

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

January 26, 2016

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

TOC Representatives:

Juli LaRock, TOC Chair, SFWMD	Frank Powell, FDEP
John Barkett, Special Master (<i>by phone</i>)	Mark Shafer, USACE
Lori Miller, 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). 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 and welcomed attendees. Phone participants introduced themselves.

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

Juli LaRock reviewed the agenda and the list of files recently posted on the TOC website or sent by email. There were no requests for changes to the agenda.

1C. Approval of Meeting Summary for October 27, 2015

The TOC did not request any changes, and approved finalizing the draft meeting summary.

Associated Online Documents:

- [Final Agenda for January 26, 2016](#)
- [Final Meeting Summary for October 27, 2015](#)

10:09 a.m. **2. Update on Process for Dealing with Excursions** – Juli LaRock, SFWMD

Juli LaRock summarized last meeting's discussion about the process of dealing with excursions in the Refuge or Shark River Slough, and reviewed the three questions posed in the proposed process language. TOC representatives reported to their principals, who met on December 3, 2015. Juli reported that District principals are okay with using the proposed process in the future. Mark Shafer indicated that federal staff have agreed to certain language (drafted or redrafted the memo) and passed it to the District. Frank Powell said that FDEP principals agreed with the proposed approach. Donatto Surratt spoke with the ENP principal who agreed to the language and sent it back to the state for final review. John Barkett reminded the TOC that any language drafted must be consistent with the terms of the Settlement Agreement. The only thing remaining to complete adoption of the proposed process is to receive the final signed language from the principals.

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Associated Online Documents:

- [Process for Dealing with Excursions \(proposed language\)](#)

10:13 a.m. 3. Third Quarter 2015 Settlement Agreement Report – Stuart Van Horn, SFWMD

Stuart Van Horn presented results for the third quarter of 2015 (July–September) along with annual compliance for Taylor Slough and Coastal Basins, for which final results are available.

Refuge TP geomean values for the quarter were below the long-term level. For July 2015, water levels were below 15.42 ft NGVD29, the minimum required to calculate the long-term level, so it did not apply. For Taylor Creek and Coastal Basins, the long-term limit was not exceeded during the quarter.

Provisional Refuge TP values for October–December 2015 were below the long-term level. For the December 2015 sampling trip, the sampling protocol guidance approved by the TOC in January 2009 was implemented to allow resampling due to an issue with the original sample set. The issue was that samples collected at LOX14 and LOX15 had a mix-up between the labels on the bottles and the labels on the caps. Since it was not possible to be certain which sample was from which site, those bottles were discarded and not analyzed by the lab. Resampling of those two sites was performed the following day. Provisional results for both the original sample set (12 sites) and the resampled set (14 sites) were below the long-term level.

Interim flow-weighted mean TP values for Shark River Slough for the 12-month periods ending in July, August, and September 2015, were below the long-term limits for each period, and the percent of events greater than 10 ppb was below the guideline for the three periods. These results are not anticipated to change when the final data become available.

Final flow-weighted mean TP values for Taylor Slough and Coastal Basins for the 12-month period October 2014–September 2015 were below the long-term limit, and the percent of events greater than 10 ppb was below the guideline.

Donatto Surratt reminded the TOC that when they established the policy for resampling, they also decided not to include those results in the compliance calculation, but instead would use the resampled values for interpretation purposes if there was an exceedance or concern. Donatto also noted that the way water is governed to go into ENP is based on the water regulation schedule, which also includes a component based on the rainfall plan. So although it was dry during the third quarter of 2015, the water regulation schedule never really allowed water to go through Shark River Slough during the early part of the wet season.

In response to a question from Frank Powell, Stuart clarified that during July to September 2015 the S-355A and B structures were closed, had no flow, and no samples were collected there. Stuart reminded the TOC that at a previous meeting he went over how S-355A and B were provisionally incorporated into a calculation based on a test done in 2006, and the TOC has not yet moved forward on how to incorporate that information.

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Associated Online Documents:

- [Settlement Agreement Report, Third Quarter 2015 \(April–June 2015\)](#)
- [Settlement Agreement Report, Third Quarter 2015 Presentation](#)
- [Quality Assessment Report for Water Quality Monitoring, Third Quarter 2015](#)
- [Refuge TP Compliance Table, Updated through Third Quarter 2015](#)
- [Provisional Shark River Slough TP Tracking Report, Third Quarter 2015](#)

10:43 a.m. **4. Recommendations to the TOC Concerning Monitoring for the Settlement Agreement** – Pete Rawlik, SFWMD

Pete Rawlik gave an update on the TOC water quality sub-team, and proposed a number of recommendations for TOC approval: (1) reduce atmospheric deposition stations by three to leave only the two sites at L6 and ENP; (2) reduce pesticide monitoring to semi-annual frequency; (3) determine parameters and sampling frequency for diversion structures (G-300, G-301, G-338, and G-339); and (4) allow sub-team to continue so it can examine other issues.

Donatto Surratt agreed with three of the recommendations but requested that the pesticide monitoring frequency change be postponed. Lori agreed, and requested that the two atmospheric deposition stations be made a top priority for operations and maintenance so that neither station would be down for more than two weeks. Mark Shafer and Frank Powell mirrored Donatto's statement. Donatto recognized the Miccosukee Tribe, a member of the memorandum of agreement with the U.S. Department of the Interior, for raising awareness about the need for more detail to be focused on the pesticide assessment.

In public comments, Melodie Naja (Everglades Foundation) suggested that the team consider water quality monitoring based on Appendix D of the Consent Decree. James Erskine (Miccosukee Tribe) emphasized the importance of adequate monitoring to achieve Everglades restoration, and expressed that the Tribe agrees with the TOC consensus for this agenda item, including the desire to postpone the decision on pesticide monitoring.

TOC Consensus:

The recommendations are approved, except for the change to pesticide monitoring frequency, which should be postponed. Operations and maintenance efforts should continue to keep the two remaining atmospheric deposition stations operating.

Associated Online Documents:

- [Recommendations to the TOC Concerning Monitoring for the Settlement Agreement](#)

10:52 a.m. **5. Update on Sub-Committee for Dealing with Refuge Stage Data Gaps** – Donatto Surratt, Everglades National Park

Donatto Surratt gave an update on the TOC sub-committee for filling stage data gaps for the Refuge. Since the last update, the sub-committee reached out to the District to discuss the

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process and the evaluation so far. It was determined that the state needs a method that would allow it to pull data from an official federal record. The sub-team reached out to the USGS and the Everglades Depth Estimation Network (EDEN) group, and Paul Conrad (USGS) is reviewing the approach and associated manuscript, and conducting additional analysis to determine which approach is best. If they agree that the sub-team's approach is better, they will incorporate it into EDEN. An update will be given at the next TOC meeting.

11:00 a.m. **6. Update on Appendix A Sub-team** – Paul Julian, FDEP

Paul Julian reported that the team met on January 20 and discussed alternative methodologies for dealing with S-356 in the context of Appendix A. The team is currently reviewing information presented at the meeting and following up on action items. The next meeting is planned for early April.

11:02 a.m. **7. Public Comment**

Earlier public comments were made during agenda item 4 and are included under that item, above. There were no additional public comments; however, Melodie Naja (Everglades Foundation) asked Paul Julian where to get S-356 water quality data. Paul indicated the data are available in DBHYDRO.

11:04 a.m. **8. TOC Closing Business** – Juli LaRock, SFWMD

The next quarterly meeting is scheduled for April 26, and a subsequent quarterly meeting was scheduled for July 19, 2016.

Juli LaRock adjourned the meeting.