

*Approved Minutes
South Florida Ecosystem Restoration
Working Group Meeting
Jacksonville, Florida
April 19, 2007*

Welcome and Introductions

Dan Kimball called the meeting to order at 1:10 PM noting Ken Ammon was unable to attend due to the drought emergency. The agenda (Encl. 1) was presented and the members were asked to review the October 2006 minutes (Encl. 2).

Working Group Members	Apr 19	Apr 20	Alternates attending
Ken Ammon, Chair – South Florida Water Management District	-	-	Dewey Worth
Dan Kimball, Vice Chair NPS - Everglades National Park & Dry Tortugas	√	√	
Billy Causey – NOAA, FL Keys Nat'l Marine Sanctuary	-	-	Dave Score
Alex Chester – NOAA, National Marine Fisheries Service	-	-	
Sheri Coven - Department of Community Affairs	√	√	
Bob Crim - FL Dept. of Transportation	-	-	
Wayne Daltry – Southwest FL Regional Planning Council	√	√	
Dennis Duke - U.S. Army Corps of Engineers	√	√	
Gene Duncan – Miccosukee Tribe of Indians of FL	-	-	Terry Rice/Joette Lorion
Roman Gastesi, Miami Dade County	√	√	
George Hadley – U.S. Dept of Transportation	-	-	
Veronica Harrell-James - U.S. Attorney's Office	√	√	
Eric Hughes – Environmental Protection Agency	√	√	
Deena Reppen - FL Dept of Environmental Protection	-	-	John Outland
Vacant – Office of the Governor of Florida	-	-	
W. Ray Scott - FL Dept of Agriculture and Consumer Services	√	√	
Paul Souza – U.S. Fish and Wildlife Service	√	√	
Craig Tepper – Seminole Tribe of Florida	√	√	
Kenneth S. Todd – Palm Beach County Water Resources Manager	√	√	
Anna Townsend – Bureau of Indian Affairs	-	-	
Joe Walsh – Florida Fish and Wildlife Conservation Commission	-	-	
Jess D. Weaver – U.S.G.S.	-	-	
Rick Wilkins - Broward County Department of Natural Resource Protection	-	-	
Ed Wright – U.S. Department of Agriculture	√	√	
Greg May, Special Advisor	√	√	
Ken Haddad, Science Coordination Group Liaison	-	-	Rock Salt

Whip Around

Wayne Daltry reported that Lee County adopted its plan amendment changes. He also stated that Lee County like everyone is being affected by the drought and the only inflow Lake Okeechobee seems to be getting is from the Caloosahatchee River, which is not supposed to be a normal inflow source. Dave Score noted the next Sanctuary Advisory Council meeting is scheduled for the following week and will include a discussion on the Lake Surprise Causeway removal. He reported the algal bloom has necessitated an adaptive management approach and they intend to work with the SFWMD, FDOT and others to determine if there are other alternatives for that mitigation.

Paul Souza reported they recently upgraded the status of the American Crocodile from endangered to threatened, calling it a success story. They also have an active den site for

the endangered Florida panther at the Picayune Strand project. Eric Hughes said he is the new EPA rep on the Working Group. Ken Todd said Palm Beach County is currently reviewing the permitting process for mining within the EAA and he expects the study to continue for another four months. He added that given the drought, it would be appropriate to discuss ways of returning runoff back into the ground as opposed to letting it run to tide.

John Outland clarified the October minutes should reflect that DEP has reimbursed \$710 million to the SFWMD from the Everglades Trust fund to acquire 58,590 acres. The Northern Everglades bill is moving along in the Florida Legislature and he anticipated that it would pass. Roman Gastesi reported Miami Dade County started a Global Warming Task Force and noted it will be interesting to see what the county can do locally. The county is a little behind on the alternative water supply plan but he expects them to catch up. Dennis Duke reminded everyone about Richard Bonner's retirement party that evening. He reported the Assistant Secretary has transmitted the Picayune Strand PIR to Congress. Veronica Harrell-James said she will take Norman Hemming's place on the Working Group.

