

**FINAL
MEETING SUMMARY
Special Meeting of the Technical Oversight Committee (TOC)
Action Strategies on Recommendations of Principals
South Florida Water Management District
3301 Gun Club Road, West Palm Beach, FL 33406
January 8, 2004**

Attendees:

Garth Redfield, TOC Chair and Agency Rep., SFWMD
Nick Aumen, TOC Agency Rep., NPS/ENP
Paul DuBow, TOC Agency Rep., COE
Frank Nearhoof, TOC Agency Rep., FDEP
Mike Waldon, TOC Agency Rep., USFWS

John Barkett (U.S.D.C., Spec.Master)
Tim Bechtel (SFWMD)
Bill Baxter (COE)
Kelly Brooks (Miccosukee Tribe)
Kalani Cairns (US FWS)
Laurene Capone (EAA Research)
Joffre Castro (NPS)
Bahram Charkhian (SFWMD)
Maxine Cheeseman (SFWMD)
Linda Davis (SFWMD)
Tom DeBusk (DB Environ.)
Charles Demonaco (FDEP)
Paul J. DuBow (COE)
Naomi Duerr (SFWMD)
Julianne Duwel (SFWMD)
Gene Duncan (Miccosukee Tribe)
Rebecca Elliott (FDACS)
Roslynn Ferguson (LLW – Seminole)
Gary Goforth (SFWMD)
Matt Harwell (FWS)
Bob Kadlec (DOI)
Don Kent (CWF)

Charles Lee (Audubon)
Linda Lindstrom (SFWMD)
Jason Lichtstein (Gunster Yoakley)
Partick Martin (Lake Worth D.D.)
Loren Mason (COE)
Paul McGinnes (SFWMD)
Cheol Mo (SFWMD)
Brooks Moore (COE)
Trudy Morris (SFWMD)
Zaki Moustafa (SFWMD)
Gabriel Nietro (Steel, Hector, Davis)
Vincent Peluso (SFWMD)
Tracey Piccone (SFWMD)
Barbara Powell (SFWMD)
Dean Powell (SFWMD)
Rock Salt (USDOI)
Dave Struve (SFWMD)
Jeff Ward (SCGC)
Bill Walker (DOI)
Ken Weaver (FDEP)
Philip Mancusi-Ungaro (EPA/DOI)

Introductory Comments: Garth Redfield, Chair, Technical Oversight Committee (TOC), called the meeting to order at 10:07 a.m. He indicated that this is a special meeting of the TOC to continue developing action strategies in response to the 12/17/03 directions from the Principals. There were no suggested changes in the agenda (**Attachment 1**). Introductions were made around the room, and the Chair introduced Dr. Gary Goforth to brief TOC on the status of STA-3/4 enhancements before the TOC begins discussion of recommendations to the Principals.

1. STA-3/4 Enhancement schedule and update on STA-1W

Gary Goforth (SFWMD) presented an update on the STA-3/4 enhancement schedule (**Attachment 2**) and provided a briefing sheet on the status of all the STAs (**Attachment 3**). He provided slides on the two phases of the enhancements. Construction of the PSTA demonstration project is moving forward. He stated that to date the STAs have ranged from a short time to upwards of about 18 months for stabilization, but by December 2006 the enhancements to STA 3/4 should be completed and operational.

He also provided a summary of the status of the STAs (Attachment 3) and a brief update on STA-1W performance. He stressed that STA-1W was designed to work in concert with STA-1E. Due to time constraints, he added that follow up questions on the status of all STAs could be discussed in the February TOC meeting.

Discussion: Topics discussed included the linkage between performance and decreasing lake levels. Nick Aumen suggested that issues concerning STA-3/4 should be put on the February TOC agenda for more of a discussion. There was also interest in the completion date for STA-1E and Paul DuBowoy (USACE) indicated that the status of STA-1E would be the subject of a presentation by the CORPs at the February TOC meeting. June 2004 is the completion date currently being targeted.

2. Discussion of Recommendations in Category A, "Controlling Phosphorus loads to the Refuge"

2.a. Background discussion: The Chair noted that in reviewing the letter from the Principals, it is important to recognize that they bought into the technical approach to reduce phosphorus and gather information. TOC's marching orders are to: prioritize the recommendations, do cost estimates and provide addition details to describe each action. Also, TOC should look at the interplay between recommendations and the Long-Term Plan (LTP). TOC needs to come up with a strategy to get to the information that they have requested. The Chair asked for discussion and to decide what we are going to do and who's going to do it.

