

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

October 1, 2024

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

Rolf Olson, LNWR
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 [SFWMDTV YouTube Channel – TOC Meeting October 1, 2024](#).

Note: Definitions of agency acronyms are provided at the end of the notes.

1. TOC Opening Business – Julianne LaRock, SFWMD

1A. Welcome, Announcements, and Identification of Participants

Julianne LaRock called the meeting to order and provided instructions for participating during the meeting discussions.

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

There were no requests to modify the agenda.

1C. Approval of Meeting Summary for June 25, 2024

The TOC approved the June 25, 2024, meeting summary with no changes.

Associated Online Documents:

- [Final Agenda for October 1, 2024](#)
- [Final Meeting Notes for June 25, 2024](#)

2. Settlement Agreement Report, First Quarter 2024 – Chelsea Qiu, SFWMD

Chelsea Qiu presented the Settlement Agreement Report for the First Quarter of 2024, January–March 2024, which includes results of surface water 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). Each area has a unique TP compliance regime. Results for SRS and TSCB were calculated using provisional flow data and are preliminary. Monthly compliance results for the Refuge were presented for the First Quarter of 2024. This is the second quarter of federal Water Year 2024.

The Refuge 14-station geometric mean TP compliance values for January, February, and March 2024 were below the computed stage-based long-term levels (LTLs). All fourteen stations were sampled in January and March 2024, but only seven stations could be sampled in February 2024 due to dry conditions. The preliminary monthly data outlook for April through August 2024, were also presented

for the Refuge. The 36-month average TP geometric mean is 6.8 parts per billion (ppb), which is 2.4 ppb below the 36-month average LTL of 9.2 ppb.

SRS has a flow-based long-term limit that is inversely related to the 12-month total flow for each federal water year. Data collection and reporting has not been completed to formalize the federal water year 2024 compliance results for SRS; however, preliminary tracking results were presented for the 12-month periods ending in January, February, and March 2024. The provisional data show that TP flow-weighted mean concentrations (FWMC) for this quarter were higher than the flow-based long-term limit.

TSCB has a fixed long-term limit of 11 ppb. Data collection and reporting has not been completed to formalize the federal water year 2024 compliance results for TSCB; however, preliminary tracking results for the 12-month periods ending in January, February, and March 2024 were presented. The provisional data TP FWMC values for TSCB were 4.8 ppb during the quarter, which is less than half of the 11 ppb long-term limit.

Questions, Comments, and Discussion:

Donatto Surratt asked why the plot for S-328 is incomplete on slide 17 of the presentation. Julianne LaRock explained that the stage sensor was inoperable due to vandalism and had stopped recording. The District is working to get the sensor replaced as quickly as possible.

Associated Online Documents:

- [Settlement Agreement Quarterly Report, First Quarter 2024 \(January–March\), presentation](#)
- [Settlement Agreement Report, First Quarter 2024 \(January–March\)](#)
- [Quality Assessment Report for Water Quality Monitoring, January–March 2024 \(First Quarter\)](#)
- [Quality Assessment Report for Water Quality Monitoring, January–March 2024 \(First Quarter\): Water Quality Data](#)
- [Arthur R. Marshall Loxahatchee National Wildlife Refuge Total Phosphorus \(TP\) Compliance Status as of First Quarter 2024](#)
- [Provisional Shark River Slough First Quarter 2024 Total Phosphorus \(TP\) Data Report](#)
- [Taylor Slough and Coastal Basins First Quarter 2024 Total Phosphorus \(TP\) Data Report](#)

3. S-333 Working Group Update – Jodie Hutchins, SFWMD

Jodie Hutchins presented an update on the S-333 working group's activities, beginning by recapping the three engineering and maintenance solution recommendations that were presented at the last TOC meeting: Task 1 is removal of canal sediments, Task 2 is installation of low-sill weirs, and Task 3 is the monitoring and assessment strategy that will commence immediately after completion of Task 1.

