

In the Matter Of:
MIAMI HARBOR NAVIGATION

IMPROVEMENT STUDY PUBLIC MEETINGS

November 07, 2018

Volume I



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MIAMI HARBOR NAVIGATION
IMPROVEMENT STUDY PUBLIC MEETINGS

Wednesday, November 7th, 2018
1:30 p.m. - 3:15 p.m.

Esquire Deposition Solutions
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VOLUME I

Reported by:

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1 APPEARANCES :

2 MR. TIM MURPHY
3 MR. JASON SPINNING
4 MS. LAUREL REICHOLD

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THEREUPON:

MR. MURPHY: Good afternoon, everyone. If you could please join us up front. We appreciate your patience today as we got everybody registered and inside the building here where it's nice and cool. And right. Off the bat before I introduce myself, I want to say thank you taking time out of your day.

Twofold, one, it's not like you don't have other things to be doing. I appreciate you being here in wonderful Miami-Dade that no one should be cooped up inside. We should all be outside doing good things. So I want to say thank you for taking your time to attend our pow wow today. It's a great opportunity to hear from you. There is a pilot in the room, I believe, and most of my team doesn't live in Jack- -- doesn't live in Miami. We're home-based out of Jacksonville, Florida.

So we just like when a ship comes into the harbor, we like to come down and hear from people who live in the area so that we can find those special unique items, so we can get the ship in safely, which is the same methodology that we use for our large ships and pilots when they come into the harbor.

1 So I'm Tim Murphy. I'm the senior civilian out
2 of our Jacksonville District, the U.S. Army Corps of
3 Engineers. And again, I've got to say thank you.
4 The turnout is impressive. I've been doing this for
5 a while. The first public meeting I went to, there
6 were three people. There were, like, 15 Corps of
7 Engineers guys and three people. There was one
8 person from the Audubon Society, a pilot, and a
9 person from the Port Authority. So I appreciate the
10 turnout.

11 Our staff works really hard to pull together the
12 information and more importantly, we want to present
13 to you, but more importantly, we want to hear from
14 you, your concerns, problems that you know about,
15 anything that you know about that can help us in our
16 steady effort. My little notepad, I'm going to refer
17 back to it.

18 Right now, the Jacksonville District is somewhat
19 busy. We have just started over 20 brand-new
20 feasibility studies. That's two zero, and that's a
21 big deal for us. That covers our area of
22 responsibility for Florida, Puerto Rico, and the
23 Virgin Islands. As a result of the hurricanes and as
24 a result of just the economy in Florida keeping up,
25 there is a need for more infrastructure and a need

1 for improvements to existing infrastructure.

2 So we have 20 studies that we're just starting
3 this year, in addition to the 10 or so studies that
4 we already had underway. Four of those studies are
5 in Miami-Dade County proper. We have this navigation
6 study. We also have two studies associated with
7 coastal storm damage to Miami Beach and in the back
8 Bay area. And then we also have a study for the
9 Everglades, for the eastern portion of the Everglades
10 around the C1-11 canal. So there's a lot of work
11 going on.

12 So these meetings will be taking place in mass in
13 Florida, Puerto Rico, and the Virgin Islands over the
14 next 30, 60, 90 days as we jump-start some of these
15 studies to try to get solutions in place.

16 I'll talk about business lines a little bit, just
17 what the Corps of Engineers does. We have four major
18 business lines, environmental restoration, which is
19 like Everglades restoration. We also have navigation
20 and navigation. And then we also have our coastal
21 storm damage reduction which is the beaches, but also
22 flooding from people's houses and the like. So I
23 just want to say we have a broad range.

24 All those studies are starting at once, and they
25 affect all of our missions and affect everything that

1 we do.

2 I'm not here by myself. Everything that the
3 Corps of Engineers does, we have a non-federal
4 sponsor. The non-federal sponsor is the Port of
5 Miami and Ms. Becky is here, I know, and she has
6 members of her staff as well. So I want to say thank
7 you for the Port coming here and standing with us.

8 You might ask kind of right off the bat why are
9 you here? Why are you doing this? Well, it's very
10 simple. It's the law. 1970 a law called -- we say
11 NEPA, but it's the National Environmental Policy Act
12 signed into effect by President Nixon; and it
13 requires any federal agency doing any federal action
14 to solicit input from the public.

15 The Corps of Engineers chooses this public
16 meeting type format to do that. Some agencies send
17 out letters. Some people have Webinars, but we
18 prefer eyeball to eyeball, at least to start with.
19 That doesn't preclude -- I want to make sure that
20 even though if you are here today and you think of
21 something as you are walking out the door, do not let
22 that stop you. We will accept e-mails, postcards,
23 responsive letters.

24 If you have an issue or an item that you want us
25 to know about, there's a way to get it to us. And

1 don't think that just because you walk out of this
2 meeting today, that's your last chance to communicate
3 with us because this is a three-year effort.

4 We just have an idea of some problems, so we're
5 trying to come up with solutions to those, but it's a
6 three-year process to finish the study, followed on
7 by congressional authorization, if warranted, and
8 then design and construction later on.

9 Typically, our process -- we're not exactly
10 speedy. It's -- in a perfect world, it's seven years
11 from concept to concrete. So when the Port of Miami
12 comes to me or comes to the Corps and says we have a
13 problem, typically it takes seven years to actually
14 get that project on the ground, and that's in a
15 perfect world when Congress passes authorization
16 bills on time and we get funded when we need it and
17 we're not running into anything out of the ordinary
18 or anything crazy here in any of our phases.

19 So we're not going to be out there tomorrow --
20 dredging is what I'm trying to say. We're here
21 soliciting input because we have three years to get
22 this thing right, and that's what we want to do.

23 Again, I'm not here by myself. I have a cast of
24 characters from the Jacksonville District who are
25 here. Mr. Jason Spinning is going to come up. He is

1 going to kind of facilitate the meeting today, and in
2 addition, he's going to lead off with a presentation
3 to you. And he'll turn it over to Ms. Laurel
4 Reichold, the project manager for this project.

5 And then Laurel will turn it back to Jason and
6 eventually, we'll get to the note cards that you
7 turned in. And we will bring you up one at a time to
8 the microphone over there and I will try to shepherd
9 so that everyone has their opportunity.

10 Please respect the two minute rule. We have a
11 lot of people in the room and we have a lot of people
12 who want to talk. We want you to talk and we want to
13 listen. Please respect everyone else's time, so we
14 can make this thing happen in a timely manner, but
15 also make sure we're fair to everyone.

16 Posters in the back, please do not forego the
17 opportunity to talk to our team. They are passionate
18 about what they do. They are excited and they love
19 to talk to people about what we're doing, but they
20 also like to hear from people.

21 Someone comes up and says yeah, I knew about
22 something that's right over there and you're pointing
23 to the map, that would get their attention in a
24 heartbeat. So we really want to hear the local
25 knowledge. That's very important to us.

1 So we'll be here -- we run until 3:30 here.
2 We're stating a little late, but again, we'll be as
3 late as we need to be because we appreciate the
4 public's participation.

5 We will run through this. After we're done, we
6 will have 30 minutes or so. So if you have a -- if
7 you're like me and you're shy, you don't want to
8 stand in front of the microphone, stand over to the
9 side. Please come up and talk to one of us
10 afterwards. We'll be here about another 30 minutes
11 afterwards. And if you have a personal question you
12 want to ask, by all means, bring them on.

