

**FINAL
MEETING SUMMARY
Quarterly Meeting, Technical Oversight Committee (TOC)
South Florida Water Management District
3301 Gun Club Road, West Palm Beach, FL 33406
Tuesday February 3, 2004**

Attendees:

Garth Redfield, TOC Chair and Agency Rep., SFWMD
Nick Aumen, TOC Agency Rep., NPS/ENP
Paul DuBowy, TOC Agency Rep., USACE
Frank Nearhoof (FDEP) – Via Telephone
Mike Waldon, TOC Agency Rep., USFWS

Bill Baxter, USACE
Tim Bechtel (SFWMD)
Peter Besrutschoko (USACE)
Kelly Brooks (Miccosukee)
Joffre Castro (EMP)
Bahram Charkhian (SFWMD)
Violet Ciuca (SFWMD)
Linda Davis (SFWMD)
Charles Demonaco (FDEP)
Naomi Duerr (SFWMD)
Gene Duncan (Miccosukee Tribe)
Julianne Duwel (SFWMD)
Rebecca Elliott (FDACS)
Tony Federico (MFL)
Roslynn Ferguson (LLW – Seminole)
Gary Goforth (SFWMD)
Matt Harwell (FWS)
Delia Ivanoff (SFWMD)
Ron Jones (Miccosukee Tribe)
Bob Kadlec (DOI)
Don Kent (CWF)
Charles Lee (Audubon)

Jason Lichtstein (Gunster Yoakley)
Linda McCarthy (FDACS)
Paul McGinnes (SFWMD)
John Mitnik (SFWMD)
Cheol Mo (SFWMD)
Paul Moczynski (COE) - Via Telephone
Brooks Moore (COE)
Paula Moree (SFWMD)
Zaki Moustafa (SFWMD)
Tracey Piccone (SFWMD)
James Riley (COE) – Via Telephone
Barbara Ross (SFWMD)
Rock Salt (USDOJ)
Adam Siegel (USDOJ)
Lisa Smith (SFWMD)
Jim Sturgis (SFWMD)
Susan Sylvester (USACE)
Sharon Trost (SFWMD)
Stuart Van Horn (SFWMD)
Jeff Ward (SCGC)
Bill Walker (DOI)

Introductory Comments: Garth Redfield, Chair, Technical Oversight Committee (TOC), called the meeting to order at 10:07 a.m. Frank Nearhoof (FDEP), Jim Riley (USACE), and Paul Moczynski (USACE) were attending the meeting via teleconference.

This is a regular quarterly TOC meeting. Three additional meetings have been scheduled and the dates will be reviewed at the end of today's meeting. The Chair requested introductions around the room and there were no changes recommended for the agenda **(Attachment 1)**.

1. Approval of TOC minutes from August 12, 2003, October 30, 2003 and January 8, 2004 TOC meetings

The Chair has not been able to produce these Minutes. He will post the Minutes on the website and will accept comments for ten days following the posting.

2. Improving the TOC process and clarifying the roles of representatives

Drs. Redfield and Aumen mentioned some observations on the TOC process from the Special Master, John Barkett, who attended the last TOC Meeting. There was discussion on how to expedite and improve the TOC process.

Recommendations on the TOC process: There was general agreement to have groups (sub-committees) of people take on “action items” and “tasks” and come back to the TOC meeting with plans and issues fleshed out. Holding more frequent full meetings and sub-committee meetings was recommended with the caveat that more meetings will not be worthwhile if work is not done between meetings. Also, more frequent meetings are constrained by the Florida Sunshine Law. Working within this law will be reviewed by SFWMD Office of Counsel and presented to TOC at the March 2, 2004 meeting.

Feedback was requested on holding monthly TOC meetings for the next six months. Suggested dates for upcoming meetings were June 22 or 30 as a Special Meeting and August 26 as an additional Quarterly meeting; additional dates were July 20 and July 27. Already scheduled dates are March 2, 2004, April 6, 2004, and May 25, 2004. Staff will determine the upcoming meeting dates and inform all the stakeholders.

There was discussion on holding two-day meetings and the problems associated with holding such lengthy meetings. Two-day meetings, while possible, pose significant problems for those traveling, arranging logistics, Sunshine considerations, and doing technical analyses in support of the meeting. Sub-committee meetings will try to be scheduled in conjunction with regularly scheduled meetings. All options should be considered as each recommendation to the Principals is discussed and appropriate follow-up actions and meetings should be planned.

