the water. A lot of information, such as GIS, needs to be folded in for this to be useful. **Follow-up: Billy Causey to provide copies of the resolution.**
- Indian River Lagoon – comments received are being incorporated, final report due in June 2002 and is being recommended for inclusion in WRDA 2002.
- Water Preserve Areas – draft report released, many comments received and working through this with the stakeholders and interested parties. Final report being prepared and is due out at the end of June and is being recommended for inclusion in WRDA 2002.
- Southern Golden Gates Estates – draft report has not yet been released, struggling with issues of flood impacts north of Alligator Alley. Options that are being looked at are \$50 million worth of pumps as well as lower cost options. Final report will be late this year or mid next year, will probably not have the report to Congress in time for WRDA2002. Rick Smith added the Governor and Cabinet had an item in front of them to approve eminent domain authority for the remaining 4,000 acres. They stopped short of authorizing it because of the uncertainty with appropriations. Dennis explained the challenges associated with this being the first Project Implementation Report. Initial model runs included parts south of Alligator Alley because of the extent of backfilling in the canals, a back water effect is being produced in developed areas. It is not providing a 100-year level of flood protection to the homes.
- Canal C-4 Basin – GRR being prepared to determine if the authorized project was completed in accordance with the authorization. Once determination is made, a decision will be made to move on with further analyses.
- Flood Control Study of Miami Dade County at large – the Project Delivery Team will initiate the feasibility study to focus on flooding in Miami Dade. This will pick up from the County's reconstruction effort for secondary canals. This effort is separate from CERP.
- Florida Keys Water Quality Initiative – This effort consists of implementing the Master Wastewater Treatment Plan for Monroe County and the Keys. Using money to set up an implementation plan, should Congress provide additional money in the future then the plan will be implemented.
- Comprehensive Water Quality Feasibility Study – split between the federal/non federal role, study underway and should be completed later this year. Cost sharing agreement and initiation of study expected in January 2003. Richard Harvey cautioned against using the term “comprehensive” and it is important to know what CERP will or will not do. Rock Salt said the current “yellow book” of the CERP plan does not fix all the water quality problems in the region. This follow-on study will look more broadly at the remaining water quality issues. The Corps was not constrained, simply because the Corps is working on the study may not necessarily mean the solution is a Corps project. Dennis Duke stated that DEP is the partner to develop this study. Ernie Barnett noted they have asked for line

item appropriation to sponsor the local share of this effort. He noted the State unable to make a commitment as a local sponsor without legislation. DEP has asked for the funds to be appropriated.