13 Also, we're going to start again at 5:30 this
14 afternoon with another poster session for the people
15 who come in and ask questions of our team members and
16 another session from about 6:00 to 8:00, and then
17 time afterwards for questions as well.

18 So -- and again, this is not the last time we'll
19 down be here. Please take advantage of us while
20 we're here.

21 With that said, I'll turn it over to
22 Mr. Spinning. Again, I've got to say thank you so
23 much for taking time out of your day to come and help
24 us. Thank you.

25 MR. SPINNING: Thank you, Tim. Good afternoon,

1 ladies and gentlemen. I want to personally welcome
2 you to the NEPA scoping meeting for the Miami Harbor
3 Navigation Improvement Study.

4 We are in the preliminary stages of the study.
5 The Corps is currently formulating a project, the
6 project objectives, and providing them for you today.

7 The objectives include reduce navigation
8 transportation costs to and from Miami Harbor to the
9 extent if possible over the next 50 years of analysis
10 starting in 2025, reduce navigation transportation
11 costs attributable to delays from congestion in Miami
12 Harbor over a 50-year period of analysis starting in
13 2025.

14 Reduce navigation constraints, such as variables
15 and unpredictable cost currents, over the 50-year
16 period of analysis starting in 2025, and develop an
17 alternative that is environmentally acceptable over
18 the 50-year period of analysis starting in 2025.

19 With the initial draft study objectives in the
20 hands, let's talk about today's meeting. U.S. Army
21 Corps of Engineers is in Miami-Dade in compliance
22 with the National Environmental Policy Act or what we
23 call NEPA, a law requiring federal agencies to
24 disclose its actions and decision-making process and
25 provides the procedure to evaluate and the effects of

1 those actions on the environment.

2 NEPA requires federal agencies to cooperate with
3 other federal, state, and local governments, concerns
4 of public and private organizations, and the public.
5 A fundamental purpose of NEPA is to consider
6 environmental consequences of federal actions and
7 analyze measures to avoid, minimize, and mitigate
8 proposed effects.

9 The NEPA process requires and promotes both
10 soliciting, considering, responding to public use and
11 proposals on the federal action and how best to
12 address environmental concerns.

13 In addition, the process is used to streamline
14 consultations with tribes, states, local governments
15 concerning the alternative plans and addressing those
16 issues that aren't necessarily environmental, but
17 must be addressed to comply with applicable federal,
18 state, and local jurisdiction responsibilities. An
19 example of that would be the Endangered Species Act.

20 So we're here at the NEPA scoping meeting, but
21 what is scoping. Scoping is defined as the early and
22 open process for determining the scope of issues to
23 be addressed and for identifying the significant
24 issues related to the proposed action.

25 The Corps of Engineers is the lead agency for

1 this federal action and the federal action here is
2 the improvement study. As part of the scoping
3 process, the lead agency shall hold scoping meetings
4 early in the process, invite participation of
5 federal, state and local agencies, tribes, proponents
6 of the action, and all others, eliminate from
7 detailed study any issues that are not significant or
8 which have been covered already in environmental
9 reviews, and last, indicate the relationship between
10 the timing and the preparation of the environmental
11 analyses, the agency's tentative planning and
12 decision-making schedule.

13 And so with the schedule and the planning process
14 now being combined, it is something that we're not
15 all used to and we'll get into that a little bit
16 later.

17 The NEPA process and assessments. Federal
18 agencies must prepare detailed statements addressing
19 the potential environmental effects related to major
20 federal actions. These levels of NEPA review are
21 provided in the federal regulations, including
22 categorical exclusions, environmental assessment, and
23 environmental impact statements.

24 Categorical exclusions are for minor actions and
25 are not applicable here. An EA is a concise

1 document. It should not contain long descriptions or
2 detailed data which the agencies may have had.
3 Rather, it should contain brief discussions on the
4 need for the proposal, alternatives under the
5 proposal, and the environmental impacts of a proposed
6 action and alternatives.

7 List of the agencies and the persons ever
8 consulted. The agency should take and make a finding
9 of no significant impact of what we call Fonzi
10 (phonetic) and publish that and make it available for
11 30 days for public review.

12 Now, the last and the most lengthy NEPA review is
13 the EIS or environmental impact statement. An EIS is
14 a detailed analysis that serves to ensure the
15 policies and goals defined by NEPA are fused into the
16 ongoing programs and actions of the federal agency.

17 EIS's are generally prepared for projects that
18 agency view as having significant effects to the
19 human environment. The EIS should also provide a
20 discussion of the significant environment impacts,
21 reasonable alternatives, which must include the no
22 action alternative, and how to avoid and minimize
23 adverse impacts or enhance the quality of the human
24 environment.

25 The public review timeframes for EIS include a 45

1 day comment period for a draft EIS and a 30 day
2 comment period for a final EIS. The regulations
3 provide indicators to assist in the determination
4 which level of NEPA review is to be conducted.

5 This is based on project effects deemed to be
6 significant. NEPA regulations defines significant
7 based on two criteria, context and intensity.

8 Context is the effect on the environment in which the
9 action would occur and that may include the site as a
10 whole, a particular region, or specific effective
11 interest.

12 Now, talking about significance, how do we come
13 up with are we going to do an EA or are we going to
14 do an EIS? Well, the regulations actually tell us
15 how we're going to do that. So there are tests for
16 that significance. And as you see here, the
17 regulations provide for ten to determine the level of
18 significance.

19 And by going through these, I'm not going to read
20 them all, you can see that we are concerned about the
21 uniqueness of area, controversy, beneficial and
22 adverse effects of a proposed project, cumulative
23 impacts of that project, endangered and threatened
24 species, and on. Those are the criteria that we will
25 be looking at to determine if we're going to do an EA

1 or an EIS.

2 Now, that we understand significance, which
3 project components may be affected requiring
4 evaluation by this new study. The Corps has
5 identified the following components for
6 consideration. And as you see here, it's already a
7 lengthy list.

8 The scope of the meeting and comment period that
9 we have right now, you are able to inform us if the
10 16 items are appropriate and if we need to add or
11 remove anything from this list. And looking at
12 these, you'll see the ones that we're always looking
13 at in South Florida, which would be resources,
14 threatened and endangered species, sedimentation
15 turbidity, wildlife resources, and on.

16 So we provided now the general information
17 regarding NEPA, but we're also here to kick off a new
18 planning study. NEPA is only part of that planning
19 study. So what is planning and what is the process?

20 The water resources that reformed the development
21 act of 2014 changed the way the U.S. Army Corps of
22 Engineers conducted its planning studies. This
23 federal law drafted that studies take no more than
24 three years, cost no more than \$3,000,000, and have
25 efficient and effective coordination among three

1 levels at the Corps of Engineers. We call this
2 process smart planning.

3 Due to the nature and complexity of the civil
4 works water resource projects, studies are available
5 and excuse me -- studies are able to apply for
6 waivers to these constraints, but they must be
7 improved all the way up to the Washington level.
8 Smart planning requires process and outputs are
9 decision focused and within the three-step planning
10 process. The risks and uncertainty for each decision
11 is acknowledged at the appropriate level and reports
12 developed from the beginning of the study document
13 the decision process all the way through.

14 By law, the new planning efforts are integrated.
15 Meaning that the planning documents and the NEPA
16 documents are combined. This may be a little bit
17 different than what we're used to seeing. So let's
18 walk through how the two processes align. Again, we
19 talked about the six step planning process.