3. Water Quality Conditions Report to the TOC and Quality Assessment Report for Water Quality Monitoring

3a. Presentation: Tim Bechtel presented information on compliance data for the Arthur R. Marshall Loxahatchee National Wildlife Refuge, Everglades National Park – Shark River Slough, and Taylor Slough and the Coastal Basins (**Attachment 2**). An excursion above the Interim Level in September was reported for the Refuge.

Discussion:

Changes in sampling within the last five years and observations from the field were discussed in relation to a better understanding for phosphorus levels and compliance. Consistency on water sampling based on the fact that all technicians are following all the same guidelines is very important in the Everglades.

There is interest in apparent disparities between grab and composite samples. Both kinds of data are available from several agencies and need to be compiled for analysis. When enough information is available, an agenda item will be brought to the TOC for review. To determine how much data are available and how they should be evaluated, a sub-group will be formed involving DOI, the District and the DEP.

Follow-up information on the total phosphorus concentration for S-332B during overflow events was provided in Figures 8 and 9 of **Attachment 2**.

There was discussion regarding reports being completed four or more months after the data have been collected. There were requests to have information posted sooner. Ms. Duerr will look into the posting time constraints, but the quality of reports must not be altered simply to get information out several weeks sooner. A future TOC agenda item will detail the steps to provide reports as soon as possible.

Follow-up Recommendations:

- (1) Within ten days a revised version of the Shark River Slough Total Phosphorus Concentration Compliance Tracking will be posted on the SFWMD web site.
- (2) Copy of the DOI report transmitted to Congress regarding water quality in Shark River Slough will be provided to the TOC members by DOI staff.
- (3) Statistical staff from SFWMD, Everglades National Park, DEP and the CORPS will meet and coordination will be arranged on what analysis needs to be done on grab versus composite sampling. Date for a follow-up report was left open.
- (4) There will be a future agenda item to present information on the time constraints for posting data reports to the TOC webpage.
- (5) Agenda Item for Next Month: Nenad Iricanin will present additional information on the changes in data validation criteria for the <5x the EB or FCEB value. Comparison of the data and how it actually operates will be presented.

4. Update on the Completion and Permitting of STA-1E and on its PSTA Demonstration Project

4. a. Presentation: Dr. DuBowy provided background information on STA-1E. History of STA-1 East (**Attachment 3**). Paul Moczynski (USACE – via telephone) provided a schedule of upcoming and completed projects concerning STA-1E.

Peter Besrutschko presented information on the PSTA project (**Attachment 4**).

Discussion of Presentations:

Refuge staff requested to be involved in projects that will be done on the L-40 and a possible berm associated with STA-1E discharges.

There was discussion on work to be done by the USACE on projects and what changes will be added in connection with the District's Long Term Plan. The date that STA-1E will be ready for business was discussed. Current time frame for completing retaining wall, etc. has

not been established by the USACE. Discharge capacity of STA 1E was estimated to be 4,000 cfs. The question of controlling flooding in the area in the event of a major storm remains open. A facility for operating STA-1E in the event of a storm is available by back-siphoning S-319 and a good volume of water would be able to be discharged.

Questions on calcareous periphyton were asked and answered by the USACE. On the STA-1E PSTA project, 18 months of monitoring will be done after construction is completed. A draft design is expected to be ready in April 2004 and will be distributed to the TOC as soon as possible and comments requested within two weeks following the distribution.

Follow-Up:

- (1) A set of bullets with the dates and activities of projects (with schematics) by the Corps will be sent to Dr. Redfield and then be posted to the SFWMD website.
- (2) Draft PSTA design is expected to be ready in April 2004 and that will be distributed to the TOC as soon as possible. Comments are requested within two weeks.

Recommendations:

- (1) Recommendation that the same group that looked at the STA 3/4 will be the ones to review this draft design.

[Break for Lunch 12:35 p.m. – Reconvene at 1:20 p.m.]

Continuation of Presentation by Peter Besrutschko:

Mr. Besrutschko answered questions from stakeholders on projects associated with STA-1E. Information on C-51 flowage was provided by SFWMD staff.

5. Discussion and prioritization of Category A Recommendations to Principals on 'Controlling Phosphorus loads to the Refuge'

5a. Presentation: State Recommendations to the Technical Oversight Committee for Consideration at the February 3, 2004 Meeting (1/28/04, Draft) is **Attachment 5**. A matrix summary of the State's responses to TOC recommendations is **Attachment 6**.

If the group strongly endorses a recommendation, they should say so. If more information is needed, the stakeholders need to let staff know what is specifically needed to make progress and if follow-up meetings are needed, they should be requested.

