

**Quarterly Meeting of the
Technical Oversight Committee (TOC)
November 29, 2011**

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

TOC Representatives:

Garth Redfield, TOC Chair, SFWMD
Ernie Marks, FDEP (by phone)
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; for more information, contact Florida Court Reporting (561-689-0999). Handouts and presentations are also available on the TOC website (www.sfwmd.gov/toc).

10:00 a.m. **Meeting Called to Order by TOC Chair**

Agenda Item #1A. Welcome and identification of those on the phone

Agenda Item #1B. Agenda modifications and documents available on the TOC web site – Garth Redfield, SFWMD

Garth asked if any changes to the agenda (**Document 1**) were required; none were requested.

Agenda Item #1C. Approval of September 14, 2011, draft meeting notes and review of action items – Garth Redfield, SFWMD

Garth Redfield asked if the TOC members had any changes to the notes from the September 14, 2011, meeting (**Document 2**). None were requested and the notes were approved. Mike Waldon did wish to note that he disagrees with some of the conclusions reached by Wossenu Abteu in his presentation on the 2010–2011 draught at the last TOC meeting. Mike does not think low water levels in the Refuge are due to antecedent conditions, but does not want to pursue any specific technical follow-up at this time.

Associated Online Documents

1. [Agenda for TOC Meeting, November 29, 2011](#)
2. [TOC Meeting notes from September 14, 2011](#)

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

Stuart Van Horn presented the Settlement Agreement Report for July–September 2011 (**Documents 3 and 4**). The Quality Assessment Report for Water Quality Monitoring (**Document 5**) is also available. All values were in compliance.

Discussion followed the Report presentation with questions raised over physical changes occurring in the field that might influence phosphorus concentrations. Although chemistry values are in compliance, discussion included what possible monitoring is being done to track potentially relevant information. Questions were also raised about performing new surveys through the USEPA Regional Environmental Monitoring and Assessment Program (REMAP).

- ➔ **Action Item #1:** TOC representatives will work with their agencies to develop a plan to request a new round of REMAP from USEPA with a narrow scope of required data.
- ➔ **Action Item #2:** TOC representatives will examine the information available to determine what additional analyses can be done with existing data.

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- **Action Item #3:** TOC representatives will work with individual agencies' management to get an endorsement from principals to support an interagency effort to analyze existing data.

Associated Online Documents

3. [Settlement Agreement Report, July - September 2011](#)
4. [Settlement Agreement Report Presentation, July - September 2011](#)*
5. [Quality Assessment Report for Water Quality Monitoring, July - September 2011](#)

11:20 a.m. **Agenda Item #3. XYZ Transects in the Refuge Discussion –**
Temperince Morgan, SFWMD

Mike Waldon reviewed the history of the XYZ transects. He is concerned that since data collection ended in 2009, the Consent Decree is not being fulfilled and the data will not be available. Temperince Morgan added additional information about the origins of the transects and why sampling ceased. During the discussion, it was mentioned that the Z transect is included in the draft permits for some of the STAs. The SFWMD, FDEP, and USEPA will discuss this issue in the future. It was also asked that the District let the TOC know before making monitoring changes that may be germane to the TOC and the Consent Decree.

- **Action Item #4:** TOC representatives will go to their principals with a request to assess current monitoring plans and analyze whether they are fulfilling objectives and meeting requirements following reductions in monitoring over recent years.

11:50 a.m. **Agenda Item #4A. STA-1 East Status Report Update –**
Eric Bush, USACE

Eric Bush presented an overview and update on current work in STA-1E (**Document 6**). Discussion following his presentation raised the question on the mandate for the USACE to meet possibly revised water quality standards through STA-1E.

- **Action Item #5:** TOC representatives will go to their principals with a request to develop a consensus on the understanding of the agreement between the USACE and SFWMD regarding USACE's responsibilities for modification to STA-1E to achieve water quality standards.