Ed Wright said USDA currently has six cost share programs that are going to be combined and a regional water enhancement program that will be added. The three NRCS easement programs will be combined into the Private Lands Protection Program and the funding will increase by \$900 million. The WRP will stay as is and the mandatory funding will be about \$2 million. Those interested in understanding the Secretary's proposed changes can go to the website at www.usda.gov/farbill. Ray Scott said his department is actively engaged with the various agencies in dealing with the drought. Sheri Coven said she is happy to be representing DCA on the Working Group.

Dan Kimball reported that Everglades National Park (ENP) with the support of State of Florida and NOAA has established a research natural area out of Dry Tortugas with a 200 square mile no take preserve around the Dry Tortugas. He also announced that public meetings will be held in June on ENP's General Management Plan. He thanked the state legislature for proposals for increased controls of pythons which are becoming a huge problem. He congratulated Miami Dade County on the formation of the Global Warming Task Force.

Consultation

ENP Seepage Management Scoping

Tiphonie Jenks provided a presentation (Encl. 3) reviewing the project background, scope and a recent management request to include the Dade-Broward Levee/Pennsuco Wetland CERP component. She reviewed the project purpose which is to restore a more natural hydrologic regime in the Northeast Shark River Slough area of ENP. Approximately two dozen alternatives will be reviewed and the current cost estimate is \$356 million.

Jessica McAffrey provided a status report on four policy issues that the Project Delivery Team has identified that deal with the relationship to other projects and operational plans as well as savings clause issues:

1. *The relationship to the Combined Structural and Operational Plan (CSOP) in the future without project conditions.*
2. *WRDA 2000 Savings Clause and the separability of project components.*
3. *Dependencies on and relationships to other CERP projects.*
4. *Evaluating potential Savings Clause impacts on downstream water bodies.*

They are dealing with defining the exact scope of the project and determining the resulting impact on the budget and the schedule.

Tiphonie Jenks reported that because of the concern with seepage to the east, the team was asked to look at including the Dade-Broward levy component which is north and east of the current project boundary. The team will look at impacts to the scope, schedule and costs and will meet to discuss this issue in a few weeks. The final PIR/NEPA is planned for March 2010 while the tentative construction completion is scheduled for 2013.

Terry Rice stated the reason for the seepage pilot project is because not enough is known about the problems. The pilot project involves actual construction and he said he would want that done before the full project is sent to Congress for authorization. Dennis agreed they need the results of the pilot project before full formulation. Terry also noted his concern that the PIR will be done in 2010 but the alternative analysis will be done in 2009 before the completion of the pilot project.

Rock Salt said that there is a bias to use the pilot project to provide more empirical information in order to figure out the best way to do the cutoff walls and they would like to solve the seepage management issue. Terry noted the Miami Dade County concerns that their wellfields will not be starved for water and Biscayne National Park will also need assurances that the seepage they need will not be diverted for other purposes.

Dewey Worth said they are looking carefully at sequencing construction of a seepage wall in phases in order to evaluate the impact. A recent survey of remaining landowners in the Pennsuco showed that only 3% were interested in selling. The Yellow Book contemplated the Pennsuco as a staging area and they may now need a technological solution to that problem. Rock Salt agreed the phased construction approach may be the right approach to allay concerns about the curtain walls. Dan Kimball noted the importance of this project for Everglades National Park.

Terry Rice asked about the Bird Drive basin land acquisition status. Dewey Worth noted the SFWMD stopped buying land in this basin two years ago because of the high land prices. Rock added that the development of seepage management capability needs to be aligned and implemented with projects that will open up lands to deliver water to the west. For example, the EAA reservoir is constrained from flowing south because of seepage management concerns. DOI wants the alignment of projects and the schedules to work together.

Dewey Worth added the pilot project which was started in 2002 is not sitting idly and is now providing data. Dan Kimball summarized the comments and noted he would provide a report to the Task Force at its May meeting.

Executive Director's Report

Greg May provided a follow up on the March Task Force meeting which was held in Sebring. He reported that Mike Sole was elected as the new Vice Chair of the Task Force. He thanked the SFWMD and USACE for coordinating the very successful Kissimmee River field trip. He noted that this project provides reinforcement that if we get the water right the flora and fauna will return. Following the field trip there was a very robust lessons learned discussion which identified the challenges that were overcome. He reviewed the 2007 meeting schedule and reminded the Working Group that mini-WG meetings were always scheduled immediately after each TF meeting (actual meetings will take place at the discretion of the Chair). The TF requested that the WG review the sub-goals and objectives in the Strategy. Finally he reported that GAO was about to complete their 6th report on Everglades restoration and he anticipated its release in May or June. GAO focused on four questions for this report:

- what has changed since 2000
- how much progress has been made
- how much will it cost
- do we have the right interface between models

Strategic Goals and Objectives Overview

Greg May introduced the Strategic Goals and Objectives discussion with a presentation (Encl. 4). He noted the Strategy is updated every two years (2008 next) so conducting this review in the “off-year” provides ample time for WG review and input to the TF for their consideration.