20 Step one, problem and opportunities, that aligns
21 with purpose and need. Forecasting existing and
22 future conditions aligns with effective environment
23 and no action alternative. Step three developing
24 alternatives that aligns with range of alternatives.
25 Evaluate plans and compare plans aligns with

1 environmental effects analysis and select plan aligns
2 with conclusions of the NEPA document.

3 This slide depicts the integration of the study
4 timeline of NEPA. This slide is at a scale probably
5 too small to adequately be viewed during this
6 presentation, but I wanted to put it in there for you
7 to know that it's going to be in the slide deck that
8 will be placed and posted on our website for your
9 review.

10 I've extracted the pertinent timeframes and NEPA
11 milestones allowing for public comment. Those
12 include within three months of the study initiation,
13 NEPA scoping letter, responses, and scoping meeting.
14 That's what we're doing here today.

15 Between three and 12 months of the study
16 initiation, if it's an EIS that we're moving forward
17 with, we would publish a notice of intent. And that
18 also starts a two year time clock on that NEPA
19 document per an executive order and potentially hold
20 a public meeting with regards to final array of
21 alternatives.

22 Approximately, in 18 months, the study will
23 actually release its NEPA document. If it's an EA,
24 we will coordinate that for 30 days. If it's an EIS,
25 we'll do it for 45. And again, there is going to be

1 the potential for a public meeting and most likely
2 for this project, we would like to do that.

3 The timeline for that last of the three-year
4 process, what we're going to is we'll find that --
5 and I did not put it on here because between 30 and
6 36 months, that's all Washington level reviews for
7 the proposed authorization of the project.

8 So how can you help? We're coming to you to
9 today because we know that we don't know everything.
10 We've been associated with Miami Harbor for a number
11 of years, decades, but yet, we know that we don't
12 have the information necessary right now to make a
13 decision on the project.

14 So we're asking you to provide us that
15 information, that experience, so we can basically
16 conduct a better study. Ultimately, regardless of
17 what you tell us, we will consider those comments.
18 We also ask that you provide any scientific data on
19 resources, maps, charts, locations of resources not
20 currently known.

21 There is a lot of data out there. There is a lot
22 of people that are out in the water all the time.
23 There are people that are studying it and we would
24 like to have collaboration. We would like to work
25 with you to make sure that we have the best available

1 information for our decision-making process.

2 Today, we are -- you are able to provide verbal
3 and written comments during the scoping meeting and
4 during the public scoping period. When the NEPA
5 documents are released, you have the ability to
6 review those and of course, you'll be able to comment
7 on those for what is and maybe what may not be in
8 those documents.

9 So last, what I want to do is provide you the
10 context -- contacts, excuse me, to obtain further
11 information and to provide an e-mail address to
12 submit your comments for the NEPA scoping period.
13 And I want to highlight and I placed on the slide,
14 that the end of the scoping comment period is
15 November 26th of 2018.

16 Now, that's my presentation and I would like to
17 introduce Laurel Reichold. She's a senior project
18 manager at the Corps of Engineers and she's going to
19 go through some of the details from our last dredging
20 and some of the lessons that we learned.

21 MS. REICHOLD: All right. Thank you, Jason. And
22 just to reiterate again, my name is Laurel Reichold,
23 project manager with the U.S. Army Corps of
24 Engineers.

25 So what I wanted to do today before we break for

1 comments and for the poster session is just kind of
2 walk the group through the last project that was just
3 recently completed in 2015.

4 So up on the screen right here, you'll see is a
5 map over -- basically showing the entire scope of
6 that project. That project was a very significant
7 project and it involved the removal of over 5,000,000
8 cubic yards of material from the channel, deep in the
9 channel from 44 feet to 52 feet in the outer
10 portions, as well as deep in the inner portions from
11 42 feet down to 50 feet.

12 There were also a number of widening measures
13 that were conducted. One out here what is referred
14 to as the flare. The flare was widened from
15 approximately 500 feet out to 800 feet with a taper.

16 Additional widening was conducted in this
17 location (indicates) as well as to the north here to
18 facilitate turning the vessels. There was also
19 widening conducted on Fisherman's Channel to the
20 south and there was maintenance dredging performed of
21 the cruise ship terminal or cruise ship cut for is
22 what we referred to it as.

23 So of that 5,000,000 cubic yards, 75 percent of
24 that was taken out to the ocean, which is our ocean
25 dredge material disposal site. The remaining

1 material was used as beneficial -- reuse the dredge
2 material to build our sea grass mitigation site,
3 which I will show you pictures of in a minute.

4 So here's the project footprint that was just
5 recently conducted and basically in the ground today
6 as we know it for the Miami Channel. This is an
7 image which also shows the offshore reef tracks.
8 Predominately, these are known as our second reef or
9 middle reef and a third reef or outer reef commonly
10 referred to, as well as near shore hard bottom
11 environment in this area.

12 The port was originally deepened in 1902 with
13 improvements that were conducted in the '20's, the
14 '40's, the '90's, and then most recently, this
15 significant dredging project that was just completed.

16 As I mentioned, we performed some mitigation
17 associated with that project. We created hard bottom
18 in these two locations south of the channel. Here is
19 an actual picture of a of diver relocating corals to
20 that artifical reef. Details of what was constructed
21 in terms of lower reef and higher reef are listed
22 here.

23 That construction consisted of lyme rock boulders
24 that were actually quarry that were brought in by
25 barge, and then essentially, dumped off the barge

1 into these set locations and built up to reach
2 certain height minimum requirements, also footprint
3 in terms of the acreage, and then corals were
4 relocated to those artificial reefs. And those are
5 our still undergoing monitoring is my understanding
6 and doing quite well.

7 As I mentioned, we reused a significant amount of
8 dredge material to build sea grass habitat just north
9 of the Julia Tuttle Causeway. This is an outline
10 image of the previous burrowing -- a hole essentially
11 that was filled back in and the sea grass was then
12 planted and is actually thriving today, doing quite
13 well.

14 I know there is been some issues in the same bay
15 with sea grasses, but my understanding is the site is
16 still doing quite well. Almost 17 acres were
17 constructed. About half of that was planted with sea
18 grass in a checkerboard fashion to sort of jump start
19 the entire site.

20 The equipment that was utilized for that last job
21 and more than likely will be equipment similar to
22 what we would be examining in this new study, include
23 large backhoe type dredges, clamshell type dredges,
24 hopper dredges, and not shown here, but also cutter
25 suction dredges. Those are the predominant equipment

1 that was utilized and we'll be looking at that in
2 terms of evaluation.

3 So what happened? Well, during the construction
4 of the project, the construction resulted in
5 sedimentation being observed in areas adjacent of the
6 channel and predominantly in that outer portion where
7 you have that relative reef tract. And our sister
8 agencies with the state and the federal, FDEP, which
9 is Florida Department of Environmental Protection and
10 National Marine Fisheries are still evaluating the
11 benefit data that was collected pre, during, and post
12 construction to evaluate the project related impacts
13 as a result of sedimentation.

14 Monitoring of or reporting of the monitoring data
15 was too slow and we know that now. So I'm going to
16 kind of get into lessons learned from our here on
17 out. What did we learn? So we know we need more
18 efficiency there. Contractual limitations led to
19 slow response times. So we've -- obviously, this is
20 on our higher priority to try to figure out how to
21 get that back -- how to do that better.

