

# Notes from the Quarterly Meeting of the Everglades Technical Oversight Committee (TOC)

April 1, 2014

South Florida Water Management District  
3301 Gun Club Road, West Palm Beach, FL 33406

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## TOC Representatives:

Juli LaRock, TOC Chair, SFWMD	Frank Powell, FDEP
John Barkett, Special Master ( <i>by phone</i> )	Sean Smith, USACE
Melissa Martin, Refuge	Donatto Surratt, ENP

**Note:** *This meeting was recorded by a court reporter and copies are available for purchase; for more information, contact Florida Court Reporting (561-689-0999). Handouts and presentations are available on the TOC website ([www.sfwmd.gov/toc](http://www.sfwmd.gov/toc)). A video of the meeting is available online at <http://sfwmd.ig2.com/Citizens/Media.aspx>.*

## 10:00 a.m. 1. TOC Opening Business – Juli LaRock, SFWMD

### 1A. Welcome, Announcements, and Identification of Phone Participants

Juli LaRock called the meeting to order, welcomed attendees, and asked phone participants to introduce themselves. Juli introduced herself as the new TOC chair.

### 1B. Agenda Modifications and Documents Available on the TOC Website

Juli LaRock reviewed the list of recently posted files available on the TOC website, and called for any last-minute changes to the agenda. Agenda changes were not requested.

### 1C. Approval of Meeting Summary for May 14, 2013

Juli LaRock asked if the TOC members had any changes to the notes from the previous TOC meeting. No further changes were requested, and the TOC approved finalizing the draft meeting summary.

#### Associated online documents:

- [Agenda for April 1, 2014 meeting](#)
- [Notes from May 14, 2013 meeting](#)

## 10:10 a.m. 2. Monitoring Alterations Along Tamiami Trail in Response to Infrastructure Changes – Pete Rawlik, SFWMD

Before giving the presentation associated with this agenda item, Pete Rawlik notified the TOC that monitoring at S-150 will be suspended for about one year while the structure is being rebuilt. Pete also noted that it was not used for water supply this year, and that at this point, there is not expected to be any flow during the construction period. *[Note: When operable, the structure can be used for water supply deliveries, but it is not a primary structure for water supply purposes.]*

Pete then presented an overview of alterations in monitoring locations along Tamiami trail, made in response to recent infrastructure changes, including construction of the bridge. Due to the addition of the bridge and guardrail, monitoring the existing culvert sites has become

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a safety hazard for field staff. Pete formally recommended modification of project PIN along L-29 and to defer selection of the marsh monitoring site to the Appendix A subteam (for more details, see presentation, slides 5 and 6), and indicated that the new strategy could begin as early as May.

Melissa Martin agreed with moving forward on the monitoring changes as soon as possible. Donatto Surratt requested that Ernie Marks add an agenda item to the next Appendix A subteam meeting to discuss where the marsh station should be located.

## **TOC Consensus:**

The TOC approved the proposed L-29 monitoring to start as early as possible. Selection of the marsh station will be deferred to the Appendix A subteam.

## **Associated online documents:**

- [Monitoring Alterations Along Tamiami Trail Presentation](#)

10:25 a.m. **3. Third Quarter 2013 Settlement Agreement Report** – Stuart Van Horn, SFWMD

Stuart Van Horn reviewed the status of completed action items related to the Settlement Agreement Report from previous meetings, noting that: (1) S-174 was excluded from the report starting with the third quarter 2013 report, (2) Refuge data is now being posted on the TOC website as soon as possible after it becomes available, (3) a new spreadsheet with flow data, total phosphorus (TP) concentration data, and provisional TP compliance information for Shark River Slough (SRS) is now being posted to the website quarterly, and (4) the SRS section is not presented in the current report. Stuart also reminded the TOC of two items related to quarterly reporting: (1) a SRS section will only be presented once a year, in the third quarter report, after the USGS data are available, and (2) about revisions to the schedule that were made to allow data sets to be put together before meeting dates.

Donatto Surratt requested that District staff make it clear in the report when the final approved USGS flow data will be available, and a phone participant (Bill Walker) requested that all available daily flow data (not just flows for days when sampling occurred) be included in the SRS quarterly provisional data spreadsheets to enable compliance calculations to be performed. *[Note: Provisional daily flow data may be retrieved at any time by copying and pasting the link from Appendix B of the Settlement Agreement Report into a web browser. Users can change the dates in the link to their dates of interest.]*

Stuart Van Horn presented Refuge compliance information for the Settlement Agreement Report for the first and second quarters of 2013 (January–March and April–June, respectively). The monthly geometric mean concentrations were below the long-term limits during both quarters. In February 2013, there was insufficient water depth to collect one of the samples. In the May 2013 sampling trip at site LOX11, a sample was inadvertently discarded. The resampling protocol was followed, but it was not possible to resample due to a storm event.

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Stuart then presented the third quarter Settlement Agreement Report (July–September 2013). Stuart’s presentation covered provisional results for SRS; however, the current report does not contain those results based on previous TOC agreement. At S-12B, sampling is required when flow occurs. On July 15, field staff were at the site, but there was no flow, so no sample was taken. Later that day, after the crew had departed, flow occurred. This was the only day where there was flow but no sample collected. There were 12 missing daily flow values in the provisional data for S-12C in June–August 2013, but these gaps should be filled by the USGS in the final approved data. Stuart indicated the report will be updated with SRS results when final approved data are available.

→ **Action Item #1:** District staff will ensure that there is a statement within the Settlement Agreement Report indicating when the final approved USGS flow data for Shark River Slough is expected to become available.