He reminded the group that Congress has directed the TF to produce four reports:

- Biennial Report
- Integrated Financial Plan
- Strategy
- Plan to Coordinate Science

He reviewed the evolution of the development of the Strategy and the content of the two volume documents. Volume 1 includes the Strategy and the Biennial Report while Volume 2 includes the Integrated Financial Plan. He reviewed the structure of the Strategy and provided a handout with the three strategic goals of the restoration.

Marsha Bansee reviewed the project matrix and the protocol for project numbers. She used the Kissimmee River restoration project sheet as an example to illustrate how to use the project profiles and the tracking matrix. Roman Gastesi and others questioned the current approach to tracking secondary goals and reporting progress because it is not evident to the reader that the lands for the project are tracked separately from the construction.

Ken Todd asked how they knew that these are the correct projects/goals. Greg explained that it had been an iterative process and that some projects were already in progress when the first Strategy was written. He reiterated that the focus of this meeting was to review the current subgoals and objectives in preparation for the July meeting where recommended changes would be discussed.

Marsha reviewed the three goals and the summary table that track the individual Goal 1 projects. Rock reminded WG members that these subgoals are linked to the original QOTD discussion. Wayne questioned whether these projects really meet the goals that they are linked to in the documents and he questioned the process to update the population and land use cover assumptions in the Yellow Book. He suggested that basic assumptions may need to be updated to reflect current reality.

Dennis Duke reported that while updating the 2X2 model with current land use and population projections they discovered that Broward had already met its population projections. Concerning the SW Florida Feasibility Study and its fit with the CERP project construction schedule, no CERP reformulation efforts have been initiated at this time. For example, some basic activities must be done such as figuring out how to capture more water. The CERP implementation schedule was based on a WRDA every two years. The Acceler8 program helps to address the storage and habitat projects that were to be authorized through the WRDA process. Kissimmee will address the northern end of the system and Modified Water Deliveries will open up the southern end of the system. They also know they need storage around Lake Okeechobee and the Herbert Hoover Dike will be an issue for the next 10-15 years. Federal funding continues to be a concern in making any changes to the plan.

Wayne reminded the group that every local government has updated their Comprehensive Plans since CERP formulation. He reported that Lee County has inputted the conceptual CERP footprints into their updated plan but he wonders which other counties are doing so. He noted his concern about decisions that are being made now that will preclude options for CERP. He did note the SFWMD reviews all ERP permits for consistency with the affected CERP project and Miami Dade County is using the same review process for land use changes that abut CERP projects.

Ray Scott asked how Agricultural BMPs are tracked since he did not see these in the tracking matrix. Greg responded that the BMPs are described in a narrative in the Strategic Plan but are not tracked as part of an individual project sheet as it is difficult to quantify the measurable output. Rock reviewed the history of how the water quality objectives evolved due to GAO questions and issues with water quality.

John Outland added they are acquiring lands and looking at lands in pristine condition. There are projects with multiple purposes and they are trying to acquire lands with good habitat value. Theresa Woody added the Goal 2 lands are being tracked by the Land Acquisition Task Team (LATT). Greg noted the objectives and projects for controlling invasive exotic plants is a potential area for improvement. Rock added that invasive animals are another area to consider.

Rock Salt noted there is an eclectic list under Goal 3 and is a residue of a set of ideas from 2000. Sheri Coven suggested they may need to be broadened in terms of the land development issues. Greg asked about the Lee County Comprehensive Plan and Wayne noted there is a strong coordination effort that recognizes sustainability as part of the effort.

Rock Salt noted with Goal 3 for example delivering water to the wellfields means water from the Everglades is not being extracted. Ken Todd said there were broad brushed statements and asked if they could add numbers in July.