Discussion of the Presentation:

Review of Section A.1 of the State Recommendations:

In Category A, there are two main issues concerning hydrological studies and the PDE component of the Plan and the timeline for completion of STA-1E. Best Management Practices (BMPs) were also discussed.

There will be a public meeting on February 26, 2004 to make recommendations on how to modify the Long-Term Plan. Everyone was invited to attend; there are flyers available on the table.

Gary Goforth presented information on the State of Florida's recommendations (SFWMD and FDEP). Acceleration of STA1-E was discussed, including the fact that the Refuge will have some increase in phosphorus loads. Acceleration STA-1E completion is important since STA-1E and STA-1W work in concert and STA-1W is currently being overloaded. Recommendations under A1 do not help the exceedances and could even increase them over the short-term.

Review of Section A.2 of the State Recommendations:

Funding for FY04-2016 was discussed.

The overall goal of the Process Development and Engineering (PDE) is to do whatever we can to reduce the likelihood of compliance problems. The impacts of the long-term plan versus the short-term projects were discussed. Shorter term funding was put in the Matrix Summary. A proactive approach to the short term projects was suggested. The TOC needs to determine what constitutes a "review" of the Long Term Plan. There have been numerous public meetings on the Long Term Plan. Specific issues must be looked at to review.

Review of Sections A.3 and A.4 of the State Recommendations:

Water management procedures for all of the conservation areas may need to be looked at again. Rainfall driven schedules and regulation schedules for the Refuge were discussed. A short-term look at the Refuge schedule may need to be done in the future. Almost \$100 million in District funding is targeted at reducing phosphorus in the Refuge.

The eight recommendations have been made and need to be prioritized and completed. This will be completed by the end of the April meeting.

Follow-Up:

- (1) Pam Sievers, SFWMD, to present information on the BMPs costs, timelines, etc. at a future TOC Meeting.
- (2) Runoff volume in the STAs will be reviewed and further information provided to the TOC.
- (3) Operating strategy for all STAs (including STA1-W), flow records, will be provided by Dr. Goforth to the TOC.
- (4) Form Task Force with the major participants from the TOC (Corps, NPS/ENP, USFWS). The Federal partners will work on their concerns and bring them back to the TOC.

Recommendations:

- (1) Form a working group to deal with the acceleration of STA1-E and what changes may be needed. (A.2)

(2) Form a working group to look at the questions, look at the strategies, etc. in the Long Term Plan. (A.3)

(3) Meetings will be scheduled for two separate working groups to discuss topics. There will be monthly TOC meetings and they will all be noticed for Sunshine compliance.

6. and 7. Discussion and prioritization of Categories B and C Recommendations to the Principals on 'Enhancing monitoring of the Refuge and 'Modeling of the Refuge'

Discussion:

There is a Federal meeting to get feedback on their proposal scheduled for Wednesday, February 4, 2004 in the Richard Rogers Room, SFWMD Headquarters, 3301 Gun Club Road, West Palm Beach, Florida. Nick Aumen presented information on enhancing monitoring of the Refuge. A more detailed discussion will occur at tomorrow's meeting to come up with an approach to address the concerns of the Federal partners. Comments were made on the Settlement Agreement and differing views were heard on expanded monitoring of the SFWMD and the Federal agencies.

Naomi Duerr said that goals and objectives and technical matters will be reviewed at the meeting scheduled for Wednesday, February 4, 2004. Peer Review report on ELM was discussed and it is a high priority item. The District noted a business discussion will also need to be held in the future. There was some group discussion on modeling and costs associated with ELM.

Recommendation:

- (1) Provide more detailed comments at the February 4, 2004 workshop.

8. Additional Public Comments and Dates for Future TOC meetings:

March 2, 2004: Special meeting, B-1 Auditorium from 10 a.m. – 3 p.m.

April 6, 2004: Special meeting, Storch Room from 10 a.m. – 3 p.m.

May 25, 2004: Quarterly meeting, Storch Room from 10 a.m. – 3 p.m.

9. Suggested Future Topics:

Special topics for presentation and/or discussion will be limited until the TOC finalizes the recommendations through special meetings. Suggested topics are:

1. Coordination of regional water management decisions with Water Supply and Environment (WSE) and the requirements of the Settlement Agreement. *Postpone*
2. The EAA BMP Program: On-going research, monitoring and applications to improve performance. *Schedule for March 2.*
3. Water quality sampling schemes at variable flow canal sites. *Postpone.*
4. Update on STA 3/4. – *Postpone.*
5. TBEL Permitting Process. *Postpone.*

Added: 6. Need to revisit the loading methodology.

7. Peek discharges in STA.

Meeting Adjourned at 4.00 p.m.