- Master Implementation Update – update due out in July, not looking at re-sequencing. Initial CERP update is starting up. This is the detailed update of the Plan focusing on the 2 x 2 model that is being used. This will bring an additional five years into the model as well as changes since the 1995 model was used. **Follow-up: A detailed briefing will be provided at the June Task Force meeting.** This is the first step in establishing the base conditions, where assurances, savings and flood protections are measured. This process will enable comparisons with what is in the yellow book and the changes from permitted or actual use. Many workshops and meetings planned. Process and timetables and workshops planned for June. Beth Carlson noted the Seminole Tribe's concern with having one baseline, should have a planning baseline, because there are so many complexities. Dennis deferred to the detailed briefing in June. This is the first step to see the changes and whether it still meets the original intent. If not, what changes are then needed. Gene Duncan said that changing the model will change the output and someone will get something while another will lose something. Cautious that this will fall apart because the basis of the assumptions will be changed. Dennis Duke said it was not envisioned that the base models change, but it needs to be worked through.
- C-43 Reservoir – project management being developed for this, schedule to be provided at a future meeting.
- Project Delivery Teams Workshop held in April in Orlando. The information has been posted on the website. Interim guidance memorandums pending completion of the regulations were provided. There is a place for online comments to be provided. **Follow-up: Rock Salt noted the Task Force and the WRAC will be meeting jointly on June 6th and a detailed briefing of the initial CERP update should be provided during this portion of the meeting.**
- ISOP/IOP is ongoing, operating under ISOP, which provides for S-12 closures and water diversion to the east. Final EIS document being posted in the federal register on May 3rd for public comment. Once comments received it will be finalized and sent up for Record of Decision by end of June. IOP provides for a change in canal operations from Tamiami Trail south through the L-31 system. Pre-storm draw down plan that provides under what conditions what operation would take place is also included. Workshop scheduled for May 21st at the Homestead Ag. Center to go over the final EIS. NEPA document will address options, final modeling of the plan, to incorporate the features that are being built now. Anticipate having the model runs available and posted on the website prior to the public workshop. Rick Smith asked about the clearinghouse process. Dennis Duke promised to check on this issue. Goal is to have a record of decision signed and the new plan in place by July 1st.
- C-111 and Modified Water Deliveries project features include construction of a temporary pump station S-332C with 575 cfs pump capacity. Construction includes a temporary detention basin at 332 C and D, connecting buffer area as well as removal of the southern four miles of the extension levy. Contract awarded in March with completion scheduled for June.
- CSOP being developed for operations with C-111 and modified water deliveries. June/July kickoff meeting planned with all the stakeholders to start the process. Roman Gastesi said he appreciated all of the work, however, he noted concerns following the flood events in the past few years. The Miami Dade Flood Management Task Force found that the water levels before the events contributed to the flooding. He expressed concern with going back to those higher water levels and hoped there are things online that will compensate for that. Dennis Duke explained the current operation scheme starts closing the S-12 structures on November 1st and it continues to close them through December and January. Once above schedule look at bypassing water and then pumping it back into the NE Shark River Slough. This would introduce more water into south Dade from November until the end of the nesting season. However, when water is not being bypassed then canal levels are similar to Test 7 Phase I. Pre-storm draw down operations has been looked at closely to address these concerns. It is recognized that pre storm operations need to be maintained. C-111 and MWD are being accelerated to provide additional pumping capacity to remove water. Roman Gastesi asked what this group could do, if anything. COL May encouraged everyone to review the EIS and provide comments. Rock Salt explained that this is a coordination group and everyone retains their responsibility. He added that this group has never tried to intrude into the responsibilities, jurisdiction or mission that each agency has. He acknowledged this issue has been difficult and the Working Group provides the forum to discuss these issues. Rick Smith agreed that it was a good to think about what would happen if there is a big flood during the rainy season. Roman Gastesi publicly thanked Congresswoman Meek for her efforts.

Gene Duncan noted this lawsuit was filed before there was an EIS. He reminded everyone that the pump contract was let in March and there is still no record of decision, which is the basis of this lawsuit (Encl. 9). FWS has come out with a new biological opinion with some analysis on the effect of this alternative leading to the damage of 88,300 acres of Water Conservation Area 3. All of this is done without the NEPA process. Asked what difference the comments will make if it is already being built and \$25 million taxpayer dollars have already been committed. He encouraged the state to protect their lands. COL May noted the features being built are those for projects that are already authorized and approved and will provide benefits to everyone. Terry Rice added that more water is being forced to stay in 3A because not all of the components are in place. COL May said this is the best decision that can be made at this time. Ernie Barnett noted the state share's the Tribe's concern and are caught between a bunch of laws and processes. Rick Smith said have come an incredibly long way and have agreed to shared adversity. Jay Slack said the FWS is concerned about the species and it is a balancing act, one solution does not fit all the species. It is the position of the FWS and Interior to balance for total species/ecosystem. The Biological opinion was amended and is available. Barbara Junge clarified the document provided is a motion in a two-year old lawsuit and offered to discuss this during the 101 session. Jay Slack said what has been done is come up with something that removes jeopardy until CSOP is online. Gene Duncan said that while operating this alternative may benefit the sparrow and the ENP, it is a five-year death sentence to the snail kite and WCA 3. He did not understand why the FWS did not keep the 2003 deadline, which will force the Corps to keep moving. Jay Slack explained this would keep the species from going extinct. Terry Rice said the RPA was the most important thing of the biological opinion, and to take it out now will cause the system to be manipulated forever. Barbara Junge suggested this discussion continue offline. Dennis Duke said modified water deliveries project is still on target for completion in December 2003.

- 8.5 sq mile area – acquisition is moving along with almost 200 offers made and about 50% have been accepted. A condemnation went out and acquisition is moving ahead and still on track to award a construction contract September 2002. Terry Rice added that out of the 700 properties that were to be purchased, 230 had been. There are now 102 houses that now need to be bought and only two have come forward to sell their house.