Nick Aumen suggested that TOC have additional meetings and working groups to bring plans back to the TOC. The Chair said he didn't see anything wrong with working groups outside of the TOC to bring items back to TOC as long as progress is being made with assigned project managers. Additional meetings have already been slated and will be discussed later in the meeting.

Gary Goforth and Tracey Piccone indicated that a framework exists for updating the baseline hydrological data sets and this effort takes 3 – 6 months. Gary Goforth indicated that he would meet with J. Obeysekera to move the effort forward.

Another discussion topic was Technological Based Effluent Limitations and their linkage to recommendations to the Principals. Frank Nearhoof suggested that the TBEL process could incorporate some of the areas being considered and that the process could be clarified at a

future TOC meeting. FDEP will welcome input during the TBEL process which by its nature must be adaptive.

There was then discussion of the current process underway to modify the STA permits; an application has been submitted and will be examined for completeness, as is done typically. There was also discussion of adding items to the Long-Term Plan and the ways in which the plan can be changed. Adaptive revision is written into the Long-Term Plan in the Process Development and Engineering component.

The Chair suggested that there be a presentation at a future TOC meeting regarding the TBELs, etc. Frank wants to see about getting a meeting going outside of TOC in the next two weeks to gather additional input on expectations and constraints on the TBEL process.

2.b. Discussion of Category A Recommendations on 'Controlling Phosphorus Loads to the Refuge'

Tracey Piccone provided an overview of how the Long-Term Plan contains many specific projects addressing the recommendations to Principals under Category A. Some specifics include:

A1—part 1... all are in part 5 of the Long-Term Plan, refer to part 5.1, .2, 5.3, 5.4, 5.5, and 5.6 and this can be expanded. There are activities working on refining the baseline datasets.

A2- PDE continually looking at data and strategies etc., is part of the annual process Page 6-92 funding for adaptive implementation.

A3—that is covered by 2 different parts of the plan---5.3.2 on page 18, and 5.4.1 page 5-27

A4- part 5,-- 5.6.3 on page 5-34, and 5.6.4 on page 5-35.

After general discussion of the LTP and TOC recommendations, there were three suggested questions to be answered at future TOC meetings:

1. What is currently being done or already has been done that responds substantially to the projects described in the general 8 recommendations to Principals and in the Federal detailed list of recommendations?

2. What projects are covered in the Long Term Plan and are responsive to the recommendations to Principals and what is the specific language used in the plan and what are the time frames?

3. How does the regulatory TBEL process support #1 and 2 above, and what are the timeframes involved in the TBEL process?

To provide 1 and 2, the District will develop a summary matrix for the February meeting. DEP needs to provide #3 at a future TOC meeting.

There was no specific date for a TOC response to the Principals. After some discussion, it was agreed that April was a reasonable timeframe for a status report to the Principals concerning the information that they requested on the recommendations. After further discussion, the Chair was asked to inform the Principals of TOC's plans via an e-mail. It was noted that the recommendations can not be dealt with fully by April. More use of the Web Board was recommended to speed the process.

3. Discussion of Category B Recommendations on “Enhancing monitoring of the Refuge”

3.a. Presentation: Attachment 4 is a set of four slides summarizing a presentation by Nick Aumen and Mike Waldon. They described a two year study to monitor broadly in the Refuge. Water quality sampling will be consistent with current compliance monitoring, and hydrolabs will monitor conductivity. The purpose is to support a better understanding of what causes canal water to enter the marsh, relation of pumped water to P load, and impacts of water management decisions. DOI is developing a SOW for this project and they hope to get started monitoring in the spring of 2004.

Discussion. There was discussion of what decisions will be supportable with this additional information. DOI indicated that they want to quantify impingement of canal water and document the extent of the problem, then they might talk about revising the regulation schedule. The Refuge staff feel that they have too little data on penetration on the west side of the Refuge. The USGS will be involved in water quality studies as well.

DOI staff indicated that they are open to significant input once they know they are going to have the money. FDEP suggested that their “mercury guys” should be linked in to this new monitoring also.

Nick will follow up with scheduling a workshop to review this project and get technical input.

The State Reps questioned the utility of this study as an instrument of TOC. If the long-term phosphorus limit is met, the District's highest priority, then why would we need to do this million dollar effort in monitoring of the problem? DOI responded that there are some questions outside of compliance with the Settlement Agreement, and also the data are useful for many other functions, especially RECOVER. District staff asked if this is the best use of funding. Refuge staff explained that this money is not being put up for the TOC purposes alone, but was allocated for a DOI initiative to meet the Refuge's need to better understand water quality in the Refuge.