Highlights on progress since the last TOC meeting include completion of the preliminary survey, geotechnical investigation, intermediate project design and specifications, the low-sill weir Round 1 modeling, and development of the monitoring and assessment plan. The preliminary survey revealed more than 30,000 cubic yards of material to be dredged. This is three times the amount reported in the sediment study conducted in 2022. This increase in dredging quantities triggered an adjustment to the project design and specifications, and ultimately a change in the previously submitted permit applications. Consultation to obtain final permits is underway. Adjustments to the project schedule may be needed to account for the changes in the project design and specifications. Additional details are provided in the presentation file.

Questions, Comments, and Discussion:

Mr. Barkett noted that the TOC has been dealing with the SRS exceedances for several water years, and urged staff to reach out to counsel in the event of any issues that would affect the schedule of the engineering and maintenance solutions.

Judith Coleman confirmed that DOJ regularly receives updates from the federal agencies about the working group project and its timeline, specifically, and ensuring these updates are provided to the TOC. The DOJ is monitoring this situation and working closely with its agency clients to ensure that progress continues.

TOC representatives from USACE and FDEP expressed appreciation in the collaborative effort. However, they do not have overall influence on permit approval timelines, but they will endeavor to keep the project on track.

Donatto Surratt asked about the grant process for funding the Task 3 monitoring effort. Ed Smith explained that FDEP is committed to funding this effort and has been working with SFWMD to identify the right funding source and make sure the grant agreement is executed well in advance of the Task 3 effort. FDEP has been receiving consistent annual funding from the legislature for projects of this nature.

Bill Walker asked how much of the material to be dredged will be from the L-29 versus the L-67A canal. Jodie Hutchins indicated that the majority of the accumulated material will be from the area where the two canals converge, right at the S-333 structure. Bill Walker also suggested it could be helpful to conduct water quality monitoring in the L-67A and L-29 canals just upstream of the dredging area to better understand contributions coming down from the north, as opposed to resuspension. Jodie Hutchins confirmed there will be monitoring locations in each of the canals, just upstream of the furthest upstream weir, that will be used to characterize pre-dredging conditions.

Associated Online Documents:

- [S-333 Working Group Update](#)

4. Follow-up Discussion of Shark River Slough Exceedance for Federal Water Year 2023 – Donatto Surratt, ENP

The TOC has reviewed the WY2023 exceedance and received guidance from the Principals on how to proceed. TOC representatives concurred that they have sufficiently evaluated the relevant information for a better understanding of what might have caused the exceedance (which appears to be related to the same issue that occurred in 2019), that it was not due to error or extraordinary natural phenomena, and that no additional remedies are recommended at this time based on the plans and progress being made to implement solutions proposed by the S-333 working group.

TOC Consensus:

No additional remedies are recommended to address the WY2023 Shark River Slough exceedance.

Associated Online Documents:

- [Direction from the Principals, February 25, 2016](#)

5. Public Comment

Newton Cook, United Water Fowlers of Florida – Expressed concern about the water quality in Lake Okeechobee and recommended a committee like the TOC to oversee it.

Mr. Barkett is confident the Consent Decree does not cover Lake Okeechobee and that it is outside the TOC's jurisdiction, but noted it is a question all the agencies might want to think further about in terms of trying to deal with one of the sources of phosphorus into the Everglades ecosystem.

6. TOC Closing Business – Julianne LaRock, SFWMD

The final quarterly meeting of 2024 remains scheduled for December 3.

For 2025, the first meeting date was scheduled for Tuesday, February 25.

7. Adjourn – Julianne LaRock, SFWMD

Julianne LaRock adjourned the meeting.

Agency acronym definitions:

DOI – Department of Interior

DOJ -U.S. Department of Justice

ENP – Everglades National Park

FDEP – Florida Department of Environmental Protection

FWC – Florida Fish and Wildlife Conservation Commission

LNWR – Arthur M. Marshall Loxahatchee National Wildlife Refuge

NPS – National Park Service

SFWMD – South Florida Water Management District

USACE – United States Army Corps of Engineers

USEPA – United States Environmental Protection Agency