

MEETING NOTES
Quarterly Meeting of the
Technical Oversight Committee (TOC)

South Florida Water Management District (SFWMD)
B-1 Auditorium
3301 Gun Club Road, West Palm Beach, FL 33406
Tuesday, May 23, 2006, 10:00 a.m.

Attendees: A sign-in sheet is available and all attendees were requested repeatedly to sign in.

TOC Representatives Present:

Garth Redfield, TOC Chair, SFWMD
Nick Aumen, NPS/ENP
Frank Nearhoof, FDEP
Mike Waldon, USFWS
Paul DuBow, USACE

Note: This meeting was recorded by a court reporter and copies are available for purchase; contact Rufino Osorio in the District's Office of Counsel (561-682-6261). Handouts and presentations are also available on the TOC website (<http://www.sfwmd.gov/org/ema/toc/index.html>).

Items are organized in order of discussion.

Modifications to the Agenda (Attachment 1) Garth Redfield (TOC Chair), SFWMD

- Item number 4D, Revising the Lake Okeechobee Regulation Schedule, was deferred to the next regular meeting.
- Item number 3E, Changes in Monitoring at S5A-D, was postponed.
- Item number 7B, Possible Effects of Recent Modifications in Marsh Sampling, was requested to be moved up in the agenda order. Chair will move the item up if needed to ensure that it is covered fully during the meeting.

Agenda Item #1. Approval of TOC meeting notes from October 18, 2005, December 1, 2005 and February 21, 2006 meetings (Attachment 2) Garth Redfield, SFWMD

Only February 21, 2006 minutes were available, but had not been read by the representatives. It was agreed that they would be discussed later in the meeting.

Action Item: Minutes from the other meetings will be forthcoming for posting and review.

Agenda Item #2. Presentation of the Settlement Agreement Report, Pamela Lehr, SFWMD

Pamela Lehr reviewed the current Settlement Agreement Report (**Attachment 3**) through the associated Summary Tables (**Attachment 4**) covering the period January through March 2006.

Agenda Item #3. Topics and schedule for future TOC meetings

The following topics were discussed by TOC and there were several recommendations:

- A. **Compliance with State TP Rule or Settlement Agreement** – Recommendation, a major topic to be scheduled for the Special TOC meeting on June 16, 2006.

Action Item: Supporting documents will be posted by Wednesday, June 16, 2006 by 12:00 noon.

- B. **Loading to the Refuge and Achievement Methodology** – No TOC recommendation.
- C. **Extending the temporary deviation to, and revision of, the Refuge regulation schedule;** Recommendation, a topic to be discussed at the June 16, 2006 Special TOC meeting.

- D. **Determining water quantity requirements for the Refuge** – No recommendation.
- E. **Update on Refuge Model** – Recommendation, TOC presentation after September 2006.
- F. **Update on Enhanced Refuge Monitoring** – Recommendation, TOC presentation after September 2006.
- G. **Update on PSTA Demonstration projects** – No recommendation.

The Refuge requested that biological monitoring for water quality be considered at a future meeting of the TOC – No recommendation on scheduling.

Action Item: Discussion of the topics A through H above resulted in a recommendation for the following general action: TOC Representatives will ask their Principals to provide guidance to TOC as to what areas of Consent Decree monitoring the TOC must recommend for approval. The language in the Settlement Agreement on TOC review is very broad and the question of how detailed the TOC review needs to be remains to be interpreted.

Action Item: It was recommended that TOC materials for upcoming meetings be posted no later than 48 hours ahead.

Action Item: Further discussion of the above items resulted in: Items A and C scheduled for the June 16 meeting, Susan Sylvester will make a presentation on item C and the Chair suggested looking at 5 years of data on how water has been moved in and out of the Refuge. Items F and G delayed due to limited staff availability at DOI.

H. TOC meeting dates:

- Special Meeting was scheduled for Friday 6/16
- Other Possible Special Meeting Date – 7/25
- Proposed Quarterly Meeting: 8/29 or 9/15

Public Comment: There was a public comment from Charles Lee, Audubon Society suggesting that BMPs be discussed by TOC as a future topic. The Chair recommended that Mr. Lee send a request to the Principals concerning when and what specific topics he would like to see discussed by TOC.

Agenda Item #4. Updates of Interest to TOC:

- A. **S-12 Dredging Project** Susan Sylvester, SFWMD – Susan Sylvester made a brief announcement concerning the maintenance plan (**Attachment 5**) for S-12D as an information item for TOC.

[Lunch break 11:50 a.m.; TOC reconvened at 12:25 p.m.]

- B. **Status of the STAs and their Recovery** Jana Newman, SFWMD – Jana Newman provided a presentation (**Attachment 6**) on the status of the STAs, particularly STA-1W. Her presentation was followed by a lengthy discussion and questions on STA recovery.
- C. **Update on Monitoring Network for TP Rule** Frank Nearhoof, FDEP – Frank Nearhoof provided a brief presentation (**Attachment 7**) FDEP's approach to monitoring and assessing achievement with the TP Rule.

Agenda Item numbers 6 and 7 were moved up in the agenda per request at the beginning of the meeting.

Agenda Item #6. Total Phosphorus Analyses and Inter-laboratory Differences between SFWMD and FDEP? Tim Fitzpatrick, FDEP Laboratory Director

Tim Fitzpatrick provided a presentation (Attachment 8) followed by a lengthy discussion of uncertainty in laboratory measurements.

Action Item: It was requested that the comparison of methods between labs highlighting step-by-step procedural differences, be provided to the TOC.

[Short break @ 2:27 p.m.]

Agenda Item #7. Changes in Sampling Procedures in the Refuge

- A. **Update on Field Sampling Procedures**, Delia Ivanoff SFWMD – Delia Ivanoff provided a summary of changes made in marsh sampling procedures (**Attachment 9**).
- B. **Possible Effects of Recent Modifications in Marsh Sampling, Nick Aumen, NPS and Mike Waldon, USFWS** – There was a discussion regarding revised standard sampling procedures and the TP values since July 2005. Nick Aumen requested Delia Ivanoff to provide the revised sampling language at the next quarterly meeting of the TOC to clarify how sampling should be done.

Action Item: Some additional SOP text to clarify sampling procedures relative to flocculent material in the water. Delia Ivanoff will provide draft language.

Agenda Item #5. Requests for Modifications to Settlement Agreement Monitoring

- A. **Request for Modifications to Settlement Agreement Mandated Monitoring**, Peter Rawlik, SFWMD – Pete Rawlik gave a presentation (**Attachment 10**) followed by some discussion of changes being requested and the role of the TOC in recommending detailed changes in monitoring. Frank Nearhoof moved the recommendation and Mike Waldon seconded it. It was unanimously passed by the TOC.

Action Item: The role of the TOC in recommending detailed monitoring procedures needs to be clarified by the Principals.

- B. **Request to Discontinue Wet Atmospheric Deposition Monitoring**, Bahram Charkhian, SFWMD – Bahram Charkhian summarized current monitoring of wet deposition and problems being encountered (**Attachment 11**). Discussion concerned utility of atmospheric data that has been collected. Discussion continued on how to better monitor deposition. No consensus on request to discontinue monitoring, but it was decided to follow up on this at the next quarterly meeting.

Action Item: Provide additional information on approaches to deposition monitoring and ways of improving the data and assessing.

Agenda Item #8. General Public Comment

There were no additional public comments.

Chair adjourned the meeting at 4:30 p.m.