Dennis Duke also provided a Power Point Presentation on the Lake Okeechobee Regulation Schedule WSE (Encl. 10). The current operation schedule is being incorporated into the new model for the CERP analysis update. The regulation schedule is a tool for managing water levels and triggers releases for flood control. The WSE schedule dictates how and when the water is released based on zones. Each zone allows a better look at the region to dictate where the water can go once it is released. WSE will not stop all discharges to the estuaries but will reduce the frequency and duration. WSE will hold water in the lake during low inflow and forecast dry periods. WSE will also send more water to the WCAs when they will not be adversely affected. WSE provides the best balance of competing objectives and provides needed flexibility in lake operations. Craig Tepper asked whether Zone E is only for water supply and whether the Corps would have any oversight of the SFWMD decisions. Dennis explained that when it drops it then becomes a supply driven operations and the Corps will provide comments on the draft protocols, but this is the state's decision. Fred Rapach observed that WSE works when the predictions are accurate. He commented on the need to look at these things holistically the impacts of this schedule versus the water preserve feasibility study that would have an effect on this schedule. The protocols that the SFWMD is looking at need to be conservative in implementing these protocols. COL May observed that the WSE has taken a "quantum leap" from the previous schedule. Gene Duncan expressed concern that the WCAs will see an increased load of phosphorus as a result of WSE. He reminded everyone of the federal consent decree that requires an 80% load reduction to the conservation areas. Rick Smith said stormwater treatment areas are currently online. Gene Duncan explained there is a difference between what the EFA and federal Consent Decree requires. Gene Duncan referred to the DEP white paper authored in 1994 to better understand this issue.

CERP System-Wide Monitoring and Assessment Plan

John Ogden provided a status update (Encl. 11) on the plan, which measures how well CERP is meeting its goals and objectives. The plan is crucial and goes beyond implementation. He reviewed the background, scope and purpose of the plan. Adaptive management has been defined as "learning by doing" and for using new information. The specific objectives include measuring the status and trends for all CERP performance measures and improve understandings of cause and effect relationships among key ecological

and hydrological linkages. Assumptions include that existing relevant monitoring will continue with existing funding sources and that partnering agencies will contribute funding and participate in implementation. Five regional monitoring modules are the heart of the plan in terms of what will be monitored and how as well as the elements that will be looked at in each area. The monitoring modules for each of area will be required to provide similar information that includes monitoring objectives, sampling methods and research questions. Full review by RECOVER scheduled for June 2002 followed by 60-day (July – August) agency and public review. Multi agency workshop scheduled for the summer 2002 with final plan four weeks following end of public and agency review. Four goals have been identified in the initial Monitoring Assessment Plan implementation scheduled from 2003 – 2005. Approximately \$1.5 million has been set aside each year for this effort. Craig Tepper asked how much of the funding is devoted to “hard core” science versus the modeling. John Ogden said a portion would be used to help those folks do the work and fill in the gaps particularly with the nutrient monitoring program.

Richard Harvey announced that the EMAP program that was conducted over a series of years was discontinued. This comprehensive network of stations looked at among other things water quality, biology, vegetation and soil composition. Hundreds of stations were sampled on a routine basis and the program has been killed due to funding. John Ogden noted it was not known a year ago what exactly would be monitored. John Ogden noted a lot of the money they have will be contracted out and hoped that if money is put into some E-map program this could be picked up. Richard Harvey noted his folks have been reassigned. Gene Duncan said the primary objective here is hydrologic (quantity and quality) and the biology would follow. He noted that even though the performance measures have not been formally adopted they have already been included in the Strategy. He cautioned against allowing the performance measures to drive the plan. He did not disagree with monitoring all of the different valuables but the performance measures cause changes to the plan then it is no longer the same plan. John Ogden said both the physical and biological performance measures needs to be looked at. Gene Duncan noted that the strategy document is what Congress will use to measure success.

Land Acquisition Team Update

Rick Smith noted the state donated 43,000 acres of land in the east Everglades to the Department of Interior in 1992. That land was managed as a recreation and hunting area and those sportsmen lost access to that land when that was done. The state could have kept that land or an easement and allowed it to be hunted. These folks are helping the state pay for and lobby for this program and access cannot be severed unless it is mitigated. The Governor supports public access and use of public lands because those people are taxpayers who help pay for those lands. He stressed the seriousness to ensure that everyone is included in the process. Governor is in favor of getting the lands in less than fee ownership that is cheaper and solves property rights question. The state will be pushing for less than fee ownership when the additional 927,000 acres are acquired. He introduced Jim Mueller who presented the draft Land Acquisition Plan (Encl. 12) for a first reading. He explained that this plan was produced in response to the General Accounting Office’s recommendation that lands needed to accomplish the goals of the restoration initiative are identified and acquired. The focus has been on those lands with federal or joint federal/state interest. Two maps (Encl. 13) prepared by the Florida Natural Areas Inventory were provided. Future efforts include updating the plan annually, estimating costs, acres, boundaries as well as other changes. This plan will ultimately be presented to the Task Force for approval in October.

