

Final Meeting Notes
Special Meeting of the Technical Oversight Committee
Tuesday, July 12, 2005, 10 a.m.

South Florida Water Management District
Headquarters, B-1 Building, Auditorium
3301 Gun Club Road, West Palm Beach, FL 33416-4680

(10:05 a.m.) Modifications to the agenda, Garth Redfield (TOC Chair), SFWMD.

No additions or modifications were requested (**Attachment 1**).

Note that John Barkett, Special Master, and Bill Walker, Consultant to U.S. Department of the Interior (USDO I) attended this meeting via teleconference. Ernie Barnett was the TOC representative for the Florida Department of Environmental Protection (FDEP) due to family emergencies for both Frank Nearhoof and Kenneth Weaver, primary and alternate TOC Representatives, respectively.

1. (10:08 a.m.) *Approval of TOC meeting notes from June 13, 2005 TOC meeting, Garth Redfield, SFWMD

The draft meeting notes were posted to the District's web site and no comments were received. The Chair polled the TOC Representatives and the meeting notes were unanimously approved with the following recommended change by Mike Waldon, U.S. Fish and Wildlife Service, under Item 3, (Condition of STA-1W, current operations and prospects for full operation): "There was also a discussion on how to expedite the recovery of STA-1W, including a discussion on seeding submerged aquatic vegetation (SAV) by transplanted." The final meeting notes also have been posted to the District's web site (**Attachment 2**).

2. (10:12 a.m.) Update on STA-1E permitting process and draft TP achievement methodology (20 minutes), Ron Bearzotti, SFWMD, in place of Frank Nearhoof, FDEP

Ernest Barnett, FDEP did not provide a presentation on this topic. Ron Bearzotti, SFWMD, made a brief presentation on the current status of the STA-1E permitting process. He indicated that a public workshop was held by the FDEP on July 6, 2005. It is anticipated that a notice of intent to issue permit will be released shortly, followed by a 21-day period for public comment. There was a brief discussion of public comment received.

3. (10:20 a.m.) *Recent TP levels in the Refuge: discussion of factors that may be involved and follow up actions needed for additional information (60 minutes), All TOC Representatives

Chair Redfield indicated the District will not make a formal presentation on this topic due to time constraints. However, the District has provided handouts on recent TP data (through June 2005) associated with the Refuge (**Attachments 3 through 5**).

Bill Walker, Consultant to USDOJ, indicated that the interim (17.7 ppb) and long-term (14.1 ppb) limits presented in the Refuge TP Data Summary Table (**Attachment 4**) require correction. These handouts, including the requested corrections, are available on the TOC web site. It was requested that some of the data fields presented in the Refuge TP Data Summary Table be included in future Settlement Agreement Report updates. It was also requested that four supporting documents be posted on the TOC web site for reference.

There was discussion of additional information required for the next TOC meeting. Nick Aumen, Everglades National Park (Park), recommended that a training workshop be held regarding field sampling techniques/protocols as well as a review of the quality assurance/quality control (QA/QC) process.

Action Item: The District will provide additional data fields, including monthly inflow and TP loads, in future Settlement Agreement Report updates.

Action Item: The Park will provide Julianne LaRock, SFWMD, with operational information on inflows to the Park for the presentation of the Settlement Agreement Report update (April–May 2005) at the next TOC meeting to support interpretation of TP levels.

Action Item: The District has posted four supporting documents – Nearhoof, 1996; Walker 1999a & b; and District field notes for Refuge sampling – on the TOC web site.

Action Item: For the training workshop, the District will take the lead in compiling information on the field sampling techniques/protocols and the QA/QC process.

Action Item: TOC requested a technical working group to examine the process of field sampling and sample processing. The District will take the lead organizing this effort in cooperation with Refuge staff. This working group will provide a summary report for the August 16, 2005 TOC meeting.

Action Item: TOC requested a technical working group to examine TP data from May and June 2005 and examine factors that may influence the values. The Refuge volunteered to lead this effort and this working group will provide a report at the August 16, 2005 TOC meeting. Several TOC Representatives expressed concern on whether time would be available in the schedules of technical experts over the next month. It was concluded that everyone will make a best effort to move forward, even if this task cannot be completed for the next TOC meeting.

Action Item: At the next TOC meeting, the District will take the lead in providing an overview of the Standard Operating Procedures (SOP) for area-wide locations including Park inflows.

(11:15 a.m.) *Finalization of water management practices and water quality compliance in the Refuge as requested by the Principals (60–120 minutes), All TOC Representatives

There was a lengthy discussion of the three topics listed on the agenda involving water quality and water management in the Refuge. The last topic on redistributing flows through the S-10 gates was modified to be the redistribution of flows through Refuge outflows with water quality as a consideration. For all three topics, it was felt that “downstream water quality and quantity impacts” should be changed to “receiving water body impacts.” It was also agreed that a fourth topic area be added concerning revision of the regulation schedule in the Refuge. This investigation would have a short-term aspect looking at the flexibility for management options within the current regulation schedule. It would have a long-term aspect with a more thorough and complete examination of revising the existing regulation schedule through the standard federal process.

After a lengthy discussion concerning regional water management, overloading of the Stormwater Treatment Areas (STAs), and limitations on treatment capacity, the TOC Representatives concluded that all four topics should be recommended to the Principals for further study. TOC Representatives requested that the Chair compose a draft letter to the Principals conveying these recommendations for future study, a recommendation on sampling changes at the S-10’s agreed to at the last TOC meeting, and the recommendation to study a proposal for a berm along L-40 in the Refuge. During this discussion, public comment was received from Charles Lee, Florida Audubon Society and Joette Lorion, Miccosukee Tribe of Indians of Florida.

Action Item: Chair Redfield will prepare the draft *Recommendations to the Principals on Water Management Activities Relating to Water Quality* and forward document to the TOC Representatives for comment; this draft will be posted on the TOC web site and presented at the next TOC meeting for open discussion and public comment.

Action Item: The Refuge will provide a list of specific needs to support moving forward with an investigation of the regulation schedule used in Water Conservation Area 1 (WCA-1).

5. General Public Comment. (20 minutes or as requested)

There were several comments from the public during discussion of other items on the TOC agenda.

6. Proposed TOC meeting dates:

- **Tues. 8/16/05 (quarterly meeting)**
- **Tues. 9/20/05 (special TOC meeting)**
- **Thurs. 11/10/05 or Tues. 11/22/05 (quarterly meeting)**

At the TOC meeting, Matthew Harwell, USDOJ, provided written information on the Refuge's Enhanced Water Quality Monitoring and Modeling Program web site (www.sofia.usgs.gov).

TOC Representative from the Refuge requested that videoconferencing be available for future TOC meetings, starting with the August 16, 2005 meeting. The District will make an effort to make this service available for future TOC meetings.

At the TOC meeting, the TOC Representatives requested that an additional TOC meeting be added between the August and November 2005 meetings; TOC representatives confirmed that this additional meeting be held on September 20, 2005.

Meeting was adjourned at approximately 1:00 p.m.

* Items for consideration and possible action by the TOC.