

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

February 28, 2023

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
Edward Smith, FDEP
Donatto Surratt, ENP

Note: *This meeting was conducted in person, online, and by phone, and was recorded by a court reporter. Copies of the transcript are available for purchase; please contact Florida Court Reporting (561-689-0999) for more information. 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: [TOC - Granicus Content](#).*

1. TOC Opening Business – Julianne LaRock, SFWMD

1A. Welcome, Announcements, and Identification of Participants

Julianne LaRock called the meeting to order.

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

Julianne reviewed the agenda and the list of files recently posted on the TOC website. There were no requests to modify the agenda.

1C. Approval of Meeting Summary for August 30, 2022

The TOC approved the August 30, 2022 meeting summary with no requests for changes.

Associated Online Documents:

- [Final Agenda for February 28, 2023](#)
- [Draft Meeting Notes for December 13, 2022, Meeting](#)

2. Third Quarter 2022 Settlement Agreement Report – Chelsea Qiu, SFWMD

Chelsea Qiu presented the 2022 Third quarter Settlement Agreement report, which includes results of total phosphorus (TP) monitoring in the Arthur R. Marshall Loxahatchee National Wildlife Refuge (Refuge), Shark River Slough (SRS), and Taylor Slough and Coastal Basins (TSCB) through September 2022. Results for SRS were calculated using provisional flow data and are preliminary, and the third quarter marks the end of Water Year 2022 (WY2022).

Refuge 14-station geometric mean TP values for July, August, and September were below the computed long-term levels (LTL). Twelve stations were sampled in July, thirteen were sampled in August, and eleven stations were sampled in September 2022. The 36-month average TP geometric mean is 6.8 parts per billion (ppb), which is 2.6 ppb below the 36-month average LTL of 9.4 ppb. An overview of the year's TP Concentrations were presented. The Refuge geometric mean TP concentrations were below the LTLs for the third quarter.

For SRS, the preliminary WY2022 results were presented. The provisional data shows that TP flow-weighted mean concentrations (FWMC) for WY2022 were higher than the limit.

For TSCB, the final WY2022 results were presented. TP FWMC values for TSCB for WY2022 continue to be about half of the LTL (11 ppb). The observed percent of sampling events greater than 10 ppb was far below the monthly guideline of 53.1%.

Questions, Comments, and Discussion:

Daniel Crawford requested that an update be made to the Third Quarter 2022 Settlement Agreement Report to ensure the data reported for WY2022 is consistent throughout the presentation. Julianne LaRock agreed to update the presentation and repost it to the TOC webpage.

Donatto Surratt expressed appreciation for the benefits received from the Combined Operational Plan (COP) because the redirected flow from S334 into Northeast SRS has provided ecological benefits to the region that have not been seen in decades.

Associated Online Documents:

- [Settlement Agreement Quarterly Report, July – September 2022, presentation](#)
- [Settlement Agreement Report, Third Quarter 2022 July - September 2022](#)
- [Third Quarter Quality Assessment Report for Water Quality Monitoring, July - September 2022](#)
- [Third Quarter Quality Assessment Report for Water Quality Monitoring, July - September, 2022 Water Quality Data](#)
- [Arthur R. Marshall Loxahatchee National Wildlife Refuge Total Phosphorus \(TP\) Compliance Status as of Third Quarter 2022](#)
- [Provisional Shark River Slough Third Quarter 2022 Total Phosphorus \(TP\) Data Report](#)
- [Taylor Slough and Coastal Basins Third Quarter 2022 Total Phosphorus \(TP\) Data Report](#)

Questions and Comments for the Attorneys – John Barkett, Special Master

Special Master John Barkett asked a series of questions related to the exceedances during WYs 2019 and 2021. He wanted to know if any remedies contemplated by the S333 Working Group had been screened for implementation. SFWMD Managing Attorney Julia Lomonico stated that about eleven potential remedies have been contemplated but evaluations to narrow the list have not been conducted while waiting for the results of the ongoing Sediment Characterization and Hydrodynamic Studies. SFWMD Managing Attorney Julia Lomonico added that the consensus amongst the principals and the S333 Working Group was that the results of the studies were needed before the list of potential remedies could be narrowed. The Special Master appreciated the hard work being done to complete the studies and clarified that the purpose of the Consent Decree is to encourage all parties to work together to produce successful results. He explained that his question regarding screening remedies was focusing on the timeline for implementation delineated in the February 14 joint letter he received, to see if remedies had been refined in light of what has been accomplished and learned from the studies so far. SFWMD Managing Attorney Julia Lomonico responded by saying that the working group has not provided a refined list of remedies yet, but that doesn't mean that they are not working toward that goal. The Special Master concluded by requesting a status report in 45 days, which is April 15, 2023, to understand if the narrowed list of remedies will address

the reasons for both the exceedance for WYs 2019 and WY2021, and the likely exceedance in WY2022. The Special Master would also like to receive another status report 45 days after the first report has been submitted, which would be by June 1, 2023, to ensure everyone remains informed about the progress being made and to ensure the remedies can be implemented in a timely fashion.

Associated Online Documents:

- [Joint Letter to Special Master John Barkett - February 14, 2023](#)

3. Public Comment

Public comments were given by Paul Julian from the Everglades Foundation

TOC Closing Business – Julianne LaRock, SFWMD

The TOC will host the next quarterly meeting on Tuesday, June 27, 2023. This meeting date will be put on the web page as soon as possible.

Julianne adjourned the meeting.