Fred Rapach asked who would ensure the needed land is ready when needed. Ernie Barnett explained there is a basin-by-basin strategy for targeting lands needed for CERP implementation that is tied to the implementation schedule. Over 80% of the land is already in public ownership and are ahead of schedule and there is a fiscal year layout of all the lands needed. Fred Rapach suggested adding in the local government land acquisition piece. Jim Mueller stressed “state” encompasses many of the local efforts. The Strategy is confined to those lands that have federal participation with the appendices addressing others to have a complete picture. Jim Mueller clarified submerged lands are not included. Gene Duncan recognized the phenomenal amount of work. Gene Duncan asked about what happens to private property owners who own land within those boundaries. Jim Mueller said it depends on the project. Florida Forever is a voluntary program and does not affect their rights. These boundaries represent projects that have been vetted and are a matter of public information. **Follow-up: Comments are due by May 14, 2002.**

Noxious Exotic Weed Task Team Update

Bob Doren presented the Weeds Won't Wait Assessment and Strategy document (Encl. 14). Document is available both in hard copy and in CDs and will be posted on the website. Table with the list of strategic tasks with recommended lead agencies to be provided at the next meeting. NEWTT is putting together a conference and workshop (Encl. 14) for February 12 – 14, 2003 and the Working Group was asked to sponsor the event. Wayne Daltry made a motion that was seconded. **Action: Working Group agreed to recommend the Task Force endorse this conference at the June meeting.** Bob announced he has been asked to help coordinate the 7th International Workshop on Plant Invasions (Encl. 15) planned for the week of November 2003 in Miami. He asked the Working Group if they would like to sponsor this event. Bob Doren clarified there is no funding request just resource request through NEWTT and himself. Rock Salt noted the question is when is it appropriate to use the Task Force and Working Group name as a sponsoring entity by some outside group. Ron Smola said this would be an opportunity to show what is being done. Wayne Daltry made a motion and Jay Slack seconded. **Action: Working Group agreed this should be presented to the Task Force for their endorsement at the June meeting.**

NEATT Directive

Bob Doren presented the draft directive (Encl. 16) for approval. Billy Causey made a motion to move forward with the establishment of this team and Ron Smola seconded motion. Jay Slack said FWS would be interested in providing a co-lead to help in this effort. Billy Causey noted this would be a huge effort and would do their part to help. **Action: Working Group approved directive approved without objection.**

Update on Coral Reef Protection Programs and Recent Algal Blooms

Billy Causey provided an in-depth presentation on the recent black water event (Encl. 17) off the southwest coast of Florida. He noted that this was not the first time such an event was reported. A similar event was first reported back in 1878 and then again in 1898 and 1904. There has been a huge collaborative effort between the academic and agency scientists. Dr. Jones' long term monitoring efforts as well as the data sets EPA has been funding are critical to help understand what is happening in the system. This black water event is a natural event coinciding with a drought and a lot of freshwater. Able to demonstrate that there was no need to panic. He reported the coral reef protection program is a joint effort with a lot of scientists. Many reefs are declining by 5 – 10%. Severe coral bleaching event in 1990 with the decline correlated to this bleaching event. 1999 – 2000 saw the first increase in coral cover with those close to populated areas recovering more slowly. Starting to see the benefits from the protected zones. The goal of the monitoring program is to measure benthic community changes inside and outside no-take marine reserves and establish baseline data. Studies have found that the mean density of three exploited fish species are higher in the fully protected areas after three years. Ernie Barnett stated that in reading the newspapers the black water event was attributed not as a marine event but as having an upland connection. Billy Causey clarified that many of the nutrients were derived from the red tide. Mike Collins added the fall off in lobster productivity is directly related to water quality. **Follow-up: Time (1-1 ½ hours) will be set aside at a future meeting for an in depth presentation.**