Paul Souza asked about the feedback on shortcomings from GAO and any guidance they may have provided. Greg noted GAO has written five reports so far and that the sixth report would be coming out shortly. He also thought that Goal 1 was fairly well developed while Goals 2 and 3 had room for improvement. Rock Salt reviewed outputs versus outcomes. Greg May noted that ultimately they are all interested in the “outcomes” or achieving restoration.

Public Comment

None

Meeting adjourned at 4:56 PM.

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April 20, 2007*

Welcome and Administrative Items

Dan Kimball called meeting called to order at 8:35 AM. Wayne Daltry made a motion to accept the October minutes which was seconded by Ken Todd. The October minutes were approved.

Corps Update

Dennis Duke reviewed the accomplishments in the last ninety days which included completing the final PIR for Broward County Water Preserve Areas and transmitting it to Washington for final review. The backfilling of the Toe Ditch on Herbert Hoover Dike is continuing. A public meeting was held on EIS for Tamiami Trail real estate. Another contract was awarded for the Kissimmee River Restoration and a third backfill contract will be awarded later this fall.

Rock Salt noted there is a MFL issue versus public safety/dike stability issue. Dennis Duke explained the challenge is trying to lower the pool for safety issues. Terry Rice noted there are 40,000 people in the zone and asked about evacuations. Dennis Duke noted everyone is working together including county officials and FEMA and that all hurricane damages have been repaired. Rock Salt said he agreed with Terry that there is that chance you would have to evacuate under certain circumstances. He added that there should be a planned breach somewhere to minimize the loss of life and property. Dennis Duke said it would be operated as a dam and Terry added the dam has to be more robust in order to meet standards.

Dennis Duke reported on what is planned for the next ninety days which includes awarding the seepage berm and cutoff wall contracts for the Herbert Hoover Dike, getting the Interim Goals and Targets Agreement signed, and publishing the Integrated Schedule for South Florida Restoration Program. The Integrated Schedule includes all restoration efforts of the Corps and the SFWMD identified in the Yellow Book as CERP and foundation projects. The Integrated Schedule will update all project schedules to provide current status and projected timelines for implementation. It will not remove projects from the list. The draft plan is being finalized and will be presented to the Governing Board, WRAC and the Task Force.

Acceler8 Update

Dewey Worth provided a presentation (Encl 6) noting the projects under construction currently total \$264 million. The STA 5 flow-way 3 expansion project will be completed at the end of this month and the STA 6 Section 2 expansion project will be completed in July. Acme Basin B discharge, C-1 and PS -7 will be completed in June 2007. Upcoming projects were also reviewed including Biscayne Bay and the additional work that will be occurring with Picayune Strand. He noted the economic impacts and the infusion of

dollars into the local economy with more than 53.5% going into local expenditures. He reviewed proposed changes on appropriations. Wayne Daltry noted the recurring theme that the money does not go far enough and added that someone needs to figure it out.

Science Coordination Group (SCG) Update

Rock Salt reported the SCG is sorting out options to deal with concerns voiced by the Task Force. He noted there were legitimate concerns and added that all the indicators need work and they will sort out a work plan or scheme to work on those. The next SCG meeting is scheduled for May 4. Dewey Worth asked how the work of the SCG relates to RECOVER's work. Rock noted RECOVER has been asked to assist in evaluating CERP and added that the Task Force restoration agenda is bigger than CERP.

Litigation Update

Veronica Harrell James provided a report (Encl. 7) reviewing decisions and settlements on current ongoing cases. She noted that most of the litigation is handled by the Washington office with the imminent domain cases being handled by the civil division of the US Attorney's Office in Miami.

Long Term Restoration Issues

Avian Ecology Workshop discussion

Paul Souza provided a presentation (Encl. 8) reviewing the findings of the 2003 Avian Ecology Workshop. He reported that much progress has been made on a number of projects, in particular foundational projects that will bring water into the southern Everglades. That fact along with the long standing suite of controversial issues surrounding the Cape Sable Seaside Sparrow, Snail Kite, Woodstorks and Spoonbills warrant a fresh look. He noted that at the end of restoration, all four species would benefit. He reviewed what is planned for the 2007 Avian Ecology Workshop which will be held in the summer of 2007. The goal is to safeguard the species during the time of uncertainty, survival first and recovery afterwards. They will look at what they can do now as well as the actions that will be required in the planning phase.

