

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

October 27, 2020

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

TOC Representatives:

Julianne LaRock, TOC Chair, SFWMD
John Barkett, Special Master
Daniel Crawford, USACE

Lori Miller, Refuge
Frank Powell, FDEP
Donatto Surratt, ENP

Note: *This meeting was conducted entirely online and by phone and was recorded by a court reporter. Copies of the transcript are available for purchase; for more information, please contact Florida Court Reporting (561-689-0999). Handouts and presentations are available on the TOC website (<https://www.sfwmd.gov/our-work/toc>) and a recording of the meeting is available online at <http://sfwmd.iqm2.com/Citizens/Media.aspx>.*

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

1A. Welcome, Announcements, and Identification of Participants

Julianne LaRock called the meeting to order, welcomed attendees, noted the TOC representatives connected to the meeting, and gave brief instructions on virtual meeting guidelines and software controls.

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 August 11, 2020

Donatto Surratt requested two minor edits to the August 11, 2020, meeting summary. With these changes, the TOC approved the summary.

Associated Online Documents:

- [Final Agenda for October 27, 2020](#)
- [Draft Meeting Notes for August 11, 2020](#)

10:17 a.m. **2. Second Quarter Settlement Agreement Report**—Jonathan Madden, SFWMD

Jonathan Madden, SFWMD, presented the 2020 second quarter Settlement Agreement report, which includes results of total phosphorus (TP) monitoring in the Refuge, Shark River Slough, and Taylor Slough and Coastal Basins through June 2020. Results for Shark River Slough are preliminary and were calculated using provisional flow data. Final results for Shark River Slough for Federal Water Year 2020 will be presented after the United States Geological Survey (USGS) provides final flow data for the S-12 structures through September 30, 2020, which are expected in March or April 2021. At the quarterly meeting on August 11, 2020, the TOC approved using only Method 1.5 for Shark River Slough and Method 3 for Taylor Slough and Coastal Basins, so only these methods were used for these areas in this update.

Refuge 14-station geometric mean TP values for April, May, and June 2020 were consistently below the computed long-term levels. It was not possible to sample at all of the 14 stations during these months. All but one value over the past 36 months have been below or equal to the long-term level. The average TP geometric mean concentration over the 36 months ending in June 2020 was 6.9 ppb, which is 2.8 parts per billion (ppb) below the long-term level for that period and below the 7 ppb goal stated in the Consent Decree. Preliminary geometric mean TP concentrations for July, August, and October 2020 were below their respective long-term levels. Although the preliminary September 2020 value (7.8 ppb) was above its long term level (7.2 ppb), it takes two months in a 12-month period to produce an exceedance.

Preliminary TP flow-weighted mean concentrations (FWMC) using method 1.5 for Shark River Slough for the 12-month periods ending in April, May, and June 2020 were all below the long-term limit and the percent of sampling events greater than 10 ppb were below the guideline for each of these periods. Overall, flows to Shark River Slough were relatively low during these periods.

TP FWMC values using Method 3 for Taylor Slough and the Coastal Basins for the 12-month periods ending in April, May, and June 2020 were well below the long-term limit of 11 ppb and the observed percent of sampling events greater than 10 ppb was far below the guideline.

Lori Miller commented that she liked being able to see the transition in the methodologies that was shown in the presentation slides.

Associated Online Documents:

- [Settlement Agreement Report, April–June 2020](#)
- [Settlement Agreement Report, April–June 2020 Presentation](#)
- [Quality Assessment Report for Water Quality Monitoring, April–June 2020](#)
- [Quality Assessment Report for Water Quality Monitoring, April–June – Water Quality Data](#)
- [Provisional Shark River Slough TP Tracking Report, Second Quarter 2020](#)
- [Refuge TP Compliance Table, 2007 through Second Quarter 2020](#)
- [Taylor Slough and Coastal Basins Tracking Report, Second Quarter 2020](#)

10:43 a.m. **3. Updating Appendix A Compliance Equations**

Julianne LaRock gave a brief overview of agenda items 3A and 3B (below) and introduced the presenters. Julianne noted that, as the TOC has been discussing for many years, there are a lot of system changes ongoing under projects like CERP, CEPP, MODWATERS, and others, that are affecting the ability to monitor, as well as to do the Appendix A compliance calculations.

3A. CEPP South Compliance Monitoring – James "Ken" Bradshaw, USACE

Ken Bradshaw presented an overview of CEPP South structures, the general construction timeline and operations, along with additional details on L-67A/L-67C (Contract 1) and S-333/S-333N (Contract 3a) and water quality monitoring for these features. Mr. Bradshaw explained some components relevant to the Appendix A compliance for Shark River Slough, including that Contract 1 was awarded in October and that it is anticipated to take about four years to construct the structures to move water from the L-67A (WCA-3A) into WCA-3B. Temporary pumps are being planned to move water out of WCA-3B into the L-29 Canal until Contract 6 degrades the levee between WCA-3B and the L-29 Canal. The expected timing of other features was highlighted, including increasing capacity at the S-356 pump station and

the addition of the S-355W spillway divide structure. Ken noted that this information can be used to consider what future Appendix A monitoring requirements should be considered for SRS.