Science Coordination Team Update

Ronnie Best reported the work on the flows white paper continues and the SFWMD is developing an expert panel to assist with independent review. Paper available on the website for comments. It will come back to the SCT after the comments have been received and it has been peer reviewed. The ASR team has asked the SCT to provide external review of the ASR Regional Plan. A joint meeting of the SCT and ASR teams is planned for May 14th. The SCT has entertained some ideas from the Agricultural community to update the Agricultural Workshop held in 1999. Ron Smola and Dr. Kelvin Arnold and Ron Smola have agreed to take the lead on putting together this workshop, which has been tentatively scheduled for August 2002. **Follow-up: Working Group members were invited to submit the names of individuals to be a part of the Steering Committee who will be charged with setting the intent and arranging for the presenters.**

Lakebelt Permit Decision

COL May said this was one of the most difficult decisions he has made since assuming command in Jacksonville. Tried to have an effort that was coordinated at the local, state, regional and federal level and

compatible with the Lakebelt Committee and with Everglades restoration by taking a watershed approach. The federal 404 Clean Water Act requirements as well as input from the resource agencies were all factored into the equation. He came up with the best decision that followed the law. Additional information is available on the Corps' website under "hot topics". Rock Salt asked COL May to address the loss of a substantial amount of wetland resources at this time of restoration. COL May explained the Lake Belt region is 57,000 acres. To the east there is mining activity has been going on since the 1950s as well as development. To the west, the Pennsuco wetlands and the Water Conservation Areas. What was permitted was the introduction of fill material into wetlands. This will allow mining in the east and development and in turn lands in the Pennsuco will be acquired, some of which are in private ownership and at the same time use funds from the miners to get rid of invasive exotics (i.e. Melaleuca). If this hadn't been done then there would have been the potential for development/disturbance of the Pennsuco and an exponential increase in exotics.

Rock Salt noted the confusion of the Lake Belt as a component of CERP versus these permit decisions. COL May stated the decision was compatible with the Lakebelt Committee Master Plan and the CERP. It was separate action and will not force pre-decisional actions in the CERP plan. There is an opportunity to use the existing pits for future water storage feature for CERP. This decision keeps that option opened once the NEPA, PIR and other processes have been followed. Corps worked carefully with EPA and Miami-Dade County to make sure these permits comply and go beyond the County's wellfield protection ordinance by only allowing for a three-year permit around the wellfield area. Miners are required to monitor water quality and best management practices. That monitoring will be reviewed and reevaluated if needed. Roman Gastesi thanked COL May for the coordination with the County.

Rock Salt reminded the group that the first Issues Team created by the Working Group was to address issues associated with the lake. Col May noted the Corps used that input as well as from the Governor's Commission and Lakebelt Committee in making the decision. Gene Duncan noting that rock mining exacerbates an already bad seepage problem asked how the permit addresses this issue. COL May said the permit recognizes there is an issue with seepage. One example, the Kendall properties across from the park, it has been acknowledged that there is an impact on seepage and the mining in that area requires an additional fee above the 5 cents per ton to mitigate for the seepage impact. Gene Duncan asked whether the permit prohibits the miners from causing further seepage problems in the areas that are to be restored. COL May responded no and explained that it needs to be recognized that there will be an impact on seepage that would require additional mitigation dollars from the miners.

Outreach, Environmental, and Economic Equity Coordination Team (OEEECT)

COL May recognized all the member agencies have outreach as part of their mission. The team will be compiling an inventory on the types of outreach activities each organization is conducting with the goal of assessing the gaps and duplication. **Follow-up: Working Group members were asked to provide input on the status of their agency programs.** Billy Causey recognized this is a great effort that would build on past efforts. Ron Smola reported that at the last OEEECT meeting there was discussion of an instrument with a common format to make agency input easier. He suggested that Stan Bronson and Bill Brown might be able to assist the team with development of this instrument.

Biscayne Bay Regional Coordination Team

Rhonda Haag who works at the Florida Keys Service Center introduced Deb Drum who is the Program Manager for the Biscayne Bay Program. She thanked Rafaela Monchek who helps with minutes. She provided a Power Point Presentation (Encl. 18) reviewing the team goals as defined by the Working Group. Team has been trying to get member representatives from various agencies, entities and interests to provide presentations. The team will now start developing the Biscayne Bay Action Plan, which will help guide and prioritize activities. The draft outline has been already been developed. The team identified \$14.2 million in needs with \$8 million for land acquisition and the remaining was for projects. Frank Bernardino was working on a full \$8 million for land acquisition and \$3 - \$3.7 for science projects. Biscayne Bay partnership Initiative identified two positions, one to support Rhonda and one to support Deb, these two positions have now been combined into one and will leave more money for the science projects. The team's top priority is land acquisition and they want to be notified of any pending actions that affect the bay. A website has been developed: www.sfrestore.org/rrect/bbay/index.htm