22 Other things that we learned, dredging may result
23 in sedimentation, but the effects can be minimized
24 and so how do we better do that. Up front mitigation
25 for indirect impacts definitely out competes post

1 project impact assessments. The project was
2 completed in 2015. Here we are in 2018 and we're
3 still in a post project assessment phase. And so,
4 you know, that's one of those cost benefit analysis.

5 Transparency with agencies and the public builds
6 confidence and limits misinformation. So with that,
7 having better communication strategies, adaptive
8 management plans are definitely vital to project
9 success.

10 Also, we learned that dictating construction
11 means and methods may be appropriate in certain
12 environments and ensuring that the construction
13 contract specifications enable quick response is
14 extremely important. So how are we thinking about
15 applying this to future projects and how is this
16 going to influence our study, assessment due to
17 technical conditions, taking that further than we
18 normally do, a better understanding of how it was
19 that you attack the actual grains of sediment, how do
20 they suspend, what's the residence time, how are they
21 transported, what are the sediment transport pathways
22 specific to a Miami harbor environment.

23 Looking at the construction means and methods and
24 how that interacts with the different types of
25 geotech, better understanding that comprehensively

1 and cumulatively will help us to determine if up
2 front mitigation for indirect impacts is going to be
3 needed or not and where and what magnitude.

4 So just in summary then, lessons learned
5 developing a clear strategy, and contractual
6 constraints as needed for minimizing sedimentation in
7 sensitive environments. That's one of our top. Up
8 front collaboration on the monitoring and the
9 assessment method, in addition to up front mitigation
10 of anticipated indirect impacts will vastly aid in
11 managing those expectations, not just with our
12 partner agencies, but also with the public.

13 Transparency in operation and an improved
14 communication strategy will help information and
15 messaging interface. Again, media, public agencies
16 sort of -- everyone that's probably represented here
17 today.

18 And lastly, we can formulate steps to assure
19 tighter control of management of the construction
20 contracts and we're actively doing that. And, you
21 know, this is obviously things that we're actively
22 doing, but we hope that you'll help give us feedback
23 on these and help us create more lessons learned.

24 This is really a snapshot on the long list of
25 lessons learned that we do have, but wanted to kind

1 of give you all a framework for what we're already
2 actively doing and working on. So with that, I'm
3 going to pass it back to Jason to lead us into the
4 open comment phase.

5 MR. SPINNING: Thank you, Laurel. Now, we would
6 like to invite you to stay us with and visit with the
7 tables in the back where Corps representatives will
8 be able to answer your questions.

9 There are three stations. You're going to have
10 plan formulation, engineering, and our economic
11 environmental areas. The experts are back there.
12 Please take advantage of that and ask your questions.

13 We'd also like to give the opportunity to come up
14 and give us a verbal comment. In the efforts to
15 allow everyone time to actually speak today, we would
16 ask that you limit your comments to two minutes. We
17 will have a timer that will be up and running. And
18 with that, I have to ask for our reporter that if you
19 could when you come up, actually just state your name
20 before you make a comment. Let's go ahead and get
21 started.

22 You got the cards? I will hand them the mic and
23 anybody that would like to make a comment, you have
24 to fill out a card. You have to see Erica. Erica,
25 raise your hand. She will be happy to get you a

1 card. Thank you.

2 MR. MURPHY: In my haste earlier today, I forget
3 to tell you, we do have a court reporter. People
4 take notes and that's great, but everybody listens
5 with a different set of ears. Court reporters catch
6 everything. And so don't worry if we miss a note or
7 something, the court reporter will catch it all, and
8 we will get a transcript of every comment that is
9 made by everyone with detail. So take your time and
10 make sure you get your point across.

11 I will start off with Andrew Carter and I will
12 call up the second one, which is Kelly Cox, and then
13 I'll go from there.

14 Thank you, folks, for taking the time to fill out
15 the comment cards. Take advantage of the
16 opportunity.

17 Mr. Carter, the floor is yours.

18 MR. CARTER: Thank you for giving me the
19 opportunity to speak at this meeting today. My name
20 is Andrew Carter and I'm the research director from
21 Miami Waterkeeper, an environmental non-profit
22 focused on protecting South Florida's watershed and
23 (inaudible) systems.

24 Our coral reefs have declined over the past
25 several years. The proposal to conduct additional

1 dredging would risk remaining corals to unconsciously
2 (inaudible). Our reefs have declined over 70 percent
3 since the 1970's, making the remaining reefs that
4 much more critically important.

5 The last dredging project clearly shows that this
6 kind of additional work is a disaster in the making.
7 The count given by the information sheet provided by
8 the Army Corps is astonishing in its spin. The
9 implication of this dredging project benefitted
10 habitats is absurd.

11 During the last project, more than 250 acres of
12 critical coral habitat was destroyed. The Corps
13 ignored warnings from the Florida Department of
14 Environment Protection, the Environmental Protection
15 Agency, the National Oceanic and Atmospheric
16 Administration about environmental impacts and
17 violations. And even then, we don't have a full
18 accounting of the damages caused by the last project.
19 Without such an accounting, we're setting mitigation
20 options to avoid similar damage. It is reckless to
21 go forward with additional dredging. The ecological
22 costs of this proposed project are too high.

23 Similarly, the economic value of the reefs in
24 terms of fisheries, in terms of storm surge
25 protection, in terms of tourism from now through the

1 future outweigh any theoretical benefits of making it
2 slightly easier for larger ships to maneuver. I ask
3 you to object to this proposal. Thank you.

4 MR. MURPHY: Thank you, sir. Ms. Cox?

5 MS. COX: Hi, everyone. My name is Kelly Cox.
6 I'm a staff attorney and program director at Miami
7 Waterkeeper. We're dedicated to defending and
8 protecting South Florida's watershed.

9 The initial dredging of the Port of Miami,
10 frankly, was an ecological disaster. It devastated
11 more than 250 acres of our coral reefs, which have
12 already been crippled by disease and other threats.

13 This project initially underestimated the impacts
14 to the benthos and impacted reefs in such a way that
15 they may never recover in this area. Not only that,
16 but the Port of Miami deep dredge project spent
17 hundreds of millions of taxpayer dollars, but
18 apparently didn't get it right the first time.

19 Now, we're back to the drawing board for a
20 secondary dredge. This isn't purely maintenance.
21 This is a fundamental mistake in engineering,
22 planning, and construction. Why should taxpayers
23 have to cover the cost of a secondary dredge when the
24 Corps and its contractors simply didn't get it right
25 the first time.

1 At one point are they going to be responsible and
2 liable for their mistakes? I'm concerned that the
3 Corps didn't adequately undertake an impacts analysis
4 the last time around and it doesn't really
5 demonstrate much of an indication to do so this time
6 around.

7 Frankly, enough is enough. We should not allow
8 additional dredging in this channel. We know it's
9 not maintenance. It's calculated destruction thinly
10 veiled as maritime commerce. The Corps has already
11 shown us that their ability to complete a project to
12 meet the project goals is severely limited.

13 It's estimated that the impacts from the initial
14 dredging project were orders of magnitude more than
15 the Corps initially thought. Despite their
16 ecological miscalculations, they also apparently
17 miscalculated depth and width for the dredging.

18 They've lost the public's trust in Miami and we
19 vehemently oppose this project and any further waste
20 or misuse of taxpayer dollars. And I have a few
21 seconds left and I just want to make a comment about
22 the public meeting issue.

23 We mentioned earlier that we're grouping together
24 all these public meetings, but in fact, that actually
25 limits public access and the ability for the public

1 to be involved. It also conflates issues and
2 overburdens the public and their ability to
3 participate in this very, very important process.