4. Discussion of Category C Recommendations on “Modeling of the Refuge”

Presentation: Attachment 4 also provides 9 slides presented by Mike Waldon describing a proposed effort to model the Refuge. The proposal is to develop a model of the entire Refuge to support management decisions concerning inflows and outflows, and to provide information on causes of elevated phosphorus levels in Refuge interior sites. They will also

be able to develop and track simple phosphorus mass-balance. The whole process should take about 2-2.5 years to develop.

Discussion: There was discussion of what will actually be done with the proposed 300 K for modeling. FDEP suggested that the estimate of time to develop this model was very optimistic and in the meantime, the issues with STA1-West are not resolved and there is a lot more effort needed on these immediate issues than on general modeling of the Refuge. District staff expressed concern about the accuracy of such a model, and thinks it is an error prone and expensive tool in relation to questions on phosphorus exceedances of interest to the TOC. DOI disagreed indicating that it is an additional tool to better understand what is happening in the Refuge. The discussion continued with disagreement on the validity of this project for TOC purposes, the accuracy of the model and potential of failure as a predictive tool for phosphorus dynamics. DOI continued to reiterate that this is a tool to gain a better understanding of what is happening in the Refuge.

Nick suggests adding what they have presented to be added to the Matrix that will be given to the Principals.

Chip Merriam (SFWMD) suggested that DOI sit down with SFWMD to discuss this issue (B&C), as he has a different perspective than the more technical people do, from a budgetary and management standpoint. He also expressed concerns about how this effort lines up with the timing for the compliance and the completion of the STAs.

Nick Aumen stressed that both of these efforts are meant to gain a better understanding of the elements of the Refuge, certainly part of this is related to the Settlement Agreement, but these data are not being collected as compliance tools.

The District expressed concerns that this monitoring and modeling effort is not linked well to the prioritization requested by the Principals and this amount of money could be better spent in other more significant ways. DOI expressed that the amount of money here, versus the magnitude of money involved in the LTP is minimal and won't make a difference to the overall program.

The Miccosukee Tribe requested clarification regarding monitoring or modeling. The State seemed to have no opposition with regards to these initiatives in the recommendations to Principals, so why are they now opposed? In response, the District pointed to the disconnect between what is proposed by DOI and what was intended in the recommendations to Principals. The recommendations in Categories B and C were for efforts to resolve TOC issues on exceedances. DOI have gone forward with this broad Refuge effort independent of TOC and for very different purposes.

5. TOC scheduling and Action Items from this meeting: Topics for the Next TOC meeting, Tuesday, February 3, 2004

Linda Davis gave a review of dates available for upcoming meetings.

A March Meeting is desired, **March 2** or 3. Followed by the next regularly scheduled meeting would be May 4th or **May 25th** and April 1st or **April 6th**. Linda will select the best dates and announce them via e-mail.

Action Items:

CORPS has prepared a presentation on STA-1E that will be given at the February meeting and they are hoping for a June '04 time completion. District staff encouraged the CORPS to utilize the same technical group for their PSTA project that was used for the project in STA-3/4.

Updating the hydrological baseline dataset is underway. (Tracy Piccone) Tracy P— would say the whole effort would take anywhere between 3-6 months **Gary Goforth will proceed to set up a meeting with J.OBEY.**

There were three suggested questions to be answered at future TOC meetings:

- 1. What is currently being done or already has been done that responds substantially to the projects described in the general 8 recommendations to Principals and in the Federal detailed list of recommendations?**
- 2. What projects are covered in the Long Term Plan and are responsive to the recommendations to Principals and what is the specific language used in the plan and what are the time frames?**
- 3. How does the regulatory TBEL process support #1 and 2 above, and what are the timeframes involved in the TBEL process?**

To provide 1 and 2, the District will develop a summary matrix for the February meeting. DEP needs to provide #3 at a future TOC meeting.

The Chair was asked to inform the Principals of TOC's plans via an e-mail. It was noted that the recommendations can not be dealt with fully by April. More use of the Web Board was recommended to speed the process.

Nick Aumen will organize a follow-up on the federal proposal to enhancing monitoring and modeling of the Refuge.

6. Additional Public Comments – None were given

Meeting Adjourned at 2:57 pm