WRAC Update

Julio Fanjul reminded everyone that the first portion of the June Task Force meeting would be with the Water Resources Advisory Commission. WRAC has met twice since the last update in March and the Lake Okeechobee subcommittee has met five times. The programmatic regulations subcommittee also met to discuss interim goals and the decision was made that there would be no agreement on this issue. WRAC also supported the inclusion of the Indian River Lagoon in WRDA 2002.

Executive Director's Report

Rock Salt reviewed the reporting requirement for the Task Force (Encl. 19). The Integrated Financial Plan (IFP) and the Biennial Report are statutory responsibilities (WRDA 96). The Strategic Plan and the Total Cost Report are in report language in the Interior appropriation's report. The Secretary of the Interior as Chair of the Task Force to develop the Strategic Plan that is to be updated every two years. The Total Cost Report was tasked to the Secretary of the Interior and was included as an appendix in the original Strategic Plan. He noted that it became confusing when the information in the Total Cost Report was not the same as the information in the Matrix contained in the Strategic Plan. It was recommended that a biennial update of the Total Cost Report be also included as part of the Strategic Plan. He clarified that the Integrated Financial Plan is now appendix D in the Strategic Plan. The Cross Cut Budget (Encl. 20) is not the Coordinated Budget Request that is required in the statute. The Cross Cut Budget represents what the state and federal folks say they have in their budgets.

The 2002 workplan (Encl. 21) is provided every month with task description is taken out of the Working Group Charter and all of these tasks are connected to one of the statutory duties of the Task Force. The Action/Issues Tracking Chart (Encl. 22) tracks those items requested by Working Group members and items are removed from the list as they are dealt with. Issue Team Tracking Chart (Encl. 23) provides a status update of the various teams created by the Working Group. Rock Salt proposed the sun setting of the Goal 3 Steering Committee and the Information Management Council. The Lake Okeechobee and Sustainable Agriculture Teams are rated as amber since neither team has a current task. It may be that they may be sunsetted in the future. He distributed key discussion items (Encl. 24) for the June Task Force meeting. A field trip to the reef is planned for the morning of June 6th, followed by a joint meeting with the WRAC and a sunset cruise. The 7th will deal with regular Task Force business, i.e., the potential role of the Task Force in CERP implementation, science coordination and oversight. The Task Force has asked for a summary of what the Working Group is doing. A draft summary (Encl. 25) of what the teams are doing was provided. **Follow-up: Comments are due on this draft by May 14, 2002 and the revised document will be provided to the Task Force at its June meeting.**

Rock Salt suggested providing a Lightning Round updates on those items that have been in the Washington Post. Billy Causey encouraged everyone to brief the Task Force principals on water quality issues prior to the meeting. He was certain the Keys community would be there to comment on water quality issues during public comment. Thaddeus Hamilton asked about the loose ends that remain in the Goal 3 Issue Team. Billy Causey recommended sun setting the Goal 3 Team with the caveat that loose ends would be handled through another forum. Craig Tepper seconded the motion. **Action: Working Group unanimously agreed that the Goal 3 Steering Committee Team and Information Management Council were sunsetted with the provision that any loose ends with Goal 3 be handled through another forum.**

Public Comment

Joel Marco (Recreational use of resource, Airboat Assoc. of FL, Sportsmen persons) addressed the serious issue of how sportsmen are treated in this process and believed "Congress dropped the ball". He noted the massive amount of work that has gone into this restoration effort. He noted this is affecting thousands of people not just the 200 – 300 hundred at the Airboat Association and Dade County is not standing up for it. He addressed the high water levels in area 3B where the trees are all dead and there is no longer enough room for all the birds. This is just a fraction of what will be seen when the rest of the areas north are artificially flooded. He reminded the group that human being and their recreational activities are part of the environment. There was no science used when presenting performance measures at this meeting. People need to be kept in mind when doing regional planning. He asked for consideration of the people who are here as well as the needs of sportsmen.

John Arthur Marshall (Arthur R. Marshall) said the fundamental flaw with the Strategic Plan is that GAO did not ask to have the effort described, they asked for a document based on performance and results not activities. Success and baseline have not been defined. He would provide additional comments in writing and asked for the term performance target to be used instead of performance measures.

