

**Quarterly Meeting of the  
Technical Oversight Committee (TOC)**

**Tuesday, August 31, 2010**

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

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**TOC Representatives:**

Garth Redfield, TOC Chair, SFWMD  
Stacey Feken, FDEP  
Sean Smith, USACE (by phone)

Mike Waldon, Refuge  
Nick Aumen, NPS/ENP  
John Barkett, Special Master (by phone)

**Note:** This meeting was recorded by a court reporter and copies are available for purchase; contact Florida Court Reporting (561-689-0999). Handouts and presentations are also available on the TOC website ([www.sfwmd.gov/toc](http://www.sfwmd.gov/toc)).

10:10 a.m.      **TOC Meeting Called to Order by TOC Chair**

**Modifications to the Agenda and Announcement of Documents Available on the TOC Website** – Garth Redfield, SFWMD

No changes to the agenda were requested.

**Agenda Item #1, Approval of May 18, 2010, TOC meeting notes** – Garth Redfield, SFWMD

The May 18, 2010, meeting notes were approved.

10:15 a.m.      **Agenda Item #2. Presentation of the Settlement Agreement Report, Second Quarter 2010** – Stuart Van Horn, SFWMD

Following the presentation, Nick Aumen, NPS/ENP, expressed his continued concern over the total phosphorus concentrations measured in samples from Shark River Slough and whether the results will be in compliance when measured for the federal water year ending in September 2010. Gene Duncan, Miccosukee Tribe of Indians, is concerned by the TOC's interpretation of the Settlement Agreement's requirements for compliance at Shark River Slough. Mike Waldon, USFWS/Refuge, commented that compliance may not be reached since the recent dry season had more rainfall than normal and that will affect the TP concentrations during the current wet season.

10:35 a.m.      **Agenda Item #3A. Update on STAs and Related Projects** – Francis Laroche and John Mitnik, SFWMD

After the presentation, Special Master John Barkett mentioned that the full presentation given by John Mitnik was not on the TOC web site. This will be fixed after the meeting.

10:50 a.m.      **Agenda Item #3B. Update on Refuge Monitoring and Modeling** – Matt Harwell, USFWS/Refuge

After the presentation Garth Redfield noted that due to copyright issues, published scientific papers can no longer be added to the TOC web site. Matt Harwell suggested people looking for the papers can contact the USFWS directly for papers they author.

11:10 a.m.      **Agenda Item #3C. Update on Periphyton-based Stormwater Treatment Areas (PSTA)** – Sean Smith, USACE

The USACE PSTA project will continue at STA-1E until the end of 2010. The USACE will then examine the data and determine whether to continue the project. The decision process is expected to take approximately nine months.

➔ **Action Item #1:** Sean Smith or another USACE representative will present the PSTA data and findings to the TOC after the project ends.

➔ **Action Item #2:** Sean Smith will send an itemized milestone schedule for STA-1E activities to Garth Redfield for posting on the TOC web site.

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11:15 a.m.      **Meeting Recess**

11:25 a.m.      **Agenda Item #4. Everglades Restoration Transition Plan (ERTP) – Susan Conner, USACE**

The ERTP will replace the current Interim Operation Plan for Protection of the Cape Sable Seaside Sparrow (IOP). The USACE is looking for input from the TOC regarding the water quality impacts of the proposed alternatives. The current preferred alternative would lower the upper boundary of the regulation schedule but leave the lower boundary as it is. A preliminary analysis indicates that this will increase flow into the ENP and may slightly raise flow-weighted phosphorus concentrations.

Carol Wehle, SFWMD, expressed her concern that an alternative could be chosen for the ERTP without looking at the potential effects on water quality. She would like the TOC to hear presentations on all projects that could have water quality impacts on the area covered by the Settlement Agreement. She also asked the TOC to give input on how the SFWMD can provide more water to the system when that water does not yet meet the QBELs that have been established.

Nick Aumen agreed with many of Carol Wehle's statements. He noted that part of the water quality problems are coming from the expectation that the water would be cleaner by now. He also stated that while water quality modeling of the ERTP alternatives is required, Bill Walker is currently involved with other Everglades modeling efforts and is unable to assist.

Gene Duncan stated that major damage is occurring in WCA-3 due to the current IOP. At times the extra water is creating threats to human life. In addition, while the Cape Sable seaside sparrow is benefiting from the current regulation schedule, extra water in WCA-3 is harming tribal lands and Everglade snail kite habitat.

Mike Waldon mentioned that it is important to think of the risk of future water quality problems and include water quality analysis when planning future projects. He would like to see a presentation to the TOC detailing the SFWMD's efforts with the Regional Simulation Model (RSM).

Garth Redfield asked the USACE to develop a preliminary analysis of the ERTP alternatives and provide that to the TOC members for their scientists to examine. The TOC members can then use that analysis to develop predictions for the effects on water quality.

➔ **Action Item #3:** Susan Conner will develop a schedule to determine whether her team can perform a preliminary analysis of the ERTP alternatives and give TOC member agency staffs time to review and perform their own analysis before the proposed special TOC meeting on October 19, 2010.

12:45 p.m.      **Agenda Item #5. Public Comment**

Gene Duncan commented that the Miccosukee Tribe was opposed to the construction to raise Tamiami Trail because of water quality concerns, but the project is going forward anyway. He would like future projects to take a stronger look at possible changes to water quality before they are approved.

12:50 p.m.      **Agenda Item #6. Future Meeting Dates**

The next TOC Quarterly meeting will be November 23, 2010. A special meeting to further discuss the ERTP is tentatively planned for October 19, 2010.