4 MR. MURPHY: Ms. Rachel Silverstein. If I
5 butcher your name, I apologize. Ms. Rachel, the
6 floor is yours.

7 MS. SILVERSTEIN: I kind of can't believe that
8 we're here today talking about project. We have not
9 yet gotten a clear understanding or as the Corps
10 themselves say, an understanding of exactly how much
11 coral was lost and how much damage was done in the
12 dredging that just ended.

13 It seems to me to be completely inappropriate to
14 be sitting here asking to dredge across our coral
15 reefs again when we've had so much damage. Over 200
16 football fields of coral reef were buried. The
17 National Oceanic and Atmospheric Administration, the
18 sister federal agency to the Corps has said that 95
19 percent of that area is now no longer functioning as
20 coral habitat.

21 We have done our own estimations and reanalysis
22 of the contractor data from this project. We have
23 found conservatively that over 560,000 corals were
24 killed. 80 percent of the small corals within 500
25 meters of the channel are gone. And this is not due

1 to the disease and it is not due to bleaching, and we
2 can prove that.

3 It drives me crazy frankly that the Corps
4 continues to try to blame the destruction and reefs
5 buried under sediment on a disease event. Disease
6 does not cause corals to be buried under sediment.
7 It makes absolutely no sense.

8 I want to read for a minute a series of e-mails
9 between NOAA and the Corps during the last dredging
10 when the Corps realized or actually, they knew all
11 along that they were finally going to be taken to
12 court regarding Endangered Species Act violations and
13 listed corals that were not located and not
14 monitored, and were being buried in the dredging
15 sediment.

16 This is from NOAA. They said, I talked with the
17 Corps Jacksonville contracting officer and project
18 manager and asked if the Corps had any flexibility in
19 scheduling a dredge to allow them in -- so that's
20 NOAA, to clear access for two to four days to
21 complete the coral rescue.

22 What's the response from the Corps? Did they act
23 quickly to address these issues? I'm almost done,
24 Jason. What's the response?

25 MR. SPINNING: You're able to come back up --

1 MS. SILVERSTEIN: Okay. Let me just finish this
2 one e-mail from Terry Flugensellers (phonetic). The
3 contractor has no current plans to relocate from the
4 area currently be dredged absent to use in weather
5 conditions. No concern whatsoever for the
6 requirements despite what was told to a federal
7 judge.

8 Unless there are mechanical issues, the only time
9 that they would cease dredging for an extended period
10 would be in high seas conditions. Is this the
11 management that you promised? No. Is this
12 protecting the reef? No. Is this looking out for
13 our resources? No.

14 To have to go through this again when we don't
15 know the extent of the damage, how many corals were
16 lost, and you haven't yet mitigated where the Port of
17 Miami is going to be getting a big bill for
18 mitigation is completely inappropriate. We
19 understand the concerns of the harbor pilots.

20 MR. SPINNING: You are out of time.

21 MS. SILVERSTEIN: However, there are a lot of
22 economic benefits from reefs as well. And I'll keep
23 speaking later.

24 MR. SPINNING: Thank you. Ladies and gentlemen,
25 please keep your comments to two minutes and you're

1 able and welcome to come back up and finish your
2 comments with expedition. Thank you.

3 MR. MURPHY: Ellis Cantu (phonetic) -- Canti
4 (phonetic), Senior.

5 MR. CANTU: Good afternoon. My name is Ellis
6 Cantu. I'm not an environmentalist, but I'm a union
7 president. And I work at the Port of Miami and I
8 represent over 2500 individuals. We had plans here
9 to bring in big ships because we're the closest to
10 the Panama Canal.

11 When it was the Corps three years ago and the
12 Corps bounced back. I can't say what the damages
13 were because I'm not a scientist. I'm not an
14 environmentalist, but I will say this. This has been
15 a big economic impact, big economic wherein which we
16 used to have 3,000,0000 passes and now, we've got
17 5,000,000. And if they come up with these ships,
18 we've got almost 7,000,000 coming. We got larger
19 ships that don't have to burn so much fuel that need
20 to go to New York because they can use the rail
21 system.

22 The port and the Corps came in here. They moved
23 on and things bounced back that. Now, there's just a
24 couple of more things that we need to do, but think
25 about the economic impact, the economic resources

1 that would come behind this. I truly thank you and
2 think about the individuals. All (inaudible) stand,
3 think about the 2,000 or 3,000 individuals that feed
4 their families through this project that's going on,
5 think about the physical study that was three years
6 ago, think about what's coming in because the region
7 the way it is. Thank you. I support for this
8 project.

9 MR. MURPHY: Next up is Mr. Eddie Fluker
10 (phonetic).

11 MR. FLUKER: I'll pass.

12 MR. MURPHY: Next is Dana Tricarico.

13 MS. TRICARICO: Good afternoon. Thank you for
14 the opportunity to speak today. My name is Dana
15 Tricarico. I am the outreach coordinator at Miami
16 Waterkeeper. Miami Waterkeeper is a nonprofit
17 organization that's dedicated to defending the
18 coastline and the waterways here in South Florida.

19 So let me just take an opportunity today to
20 explain why I believe that you should reject the
21 proposal to dredge Port of Miami for a second time.

22 Specifically, I'm going to explain the
23 significant negative impacts that our local reefs may
24 face if this proposal goes through.

25 The Florida coral reef tract is the third largest

1 reef tract in the world and our nation's only near
2 shore barrier reef exists right here in South
3 Florida. Residents and visitors to Florida have
4 recognized this unique resource and thus, coral reefs
5 have generated billions of dollars to the state
6 economy.

7 Aside from the monetary value associated with
8 jobs and tourism that coral reefs create, they also
9 provide coastal storm protection to humans. We can
10 also thank coral reefs for being nurseries to juvenile
11 fish allowing commercially and recreationally
12 important fish species to survive and grow and to
13 reproduce.

14 In the last few years in Florida, we have seen
15 devastation to coral reefs through bleaching and
16 disease, two issues that have been further
17 exacerbated by the Port of Miami dredge that has
18 already occurred in 2013 to 2015.

19 Among the many manmade structures of Florida
20 reefs, this particular dredging event produced binary
21 sediment that smothered corals and their ability to
22 photosynthesize and took away 95 percent of the
23 suitable habitat for corals in the area. I believe
24 that the reefs can't withstand these additional
25 threats for another round of dredging.

1 We've already witnessed the Corps' lack of
2 ability to take into account environmental impacts
3 and violations from DEP, the EPA, and NOAA in the
4 past. What makes us believe that they will take
5 these considerations into account this time around,
6 so that listed coral species will not pay the
7 ultimate price.

8 We, as Floridians, cannot allow this at our own
9 degradation in the form of dredging to occur. We
10 rely too heavily on ecosystems, services associated
11 with reefs, and I'm here to express my deepest
12 concerns that history will repeat itself again.

13 I urge you all to reject this proposal, extend
14 the length for the public comment period, and to
15 protect not only our coral reefs, but also taxpayer
16 dollars and tourism industry in our state.

17 MR. MURPHY: Next up is Mr. Andrew Baker.

18 MR. BAKER: So I'm a coralogist and a professor
19 at the University of Miami Rosenstiel School and I
20 wanted to point out that the document that you have
21 in your hands, which professes claim, conclude that
22 the damages to the resource during the duration of
23 the dredging lead to bleaching and disease is a
24 fallacy. It's multiple states, local, federal
25 agencies all independently concluded that the impacts

1 to the resources as a result of dredging were
2 devastating.