3B. S333N Compliance Monitoring– Jonathan Madden, SFWMD

Continuing the presentation, Jonathan Madden covered the S-333/S-333N structure, noting that it is a much closer-term need for incorporation because it is expected to be flow-capable within a few months and the compliance calculation for Appendix A will be needed after Federal Water Year 2021 ends in September 2021. S333N is a gated spillway from L-67A to L-29, built next to the existing S-333 structure. S-333N was permitted for construction and emergency operations; a permit modification to expand the operation in conjunction with S-333, consistent with COP, is anticipated by the end of the year. Jonathan Madden also presented the water quality monitoring plan for the structure. Donatto Surratt asked whether the S-333N platform shown in the photos in slide 9 is where samples are being collected and if it will continue to be used in the future. Jonathan Madden confirmed this platform monitoring location is the same that has been monitored by grab sample for two years, and is planned to continue in the future.

Appendix A Considerations

Jonathan Madden gave an overview of Appendix A considerations associated with the S-333/S-333N and the new L-29 pumps “temporary” ENP inflow, noting that in this region these features are conceptually simpler for incorporating into the Appendix A compliance calculation than it was to incorporate S-356. Jon suggested consideration of what other terms should be added to the SRS Method 1.5 equation to incorporate these new features.

Questions, Comments, and Technical Discussion

Regarding the CEPP South project and water quality monitoring for the L-67A/L-67C and temp pumps (shown in slide 6 of the presentation), Donatto Surratt asked whether marsh station CA3BS would have a physical structure. Jonathan Madden suggested during the meeting and later confirmed that a physical structure will not be installed for CA3BS; as with most of the marsh stations, the site will likely be reached by helicopter or airboat, and the only installation would be an indicator (such as a PVC pipe) of the location. Donatto Surratt also asked whether any sampling is currently being conducted at this location under another name or planned as baseline monitoring. Ken Bradshaw responded that there is a nearby station (CA3B2) to the east, but no sampling is being conducted yet at the location for CA3BS, and he believes there will be some baseline monitoring. Julianne LaRock noted that the precise location for CA3BS has not yet been officially determined.

Frank Powell asked about the timing of the installation of temporary pumps on the L-29. Daniel Crawford said the first temporary pump will most likely be installed by December 2021. Julianne LaRock indicated that no decision is expected at today’s TOC meeting, but this information was provided so the TOC can consider for a future determination of how to incorporate these features into the compliance equation.

Daniel Crawford said he believes the TOC minutes from August reflect that for S333N, the TOC would take a similar track to what was done for S356 – as soon as the structure starts flowing, the TOC would start tracking with and without the structure for compliance calculations, in preparation for deciding within the next year how to formally include it in the compliance equations. Julianne LaRock agreed. Ken Bradshaw added that although the monitoring at the

pump stations will be relatively easy, the levee will be degraded later, and it may be helpful to begin considering this now for how compliance is determined. Julianne LaRock and Daniel Crawford agreed that everyone should think long-term to avoid having to make constant adjustments should compliance requirements remain when the levee is degraded.

Associated Online Documents (for Agenda Items 3A and 3B):

- [Future Compliance Monitoring Under CEPP Presentation](#)

11:29 am 4. Follow-up Discussion of SRS Exceedance for Federal WY2019 – TOC Representatives

Julianne LaRock recapped that at the last meeting the TOC agreed the WY2019 exceedance at SRS was not due to error or an extraordinary natural phenomenon, Donatto Surratt gave informative presentations, it appeared the exceedance may have been due to localized conditions, and the TOC agreed to discuss it with the principals within two weeks so it could be addressed quickly.

Based on information shared with her by the SFWMD principal, Julianne LaRock noted to the TOC that the principals did meet since the last TOC meeting, may have reached a consensus on how to address the localized phenomena, and a memo is circulating regarding that consensus, to be signed by all agency principals. The principals agreed that knowing more about the phenomena contributing to the exceedance is a priority and that the agencies need to invest in figuring out exactly what is going on. The principals have agreed to have their respective agencies work together to do some additional research to help pinpoint the cause of the phosphorus and the appropriate methods for addressing the spikes in phosphorus levels. The principals have established an S333 working group outside the TOC to accomplish this goal, and that group has met a few times. Once the working group has some results and the principals have agreed on the appropriate solutions, that information will be provided to the public. The final memo will be posted to TOC website as soon as it is available.

The TOC representatives concurred that Julianne LaRock's summary of the process was accurate. Daniel Crawford reiterated the USACE perspective that, because of the extensive discussion the TOC has had about the WY2019 exceedance, at a minimum a back brief should be presented to the TOC about the ultimate path forward and the schedule that comes out of the principals' working group process, even if no action is needed from the TOC.

Action Item:

When it is available, and at the direction of the principals, the final memo from the principals will be posted on the TOC website.

11:37 a.m. 5. Public Comment

Melodie Naja, Everglades Foundation, expressed appreciation for the presentations, is looking forward to hearing more about how the agencies will incorporate the new features into the Appendix A compliance equation, and noted it would be great if the new working group could present to the TOC.

Drew Martin, Sierra Club Loxahatchee Group, commented that he agrees with Melodie Naja's comments and appreciates all the hard work done by the TOC.

11:39 a.m. 6. TOC Closing Business – Julianne LaRock, SFWMD

Julianne LaRock and TOC members reviewed available dates for the next meeting. The TOC confirmed the next quarterly meeting for Tuesday, January 26, 2021.

11:42 a.m. Julianne LaRock adjourned the meeting.

DRAFT