Barbara Jean Powell (Everglades Coordinating Council) explained that the Coordinating Council is an umbrella council of sportsmen groups and represents a large number of people. She asked for her personal notes (Encl. 26) to be entered into the record. She appreciated the e-mail Rock Salt recently sent to Jack Moeller stating this process is one to educate and involve the public. However, there is something happening behind the scenes. The Department of the Interior has fostered distrust and made the process inefficient and violates civil liberties and state's rights. The Council questions the budget item for \$207 million in the Coordinating Success for acquisition of 878 acres of wetland that Congressionally exempts private properties in Big Cypress. The Council has gotten the runaround in trying to find out what the numbers mean. She urged everyone to read her notes and noted her concern with the state/federal cooperation. Council currently in litigation to have the action on off road vehicles overturned. \$13 million dollars of lime rock roads are being built in the Big Cypress without permits. She stated that sportsmen are beginning to question supporting funding this when their civil liberties are being violated and coordination between agencies is so poor. The Coordinating Council also wants the CERP budget item pulled since they are exempt private properties.

Patrick Hayes said the Loxahatchee River is the first opening that the Everglades ecosystem reached the sea. It was the states' first federally designated wild and scenic river. It was his belief that CERP has gone forward as a direct result of this designation. He has notified the Corps that the Indian River Lagoon study left out the southern inlet. Although there is a lot going on in northern Palm Beach County, Loxahatchee River Restoration is not one of them. He provided a copy of a letter to COL May (Encl. 27) into the record as well. He urged the Working Group to create an issue team for the Loxahatchee River.

Stu Appelbaum acknowledged the C-51 and Lake Worth Lagoon CERP projects and said that the Loxahatchee River is included in the northern Palm Beach County plan. Not sufficient attention to the river in northern Palm Beach County.

Strategic Plan Discussion

Rock Salt provided the text (Encl. 28) when there was a subgoal for 3-D. He explained that in order to put in a performance measure there needs to be linkage and a sponsor. The original text had brownfields, which was now moved to 3-A. Thaddeus Hamilton noted this will take some time and recommended that he along with the other subcommittee members (Wayne, Fred and Ron) be given more time to get this together before May 14 for inclusion in Goal 3. Ronnie Best said the Strategic Plan document will be updated every two years and suggested something be introduced and this section contain clearly defined goals that have been vetted through the process. Gene Duncan said the Miccosukee Tribe never agreed to Goal 3 being in the plan. This plan is full of performance measures that have not been approved by the subgroup and should not be put in a plan that is sent to Congress until everyone is comfortable to list those performance measures under the subgoals. Rock Salt said these performance measures are the same as those that were approved for the July 2000 document. A new portion of the report (pg 61) addresses the linkage question raised by GAO. Terry Rice asked if sending the July 2000 report to Congress was the same as approving those performance objectives. Rock Salt answered that the Goal 3 and linkage sections are new. Terry Rice suggested laying out what the differences are for the Task Force. He also asked that if performance objectives that were sent out two years ago are being reported on now. Rock said the bulk of the accomplishments will be later in the process but there is a section at the back end of the document. Marjorie Bixby suggested the Goal 3 sub group meet again to further develop these goals. Rock reminded the group that there needs to be an agency willing to track this issue, define the baseline, define activities that meet the goals and define what the goal. Jay Slack suggested this could be something the Task Force needs to discuss since it will require agency commitment. Thaddeus said that the team would provide text in 14 days and if no one is identified to implement it, it will not be included. Linda Friar suggested using the deliverables of the OEEECT as another option. Barbara Junge spoke against the last minute pressure to include something for this product. There is a danger that by separating this issue out of the overarching issues, the member agencies will not address environmental justice in all their activities.