#### Associated online documents:

- [Settlement Agreement Report, First Quarter 2013 \(January–March 2013\)](#)
- [Settlement Agreement Report, Second Quarter 2013 \(April–June 2013\)](#)
- [Settlement Agreement Report, Third Quarter 2013 \(July–September 2013\)](#)
- [Settlement Agreement Report, First Quarter 2013 Presentation](#)
- [Settlement Agreement Report, Second Quarter 2013 Presentation](#)
- [Settlement Agreement Report, Third Quarter 2013 Presentation](#)
- [Quality Assessment Report for Water Quality Monitoring, First Quarter 2013](#)
- [Quality Assessment Report for Water Quality Monitoring, Second Quarter 2013](#)
- [Quality Assessment Report for Water Quality Monitoring, Third Quarter 2013](#)
- [Provisional Shark River Slough TP Tracking Report, First Quarter 2013](#)
- [Provisional Shark River Slough TP Tracking Report, Second Quarter 2013](#)
- [Refuge TP Compliance Table \(updated 9/30/2013\)](#)
- [Refuge TP Compliance Table \(updated 12/17/2013\)](#)
- [Refuge TP Compliance Table \(updated 3/19/2014\)](#)
- [Refuge's Enhanced Water Quality Program Monthly Sampling, April–June 2013](#)
- [Refuge's Enhanced Water Quality Program Monthly Sampling, July–September 2013](#)
- [Refuge's Enhanced Water Quality Program Monthly Sampling, October–December 2013](#)

#### 11:05 a.m. 4. Discussion of Water Year 2012 Shark River Slough Compliance – Juli LaRock, SFWMD

Juli LaRock reminded participants that there would be an opportunity for public comments near the end of the meeting. Juli then noted that there have been several TOC discussions since 2012 about the matter of WY2012 Shark River Slough compliance. The action item from the last TOC meeting (5/14/2013) was that the TOC representatives would consult their agencies and come back to the next meeting with a plan for how to address this and future potential exceedances that may occur.

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Since then, there has been discussion among the agencies, and the following language has been proposed as a way to resolve the matter of WY2012 SRS compliance: “The TOC has reached consensus on a technically based recommendation for compliance with Appendix A. Based on current circumstances and information, including a review of the data relevant to the 12-month flow-weighted mean TP concentration for Shark River Slough for Water Year 2012 as set forth above, the TOC representatives agree that the measures planned and currently underway, including implementation of measures in the State NPDES and EFA permits and associated Consent Orders, are expected to achieve the requisite water quality in inflows from the Water Conservation Areas to Shark River Slough. The TOC will continue to review the impact, if any, that implementation of federal and state projects and actions have on Appendix A requirements. Based on the consideration of the downward trends for the flow-weighted means, the trends for the frequencies of samples exceeding 10 parts per billion, and other information, the TOC does not believe that any further technical analysis of the WY2012 Shark River Slough water quality data is needed by the TOC.”

Melissa Martin affirmed the language and moved to adopt it. Donatto Surratt seconded the motion. Sean Smith agreed with the motion, and noted that the TOC never concurred on the use of the resampled data from the December 8, 2011 event. On behalf of the FDEP, Frank Powell expressed thanks to all involved in helping to resolve the matter and find a path forward.

#### **TOC Consensus:**

The TOC unanimously agreed with the proposed language and the approach to focus on restoration and a path forward.

#### 11:10 a.m. **5. Water Conservation Area 1 Annual Total Phosphorus Criteria Compliance Assessment – WY2013** – Paul Julian II, FDEP

Paul Julian presented results of the annual assessment of Water Conservation Area 1 compliance with the provisions of the State water quality standards for phosphorus within the Everglades Protection Area (“TP Rule”, 62-302.540 F.A.C.). For WY2013, unimpacted stations passed the TP Rule, but impacted stations did not.

#### **Associated online documents:**

- [Water Conservation Area 1 Annual Total Phosphorus Criteria Compliance Assessment - WY2013](#)
- [Data Used for Annual Total Phosphorus Criteria Compliance Assessment](#)

#### 11:15 a.m. **6. Update of the Appendix A Subteam** – Ernie Marks, FDEP

Ernie Marks gave a brief background on the subteam and its activities since the last TOC meeting (May 14, 2013). Since then, there have been 10 subteam meetings, focused on short-term (e.g. S-356 operational test and Tamiami Trail bridge), mid-term (e.g. mod

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waters and operational or regulation schedule changes based on biological opinions or projects coming online), and long-term (e.g. Central Everglades Planning Project) effects that may need or require changes in monitoring or methodology. These discussions are ongoing, and the team is looking at conceptual changes to monitoring and methodologies to address some of these near-term and long-term concerns.

## 11:20 a.m. **7. Public Comment (as requested)**

Drew Martin (Sierra Club) expressed concern about a lack of water flowing under the new Tamiami Trail bridge, and wondered if it would be possible to move more water south and still meet standards. Sierra Club would like to see more water flowing into the park, as long as it can meet water quality standards.

Bill Walker (consultant for the U.S. Department of the Interior) commented that he has looked at flows to the area and, generally, there have been downward trends in phosphorus concentrations in inflows to the Park. Bill also expressed a desire for TOC meetings to be webcast to make viewing and participation easier for remote participants.

→ **Action Item #2:** Juli LaRock will look into ways to make it easier for participants to access documents and associated files related to meetings, and to make some improvements for the next meeting.

## 11:30 a.m. **8. TOC Closing Business** – Juli LaRock, SFWMD

Quarterly meetings were scheduled for July 29 and October 21. There were no requests for special meetings.

Juli LaRock adjourned the meeting.