3 Rachel Silverstein has already told you that our
4 own independent analysis using the same data
5 collected by the contractors all concluded that over
6 a half a million coral reefs died as a result of
7 this. 840 kilograms per square meter of sediment
8 were dumped onto the middle reef in the course of the
9 dredging project. That's like 23 bags of 88 pound
10 cement onto every square meter of that reef.

11 As to the economic impacts, I sympathize with
12 those whose families are intricately tied to the fate
13 of the port, we have to remember Florida's coral
14 reefs are worth six billion dollars per year to the
15 local economy and maintaining these resources not
16 only for ourselves, but for our children,
17 grandchildren are critical to ensuring a sustainable
18 future for South Florida.

19 Most of the reason why people come to South
20 Florida in the first place is because of the state of
21 our marine resources. And unless we fail -- unless
22 we protect those resources, we're ultimately not
23 investing in our future and once again, we'll have a
24 situation where a shorten benefit before a long-term
25 gain and sustainability.

1 So I urge the board to reconsider its goals and
2 redoing this dredging project. It's not clear to me
3 why we need to redo it only three years after it
4 finished. And my question in the planning process as
5 to why we need to widen it given that the class of
6 ships that were discussed came on board in 2009,
7 which was nearly four years before we even began
8 robust dredging project. Thank you.

9 MR. MURPHY: Olivia Wevson (phonetic).

10 MS. WEVSON: I'll pass.

11 MR. MURPHY: Student? Pass. Okay.

12 Jane Carrick?

13 MS. CARRICK: Hi. My name is Jane Carrick. I'm
14 a researcher also at the University of Miami's
15 Rosenstiel School of Marine & Atmospheric Science. I
16 am a coral restoration practitioner and a marine
17 conservation scientist.

18 And as somebody who works with endangered species
19 of corals almost on a daily basis, I work with
20 staghorn, elkhorn, and orbicella faveolata, the star
21 coral, I just wanted to say that any restoration, any
22 mitigation projects that compost dredging cannot
23 compare preservation of wild and natural corals that
24 are already threatened.

25 So I urge you to reject the proposal to dredge

1 the Port of Miami again and that's all I really have
2 to say. I'll be short. Thank you.

3 MR. MURPHY: Cocoa Planakto (phonetic). Maybe
4 it's some folks that just left.

5 Emily Hernandez?

6 MS. HERNANDEZ: Good afternoon. My name is Emily
7 Hernandez. I'm the operations coordinator at Miami
8 Waterkeeper. You've heard from a few of my
9 colleagues already. We're a nonprofit organization
10 dedicated to defending and protecting South Florida's
11 watershed, which is why we're here today.

12 South Florida is home to the only near shore
13 barrier reef in the Continental United States and as
14 such, these coral reefs are priceless to our
15 community. Reefs provide shelter, food, and breeding
16 sites for commercially and recreationally valuable
17 fish. They also act as natural coastal barriers.

18 In the last few years, Florida's reefs have
19 experienced back to back years of coral bleaching and
20 devastating coral disease. Why then do we continue
21 to jeopardize reef health and resiliency by adding
22 additional stressors that are within our control,
23 such as dredging. I believe that our coral reefs
24 cannot withstand any additional stressors.

25 More specifically, I do not feel that regulators

1 have done enough to protect our reefs during these
2 major infrastructure projects. They've actually done
3 the opposite. They've often looked the other way,
4 relied on shotty science, and denied empirical
5 results.

6 The Port of Miami project was a prime example of
7 this irresponsibility and our reefs were decimated as
8 a result. During the Port of Miami project, the
9 amount of listed corals presented were dramatically
10 underestimated. The corals were not properly
11 surveyed, nor was the required monitoring ever
12 carried out.

13 More than 250 acres of our coral reefs, including
14 many listed coral species, were lost as a result of
15 the original Port of Miami dredging. The full scope
16 of the impacts from this dredging are not yet known.

17 Yet, here we are today to again discuss another
18 dredging project in the same shipping channel. We
19 account allow history to repeat itself. I'm here to
20 urge you all today to reject this proposal.

21 Furthermore, this new project should not even be
22 considered until full accounting of the impacts from
23 the first dredging operation and mitigation are
24 complete. Thank you.

25 MR. MURPHY: Monique Paul?

1 MS. PAUL: Good afternoon. Thank you for the
2 opportunity to speak today. My name is Monique Paul
3 and I'm an intern from Miami Waterkeeper. Coral
4 reefs are invaluable to South Florida and serve as an
5 important habitat to fish of commercial importance.

6 Many fish species also use coral reefs as
7 spawning ground. Reefs also provide coastal
8 shoreline protection protecting is from powerful
9 storm surge. They are also key indicators of ocean
10 health.

11 Coral reefs face a variety of threats that
12 include sea level rise, ocean acidification, and
13 human disturbance like habitat degradation and
14 overfishing. South Florida's reefs have declined by
15 more than 80 percent since the 1970's and more
16 recently, coral reefs have suffered from years of
17 coral bleaching and devastating coral disease.

18 Another dredging project will only continue the
19 degradation of this critical habitat. I believe that
20 our reefs can't withstand anymore additional
21 stressors. The original Port of Miami deep dredge
22 resulted in the destruction of our coral reef with
23 over 250 acres lost, including many endangered
24 corals.

25 In addition, we don't feel that regulators have

1 done enough to protect our reefs during these major
2 infrastructure projects. Despite all of this, we're
3 here today to discuss another dredging project in the
4 same shipping channel. We can't afford to let the
5 same disaster that occurred a few years ago happen
6 again.

7 I urge you all today to reject this proposal.
8 It's a waste of taxpayer dollars and it will only
9 result in additional harm to our coral reefs. I also
10 ask for an extension of time for the public comment
11 period. Thank you.

12 MR. MURPHY: Captain John Nitkin.

13 MR. NITKIN: I'll go last.

14 MR. MURPHY: Drew Martin.

15 MR. MARTIN: I'm Drew Martin. I'm a member of
16 the Conservation Committee for the State of Florida
17 for the Sierra Club. I came down from Lake Worth
18 because I think this is so important. The last
19 dredging project was a complete disaster for the port
20 and the Corps. I also think that it's misdirected.
21 The economy should be relying on the environment and
22 protecting the coral reefs, which are so important,
23 not on a continued dredging to accommodate large
24 ships.

25 You already had a bite at the apple which proved

1 disastrous of the reefs. Now, you're coming back
2 again. Common sense would absolutely deny this
3 permit. I'm starting to think that maybe common
4 sense is not the driving factor here. I don't think
5 the economy in Florida can afford another dredging
6 project. And I think even more serious is the issue
7 of sea level rise and loss of adversity.

8 Right now, we in Florida are losing huge amounts
9 of our reef system, one of the most important reef
10 systems in the United States and around the world.
11 We see what's happening to the reef system in
12 Australia. This may be a reef system that can be
13 preserved.

14 I also think that something that's being
15 completely ignored is the deeper these ports are
16 dredged, the more you accommodate storm surge into
17 low lying areas. Why is that? Because the more
18 dredging you do, the deeper the channel, the more
19 opportunity for storm surge to flow through that
20 channel during a hurricane. And where is that going
21 to go? It's going to go into the neighborhoods of
22 Miami where you have people that cannot afford to be
23 displaced from their homes.

