

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

February 18, 2020

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

TOC Representatives:

Julianne LaRock, TOC Chair, SFWMD	Lori Miller, Refuge
John Barkett, Special Master <i>(by phone)</i>	Frank Powell, FDEP
Daniel Crawford, USACE	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 (<https://www.sfwmd.gov/our-work/toc>). A video of the meeting is available online at <http://sfwmd.igm2.com/Citizens/Media.aspx>.*

10:00 a.m. **1. TOC Opening Business** – Julianne LaRock, SFWMD

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

Julianne LaRock, SFWMD, called the meeting to order and welcomed attendees. Phone participants introduced themselves.

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

Julianne LaRock reviewed the agenda and the list of files recently posted on the TOC website.

1C. Approval of Meeting Summary for November 5, 2019

There were no changes requested for the November 5, 2019, meeting summary and the TOC approved it.

Associated Online Documents:

- [Final Agenda for February 18, 2020](#)
- [Draft Meeting Notes for November 5, 2019](#)

10:05 a.m. **2. Third Quarter Settlement Agreement Report** – Jonathan Madden, SFWMD

Jonathan Madden, SFWMD, presented the 2019 third quarter Settlement Agreement report, which includes results of total phosphorus (TP) monitoring in the Refuge, Shark River Slough, and Taylor Slough and Coastal Basins for July through September 2019. For Shark River Slough and Taylor Slough and Coastal Basins, compliance is based on the federal water year, the 12-month period ending on September 30. The 12-month period ending in September 2019 represents federal water year 2019 (WY2019). WY2019 results for Taylor Slough and Coastal Basins are final, however the results for Shark River Slough are preliminary because they were calculated using provisional flow data. Final results for Shark River Slough will be presented in May 2020, after the United States Geological Survey (USGS) provides final flow data for the S-12 structures.

Refuge 14-station geometric mean TP values for July, August, and September 2019 were below the computed long-term levels. All values over the past 36 months have been below

the long-term level except the October 2017 value, which was 0.4 parts per billion (ppb) above the long-term level. The average over the 36 months ending September 2019 was 6.9 ppb, which is below the long-term goal stated in the Consent Decree for these stations. On average, the values are 2.8 ppb below the long-term levels during the 36-month period. Preliminary geometric mean TP concentrations for October 2019 through January 2020 are below their respective long-term levels.

Shark River Slough preliminary TP flow-weighted mean concentrations (FWMC) for the 12-month periods ending in July, August, and September 2019 were calculated using two methods. Using Method 1, the FWMC for the period ending in July 2019 (9.4 ppb) was equal to the long-term limit, but the values for periods ending in August and September 2019 (both 10.0 ppb) were slightly above their respective long-term limits (9.6 and 9.7 ppb, respectively). Using Method 2, the FWMC only exceeded the long-term limit for the period ending in September 2019, with a FWMC of 9.4 ppb and a limit of 9.2 ppb. The observed percentages of sampling events with a FWMC greater than 10 ppb was above the guideline values for all three periods for Method 1, and for the period ending August 2019 for Method 2.

Taylor Slough and Coastal Basins TP FWMC values for the 12-month periods ending in July, August, and September 2019 were calculated using three methods. The FWMC of each period was below the long-term limit of 11 ppb. The 12-month values for the period ending in September 2019 are the WY2019 compliance FWMC. As noted in the presentation, daily flow data are missing for S-18C from September 23–30, 2019, due to USGS equipment becoming inoperable during this period. Consequently, results for the period ending September 2019 were calculated with zero flow for the sampling event on September 24; with a TP value of 3 ppb, FWMC at this station would only be lower if flow had been recorded this day.

Jonathan Madden presented additional supplemental information showing patterns observed for WCA-3A average stage, flow, and TP FWMC to Shark River Slough for WY2016 to WY2019 and in WY2019 Shark River Slough FWMC versus long-term levels with biweekly sampling TP, S-333 headwater stage, and Shark River Slough flow. Donatto Surratt, ENP, noted the differences between Method 1 and 2 FWMC calculations, remarking that Method 2, which incorporates S-356, appears to result in generally lower values than Method 1, which may be a benefit with respect to calculating compliance.

Julianne LaRock reminded the TOC that the final WY2019 data for Shark River Slough are expected to be ready for the May quarterly meeting and that the TOC should be ready to discuss the TP exceedance, applying the Principals' three questions: (1) has the TOC sufficiently evaluated the relevant information for a better understanding of what might have caused the exceedance; (2) has the TOC determined that there is substantial evidence that the exceedance is due to error or extraordinary natural phenomena; (3) if there is no substantial evidence that the exceedance is due to error or extraordinary natural phenomena, has the TOC applied Appendix C to consider what additional remedies may need to be taken?