Associated Online Documents

6. [C-51 West Palm Beach Canal/STA-1E Project Update](#)

12:20 p.m. **Agenda Item #4B. STA-1 East Periphyton STA (PSTA) Project –**
Chris Keller, Wetland Solutions, Inc./Terry Cake, ANAMAR Environmental

Chris Keller presented the independent analysis of the PSTA project at STA-1E and Flying Cow Road (**Document 7**).

1:00 p.m. Lunch Break

* **Note:** The presentation given during the meeting included the wrong version of slides 2 and 15. The slides did not show the alternate values for flow-weighted mean TP concentrations and observed percent of sampling events greater than 10 ppb if flagged data were included. The correct slides are available online.

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- 1:40 p.m. **Call to Order**
Agenda Item #4B. Continued
- ➔ **Action Item #6:** TOC representatives will send written comments on the draft STA-1E Periphyton STA Final Report distributed prior to the meeting and discussed in Agenda Item 4B to Eric Bush within a week.
 - ➔ **Action Item #7:** Garth Redfield will send information on the PSTA research at STA-3/4 that was presented at a recent Long-Term Plan meeting to Nick Aumen.
- Associated Online Documents**
7. [STA-1E Periphyton Stormwater Treatment Area \(PSTA\) Final Report](#)
- 2:00 p.m. **Agenda Item #5A. Update on STA-Related Projects –**
John Mitnik, SFWMD
- John Mitnik presented an update on Compartment B and C construction (**Document 8**).
- Associated Online Documents**
8. [STAs and Related Projects Update - Part 2 for November 29, 2011, TOC Meeting](#)
- 2:10 p.m. **Agenda Item #5B. Update on Refuge Monitoring and Modeling –**
Mike Waldon, USFWS
- Mike Waldon reviewed the recent Refuge monitoring and modeling and stated the associated files are available (**Document 9**). The Refuge's agreement with University of Louisiana-Lafayette is scheduled to expire next month.
- Associated Online Documents**
9. [Refuge's Enhanced Water Quality Program Monthly Sampling, July-September 2011](#)
- 2:15 p.m. **Agenda Item #5C, Update on Data Usability Document –**
Ernie Marks, FDEP
- Ernie Marks reviewed the progress being made on the Data Usability Document. The cover memorandum (**Document 10**) was included and discussion focused on how to handle outliers. Mike Waldon raised the issue that the proposed outlier analysis would result in identifying outliers too frequently. Garth Redfield and Ernie Marks requested an example of how the outlier analysis would have this result.
- ➔ **Action Item #8:** TOC representatives will send written comments on the cover memo to Ernie Marks.
 - ➔ **Action Item #9:** Mike Waldon and Donatto Surratt will prepare a real-world example of problems with the application of the proposed outlier analysis in response to the request from the state parties.
- Associated Online Documents**
10. [Memo Addressing Comments on the Process for Assessing Data Usability Document and Recommendations to the TOC](#)
- 2:30 p.m. **Agenda Item #5E, Status of Diversion Requirement in Permits –**
Ernie Marks, FDEP (*This item was moved up in the agenda*)
- Ernie Marks gave an update on language in permits related to diversions. Diversion information is reported in Volume III, Appendix 3-1, Table 8 of the annual South Florida Environmental Report (in previous years, it was reported in Volume I).

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- 2:40 p.m. **Agenda Item #5D, Update on Collection of Qualitative Vegetative Metadata –**
Brad Robbins, SFWMD
- Brad Robbins gave an update regarding the District's work with the Refuge to accommodate the Refuge's needs for vegetative data collected during sample collection.
- **Action Item #10:** SFWMD will present an update at the next TOC meeting.
- 2:45 p.m. **Agenda Item 6. Public Comments**
- No public comments were requested
- 2:50 p.m. **Agenda Item 7. TOC Meeting Dates**
- The next quarterly TOC meetings are currently scheduled for **February 28, 2012**, and **May 30, 2012**.
- 2:55 p.m. **Meeting Adjourned**