24 So from the standpoint of sea level rise, this
25 project is completely impractical and unconscionable.

1 It could literally mean loss of life if it continues.
2 The other problem is that our how poorly the original
3 project was run and how much damage there was to the
4 existing reef system. So I'm sorry. I only get two
5 minutes for such an important topic.

6 MR. MURPHY: I would like to ask again just to
7 make sure that we haven't skipped anyone. Cocoa
8 Palankto (phonetic).

9 MS. PALANKTO: I'll pass.

10 MR. MURPHY: That's it, Captain. You're the last
11 one with a card, but that doesn't mean we won't have
12 more time as needed.

13 MR. NITKIN: Hello, everyone. John Nitkin,
14 Chairman of Biscayne Bay Pilots. Every port in
15 Florida, if not around the world, has harbor pilots
16 and we work hand-in-hand with the environment.

17 Our real purpose and most important purpose is
18 safety, public interest, and environment, protecting
19 the environment. This project warrant -- the deep
20 dredge project, I just want to educate you that it
21 started in 1999 is when they first drew it up.

22 By the time, it started dredging in 2015, the
23 project was already way behind reality because it
24 takes so long to through many of these projects.
25 With all the regulation, it took way too long.

1 During that time period, the industry went crazy
2 on building very large ships. The Panama Canal
3 created the new canal. It's very important that
4 Miami is able to handle those ships directly from the
5 Panama Canal. We talk about cruise ships, but we
6 also talk about the container ships. Everything you
7 eat, wear, use comes in through this port. This port
8 is such an economic engine. Our goal and sole
9 purpose is to make it safe here.

10 Here's the chart of the area. We're talking
11 about this area here and we're talking maybe half a
12 mile, a mile, couple of miles. This Florida coast on
13 up the east coast is thousands and thousands of
14 miles. There's reefs everything.

15 The purpose of this project here is to make the
16 deep dredge project really work with what's happening
17 in reality. These are the faces. These are make it
18 as safe as possible, so we can operate. These ships
19 will be coming no matter what and this allows a lot
20 more safety margin and protects the thousands of
21 miles of reefs.

22 Anything should happen here with these rocks, the
23 coral rock, our channels are cut in coral rocks, not
24 like Savannah and other places where it's mud and
25 sand. We must have the proper safety margins to get

1 these ships in and out.

2 If not, the part that gets hit under the ship is
3 where all the black oil, fuel oil is, and that oil
4 will go over all these reefs and be carried up by the
5 Gulf Stream north and cover and kill all the reefs,
6 the beaches, everything.

7 So I understand. I'm here. I'm an
8 environmentalist, but you must focus on the good of
9 the whole picture, not just this small little picture
10 right here in our Miami anchorage where ships go and
11 drop anchors and chains. This area is a working part
12 of the coast. I'm not used to two minutes.

13 MR. MURPHY: First off, it's only 2:45'ish. We
14 have plenty more time. If somebody submitted a card
15 and they want to come back up and get another bite at
16 the apple, you're welcome to come back up. I would
17 just ask you to please reintroduce yourself for the
18 court reporter and also, it's also fun to watch
19 people avoid Jason as he starts walking closer.

20 So if anybody else has any additional comments,
21 please? Also, if you haven't submitted a comment
22 card and you so desire, please take the time to go
23 back and put in a comment and get your name on the
24 list.

25 MS. SILVERSTEIN: Rachel Silverstein. I'm the

1 executive director and waterkeeper from Miami
2 Waterkeeper. Thanks for the opportunity to speak a
3 little bit more about what's going on. I'm glad you
4 mentioned storm surge because it's a particular irony
5 that tomorrow the Corps is here doing another
6 \$3,000,000 Back Bay Study on what to do to protect
7 Miami from storm surge.

8 What can they build to possibly protect the
9 coastline from storm surge? The irony, of course,
10 being is that our meeting today is about destroying
11 one of our best defenses of storm surge, our coral
12 reef.

13 So instead of allocating this money to protecting
14 our reef that already exists that already protects us
15 from storm surge that's dying rapidly, we're going to
16 choose to destroy the reef and instead, engineer some
17 solution that the Corps can, you know, build a 50
18 foot high sea wall or whatever comes out of that
19 planning meeting that they tell us we desperately
20 need to protect us from storm surge.

21 So it's a difficult contrast in the next two days
22 these two meetings with the Corps. Another thing
23 that I'm concerned about and we're going to be
24 submitting longer technical comments on the issues,
25 but some of the proposed dredging areas also directly

1 adjacent to the critical wildlife area in Biscayne
2 Bay. That is an area that is so protected that
3 you're not even allowed to kayak through without a
4 permit.

5 There's a lot of manatees there, sea grass. That
6 stuff will be impacted by sedimentation from
7 dredging. It's also little bit confusing because the
8 last deep dredge was touted as such a success and
9 about how many of these large ships are coming in
10 into Miami now and how desperately we needed that
11 project to hear now that that's actually not
12 achieving the objective.

13 Also, it's sort of breaking trust because who do
14 we believe. That it's a success or that it needs
15 fixing. This fact sheet that we were given today was
16 slightly more accurate than the one in Port
17 Everglades that had to be retracted because it was so
18 inaccurate. We complained that it claimed absolutely
19 no environmental damage. Kelly Cox is conceding her
20 time to me, another two minutes. Okay.

21 MR. MURPHY: Come on, Ms. Rachel.

22 MS. SILVERSTEIN: Can I take her time?

23 MR. MURPHY: No. She can have her own time. If
24 you want to come back and do it again, I'm sorry, but
25 we can come back and do it again. Again, I'm not

1 trying to be persnickety, but we have rules to follow
2 here.

3 Anyone else that submitted a card that wants to
4 come back up? Actually, Captain, I'm sorry. Do you
5 want to come back up, sir?

6 We'll try to follow the same order that we went
7 in before. We'll get you in a minute or in two
8 minutes exactly.

9 SPEAKER: I wanted to address some of the things
10 that the Captain mentioned and one was the black oil.
11 Well, we have been trying to get the cruise ship and
12 the shipping industry to stop using them, these low
13 grade quality oils. It would be great if they used
14 electric. That would be even better or even winning.
15 That's possible.

16 The problem is that -- this is exactly what the
17 problem is. It's with the shipping industry. It's
18 creating a lot of environmental problems. It's
19 definitely a lot of waste on the reef system and in
20 the oceans, including food waste, which gets put out
21 -- waste that gets put out at sea.

22 This is the drawback with relying on the types of
23 ships that utilize port quality environmental
24 standards and it's unfortunate because many ships use
25 flags from overseas, which allows them to adhere to

1 less rigorous environmental -- the time in front of
2 us, so we can see where we're at.

3 I wanted to talk about what Ms. Silverstein is
4 talking about and that is that the storm surge is
5 such a serious, serious issue that is being
6 completely disregarded. And there was a show on PBS
7 on New York Harbor. The New York Harbor, they are
8 talking about billions of dollars to protect some of
9 the low lying areas.

10 They are in the same situation. They're a
11 shipping harbor and they were built -- many of these
12 harbors were built in low lying areas when they were
13 being built. These are the issues we have to be
14 dealing with today. Far greater damage is going to
15 come from the destruction of the environment by
16 losing the biodiversity of these corals.

17 These corals are our protection from storm surge
18 and I think that that should be what we should be
19 focused on, not on this short-term economic gains
20 from shipping. Thank you.