Frank Powell, FDEP, asked whether a pattern is expected this year at station S333 similar to last year, where a big rain event followed the dry season, raising the stage at the station and resulting in increased TP. Donatto Surratt indicated there has recently been continuous flow through the structure, unlike in previous years, which may help avoid resuspension of phosphorus when the gates are opened, but ultimately we will have to wait and see. Lori Miller, Refuge, said the SFWMD's position analysis indicates water levels will likely be lower

than average in WCA-3A and that rainfall in that area is already average to slightly above average, so hopefully the weather will be favorable.

Action Item: For the next meeting, TOC representatives will be prepared to evaluate the WY2019 Shark River Slough TP exceedance using the three questions from the Principals.

Associated Online Documents:

- [Settlement Agreement Report, July – September 2019](#)
- [Settlement Agreement Report, July – September 2019 Presentation](#)
- [Quality Assessment Report for Water Quality Monitoring, July – September 2019](#)
- [Quality Assessment Report for Water Quality Monitoring, July – September 2019 – Water Quality Data](#)
- [Provisional Shark River Slough TP Tracking Report, Third Quarter 2019 – Method 1 and 2](#)
- [Refuge TP Compliance Table, 2007 through Third Quarter 2019](#)
- [Taylor Slough and Coastal Basins Data Tracking Report, Third Quarter 2019 – Method 1, 2, and 3](#)
- [Appendix A Shark River Slough Supplementary WY2019 Information](#)

10:37 a.m. **3. Compliance Methodologies for Shark River Slough and Taylor Slough and Coastal Basins Under Appendix A – Donatto Surratt, ENP**

Donatto Surratt gave an update on this item that was originally introduced at the last TOC meeting with the goal of reconvening the Appendix A sub-team. Guidance received since then suggested that TOC representatives and their principals have had time to talk and that the sub-team should reconvene, with the understanding that it should be at a very fast pace, with the goal of completing it within the next two TOC meetings, to reduce to a single compliance metric being reported. The other TOC representatives indicated that they and their principals concurred.

Frank Powell noted that the FDEP principal gave the additional direction to manage “scope creep” and time, to be more expedient than in the past, and confirmed FDEP will take the lead in reconvening the sub-team and finding the appropriate location to host the meetings. Julianne LaRock asked the other TOC representatives to be sure to let Frank Powell know if they have membership changes since the previous sub-team. Julianne suggested the sub-team may want to consider both parts of Appendix A and which part is fastest to address first – Shark River Slough may be the most difficult and Taylor Slough and Coastal Basins may be easier and faster. Julianne also mentioned that SFWMD has applied for an operational permit for the S-333N structure, which is part of CEPP south, and is targeting completion for May; the aim is to operate S-333N in conjunction with S-333 to achieve the operational intent of the S-333 structure. This is something that will need to be considered when the sub-team looks at the Shark River Slough methodology.

Donatto Surratt asked whether the TOC or the sub-team should define the scope. Frank Powell advised that the sub-team could update the 2013 vision document with the new vision for presentation to the TOC, in parallel with action to work through the topics.

Donatto Surratt shared that ENP, since 2016, has been engaged in an effort to understand the dynamics driving the spikes in TP that are often seen when going from the dry to the wet season. ENP contracted Florida International University to research this. Phase I is complete

and Phase II has been initiated. ENP would like to present this to the TOC and to get engagement from all the agencies.

Action Item: FDEP will schedule a meeting for the reconvened sub-team before the next TOC meeting, and will take the lead in facilitating the sub-team's meetings. Other TOC representatives will let FDEP know if there have been any sub-team membership changes for their agencies.

10:48 a.m. **4. Public Comment**

Newton Cook, President, United Waterfowlers Florida, praised the agencies for their success at reducing phosphorus entering the Everglades and shared observations about several current issues, including the Combined Operation Plan, the flow of water south through the system, and the main inputs that affect the salinity of Florida Bay.

10:55 a.m. **5. TOC Closing Business** – Julianne LaRock, SFWMD

Julianne LaRock reviewed the main action items covered in the meeting, and the TOC tentatively planned the next quarterly meeting for Tuesday, May 5, 2020.

Julianne LaRock explained that the May meeting is referred to as the “annual meeting” because it is when the official final results for the federal water year are discussed.

10:59 a.m. Julianne LaRock adjourned the meeting.