Rock Salt suggested leaving this section blank and highlight this as an issue for the Task Force. Billy Causey suggested this document go to the Task Force for guidance. Thaddeus Hamilton suggested the information in the OEEECT Charter. COL May suggested including this language back in the section and inform the Task Force the Working Group is still working on the goals and links and provide them with a copy of what the Working Group is working on. Jay Slack made a motion and Billy Causey seconded. **Action: Working Group agreed unanimously to include the language back into section 3 and tell the Task Force the team is still working on the goals and provide an example. Comments are still due on this document by May 14, factual edits will be made and substantive changes will be identified on a synthesized list for the Task Force.**

Task Force Role in the Implementation of CERP

Terry Rice submitted the recommended language (Encl. 29) for inclusion in the regulations. Billy Causey made a motion to approve the language as written and Terry Rice seconded. Fred Rapach said the text reaffirms the WRDA 96 oversight role. There was discussion that the Task Force role was for ecosystem restoration and not CERP. Barbara Junge noted the strategic plan states the Task Force does not have any oversight or project authority. Ernie Barnett made the motion to substitute the words in the first sentence with "will provide input during the implementation of CERP". Ron Smola asked why the products were listed. Terry Rice noted it is important to identify significant activities. COL May clarified the Corps of Engineers will notify the Task Force in order to afford them an opportunity for input and this would not slow down the process. Thaddeus Hamilton called to question and Rock Salt reread the revised language

Under the provisions of WRDA 1996, the Task Force will provide input during the implementation of CERP and continue its duties as specified. The Task Force will provide recommendations to the Secretary of the Army regarding the implementation of the CERP. The Corps of Engineers will notify the Task Force in order to afford an opportunity to review and provide recommendations on CERP products to include but not limited to:

Project Performance Measures

Interim Goals

PIR's

Comprehensive Plan Modification Report

RECOVER Reports and Products

Pilot Project Reports

Report to Congress

Post-Authorization Change Requests

CERP Implementation Management Plans for consistency to achieving established goals and objectives of the plan

Thaddeus Hamilton moved and Essie Duffie seconded. COL May suggested that it could be noted that WRDA 96 makes these provisions in the transmittal letter but if language will be included in the Programmatic Regulations, here is the recommendation. **Action: The Working Group voted in favor of endorsing to the Task Force the language to be included in the Programmatic Regulations. Ronnie Best, Ray Scott and Barbara Junge voted against. Roman Gastesi abstained.**

Open Discussion

Thaddeus Hamilton read an announcement (Encl. 30) from USDA/NRCS on non-point pollution and announced a sixteen county clean up. He commended Russell Setti who has just completed his five-year contractual obligation with the USDA initiative (SFCURP).

Terry Rice asked again about the people who own land in the CERP footprint. He asked whether there was an obligation on the part of landowner to do something special. COL May suggested this issue be on a future meeting agenda. Terry Rice also asked about the April 30th Washington Post article and the possible delay in projects due to economic analysis. COL May stated it is his understanding that it will have little or not impact to the program in Florida.

Review of Working Group Requests/Follow-up:

1. Presentation on the CERP water quality features by the Corps and the District
2. Comments due on the Strategy by May 14
3. Comments on Land Acquisition Plan due by May 14
4. 1 – 1.5 hours on a future agenda for an in depth presentation on the coral reef protection program
5. Comments due to Rock on the Working Group Sub-Team and Advisory bodies by May 14
6. Address how to manage the issues associated with the CERP footprint with all the expectations that landowners may have (at a future working group).

Meeting adjourned at 6:16 P.M.

Enclosures:

1. Agenda
2. Meeting Minutes (March 4, 2002)
3. Robert Quirk bio
4. Strategic Plan Power Point Presentation
5. Draft Strategic Plan (dated May 1, 2002)
6. Project Summary Table
7. Programmatic Regulations Power Point Presentation
8. Water Projects and Initiatives Power Point Presentation
9. Miccosukee Tribe Motion
10. Lake Okeechobee Regulation Schedule WSE Power Point Presentation
11. Monitoring and Assessment Plan Power Point Presentation
12. Draft Land Acquisition Strategy
13. Land Acquisition Maps
14. Weeds Won't Wait Document (four parts)
15. Overview of the 7th International Conference on the Ecology of Alien Plant Invasions
16. Draft NEATT Directive
17. FKNMS Black Water Response
18. Biscayne Bay RCT Power Point Presentation
19. Task Force Reporting Requirements (Congressionally directed)
20. 2003 Cross Cut Budget
21. 2002 Working Group Workplan
22. Actions/Issues Tracking Chart
23. Issue Team Tracking Chart
24. Key Discussion Items for June Task Force meeting
25. Draft sub team summary
26. Barbara Jean Powell's comments
27. Patrick J. Hayes' comments
28. Subgoal 3-D Text from 2/22/02 (Draft)
29. Recommended Language for Programmatic Regulations
30. USDA/NRCS Announcement
31. PMT Agenda