Joette Lorion provided a handout (Encl. 9) with the concerns of the Miccosukee Tribe that they are not focused on what is happening in the Everglades today. She noted that water has been a lot higher in WCA 3A for the past ten years and it is seriously degraded. In addition the Snail kite population has declined by 50%. The FWS proposed rule will continue unnaturally drying out Everglades National Park and perpetuate the problem. The tribe is concerned that since jeopardy was declared on the Sparrow they have never gone back and recalculated whether the sparrow will go extinct. The new science shows the sparrow moves yet the Corps' EIS estimates that 8.4 tree islands and 246 acres are lost each year. She noted the series of e-mails from Stephen Forsythe stating the water would be higher under restoration. She said the Everglades north of Tamiami Trail is being destroyed.

Paul Souza noted that in 2003 they had an independent review and the findings were what they were. Now they need to craft a scientifically sound framework with actions they can take now and later for the reasons he and Joette have articulated. Rock Salt

added there are things going on he has not fully appreciated, such as the closing of the S12s while the sparrows are still worse off - something they need to look at.

Scientific and Monitoring Program

Garth Redfield introduced Linda Lindstrom and provided a presentation (Encl. 10) reviewing the environmental monitoring program at the District. Monitoring costs total \$53 million and 70% is compliance driven. He reviewed the challenges and the actions that are being undertaken to address those challenges since much more monitoring requirements are projected over the next ten years. Linda Lindstrom stated that according to the inventory there is no overlap in water quality. Eric Hughes added the biggest challenge has been on the biological monitoring activities.

Greg May read an e-mail question from Rhonda Roff (Save it Now, Glades!): With almost 4000 tons per year of NO_x to be emitted from the Glades Power Park in Moore Haven, how will the air deposition of inorganic nutrient nitrogen be considered as it impacts the coastal waters of the southwest coast? Garth Redfield said they do not have good methods and that the National Atmospheric deposition program is uniform throughout the country and it does not do phosphorus. It is not well done in south Florida. Garth Redfield closed by saying that it will take more work up front to convince them that the data is adequate, zero sum budget approach.

Strategic Goals and Objectives Discussion

Greg May invited participation on the Strategy sub team to develop initial recommendations and said that his office will follow up with an e-mail reminder. The schedule and format will be developed and they may set up some subgroups to deal with the goals. The intent is to do the bulk of the work using e-mails and conference calls. Proposed changes and additions will be developed by the group and then sent to the Working Group before the July meeting.

Ray Scott asked about the type of recommendations that would be brought back to the group. Greg replied with some examples: are the sub goals and objectives right? Is there a more elegant way to identify an output or outcome, to frame and track what they are doing? How successful is it? Dan Thayer, Bob Doren, and many others are doing a lot of work to address invasive exotics and there is room to improve how we document and articulate their efforts.

Sheri Coven asked what if there isn't a cost associated with an effort, for example Lee County's Comprehensive Plan incorporates CERP, one of the few local plans that does, but there are no costs associated with it. Greg said that an effort may not necessarily have a cost associated with it. There are two ways that restoration efforts are identified, one through a narrative description and the other through a project sheet with a measurable output or outcome.

Public Comment

Dan Kimball read an e-mail question from Rhonda Ruff (Save it Now, Glades!): How does the SFWMD plan to address the request for 28 million gallons per day of cooling

water for the proposed plant? What water source will be able to provide that capacity during the dry season? Dewey Worth said he is not sure there is one.

Next Steps and Closing Comments

Next Working Group meeting scheduled for July 19 – 20, 2007. The meeting adjourned at 11:45 A.M.

Enclosures:

1. Agenda
2. Draft meeting minutes, October 2006
3. ENP Seepage Management Power Point
4. Strategic Goals and Objectives Overview
 - a. Power Point
 - b. Goals and Objectives
 - c. Sample Project Sheet (KRR)
 - d. Summary Table
 - e. Linkages
 - f. Indicators of Success
5. Corps Update
6. Acceler8 Update
7. Litigation Update
8. Avian Ecology Proposed Workshop Power Point
9. Miccosukee Tribe of Indians' Concerns re: FWS and Corps actions for the Cape Sable Seaside Sparrow
10. SFWMD Monitoring Program Power Point