21 MR. MURPHY: Captain, you raised your hand
22 earlier.

23 MR. NITKIN: So if I was a fish, I think I'd like
24 that food in being dumped off the ships. John
25 Nitkin, Miami Pilots. And I want to say that as far

1 as storm surges goes, these tsunamis and storm surge
2 and these natural events, coral reefs do not stop any
3 of this. It's going to come through and it's going
4 to come through. There is no stopping it.

5 It doesn't just follow a little channel. They're
6 not going to direct all the energy down our little
7 narrow channel. Our channel is only 500 feet wide.
8 It's going come in miles and miles across. So that's
9 just fact. And so the key is this little area right
10 leer, everything is -- why is all the focus on this
11 little area?

12 Coral reefs are thousands of miles on our coast
13 all the way down from the Keys, all the way north,
14 and the focus here is because we have these meetings.
15 We have the port here. So everybody's eyes are on
16 this particular area, but there is -- this little --
17 when they say that this was not a success, this port
18 is a tremendous success.

19 You just saw the economic number. Fiscal 2018,
20 everything is up. Containers -- there are over a
21 million containers now per year. We haven't had that
22 since 2000. The project is a tremendous success
23 economically. This allows it to be the full success.
24 We spent all this money to get to this point.

25 This little additional part allows us to get the

1 ships directly from the Panama Canal, which were not
2 even built. We would have 22,000 container ships.
3 We're talk about going to 14,000. We're about
4 11,500, 12,000 now. This allows us to get to the
5 14,000. All this investment was worthwhile. It was
6 a tremendous success.

7 MR. MURPHY: Anyone else? Please, don't forget
8 to reintroduce yourself.

9 MS. COX: Kelly Cox with Miami Waterkeeper. I'm
10 the staff attorney. I just wanted to reiterate a few
11 things that my colleague, Rachel, was saying here and
12 some other comments that were made.

13 One of things is to accommodate bigger ships here
14 at the Port of Miami. I'm curious as to why the
15 Corps didn't consider these bigger ships in the
16 previous project. It seems like you watered down a
17 supplemental (inaudible) process instead of
18 completing a project and starting a new project.

19 So it seems like that's something that would have
20 slowed down the timeline initially and maybe that
21 would have given us a better chance to protect our
22 resources in the initial project.

23 I also want to address this issue here about the
24 impact area. If everybody said that we can take a
25 little bit of the Florida reef tract, then we

1 certainly wouldn't have much Florida reef tract left.

2 So I don't really think that's a fair argument or
3 a position to take. I think that all of our reef
4 tract deserves protection. And, in fact, a lot of it
5 is protected with the actual intent that the reefs
6 provide, scientifically proven ecosystem services by
7 reducing storm surge. That's a scientific fact. So
8 that is something else that I wanted to point out.

9 Finally, I just want to ask sort of a broad
10 question. At what point, do we consider that thus
11 growth that we're experiencing isn't really
12 sustainable?

13 The Florida Keys and areas like Apalachicola have
14 been designated areas in critical state concern
15 because of continued growth in those areas isn't
16 sustainable because the resources are at such high
17 risk of being completely diminished and depleted.

18 So I want to pose that question here today. At
19 what point are we going to continue putting the
20 economy and economic growth over the environment upon
21 which the economy actually does depend?

22 The folks on cruise ships wouldn't be coming here
23 if we didn't have the coral reefs in the first place.
24 Thank you.

25 MR. MURPHY: Anyone else want to come back up

1 that's already submitted a card? Ma'am?

2 MS. CARRICK: My name is Jane Carrick. I'm a
3 researcher at the University of Miami's Rosenstiel
4 School of Marine and Atmospheric Science. And I also
5 wanted to address the ecosystem service of coastal
6 protection.

7 I actually did a master thesis on the coastal
8 protection benefits provided by coral reefs and there
9 was a global analysis that coral reefs on average
10 mitigate wave energy by 97 percent, as well as wave
11 height by 84 percent.

12 And we are currently in a long-term study looking
13 at corals off of Miami Beach and how they can
14 contribute to coastal protection of our resources. I
15 also want to restate what Kelly just said about you
16 can't really say, oh why are we so worried about this
17 one area of the Florida reef tract.

18 I think just about everybody knows at this point
19 that our marine ecosystems are all connected. So
20 even if you were just to damage one area, that has
21 wide implications for not only the coral reefs that
22 are adjacent or nearby, but to the sea grass beds, to
23 the mangrove forests, to our own economic societies.
24 Everything ripples down the road. And so I just
25 wanted to make sure that that was clear. Thank you.

1 MR. MURPHY: Anyone else? Sir?

2 MR. BAKER: Andrew Baker, University of Miami,
3 Rosenstiel School of Marine and Atmospheric Science.
4 I just want to expand a little bit on the comments
5 that have been made about the value of coral reefs
6 attenuating wave action. That's just been mentioned.

7 We have a study looking right here off Miami
8 Beach at the value of these reef resources in
9 reducing wave energy and these values are enormous.

10 In facts, the coast of Southeast Florida, Miami,
11 Fort Lauderdale, Dade and Broward Counties, have more
12 exposed real estate, more exposed infrastructure in
13 billions of dollars than any other location worldwide
14 to the effects of sea level rise and storm surge.

15 So if reefs are going to have value anywhere and
16 whether you calculate the value of restoration in
17 terms of the value of coastline protected, a Nature
18 Conservancy study published in April, which was a
19 global analysis, pointed to the reefs of South
20 Florida as being a high priority for this kind of
21 work.

22 So the short-sided notion that by sacrificing the
23 reefs in this particular location will be
24 insignificant really is another fallacy because first
25 of all, coral reefs don't exist for thousands of

1 miles north of here and thousands of miles south of
2 here, certainly not within our own jurisdictions.

3 And I think coral reefs, as valuable as they are,
4 are under so many threats from factors that we don't
5 have immediate control over like climate change and
6 (inaudible) temperatures and ocean acidification.

7 Here is a situation where we have a chance to
8 actually protect the few remaining corals that we
9 have in South Florida from things that we have direct
10 control over, mainly, whether or not we're going to
11 dredge in this area.

12 We can argue about the impact that any one of us
13 can have in reducing carbon emissions and protecting
14 the coral reefs, but here is a situation where we
15 have corals at the extreme limits of their
16 distribution. We now believe that that may move --
17 migrate northwards as a result of climate change and
18 we're interested in helping them do that, so that we
19 can continue to maintain these ecosystems.

20 Right at this cusp at this leading edge of that
21 migration, we're about to destroy it for reasons that
22 we do actually have control over.

23 MR. MURPHY: Anyone else? I saw the Captain
24 raise his hand. Anyone else?

25 SPEAKER: Can we go a third time because he's

1 going a third time?

2 MR. MURPHY: You can have as many bites at the
3 proverbial apple as you want until we run out of time
4 at 3:30, correct? 3:30 is the cut off.

5 Again, this what this meeting is for. I prefer
6 not to get into a running debate between folks, but
7 you definitely have an opportunity to speak.

8 MR. NITKIN: So I hear sea level rise. I live in
9 this every day, this environment. I just know what
10 the bottom is like. I know how it comes up. I know
11 practically what happens here. Our corals and reefs
12 -- I don't know how many feet off the bottom, but
13 they are very -- it's not the Great Barrier Reef
14 where you would get some kind of mitigating energy
15 dispersion.

16 What we have here -- first of all, you got to
17 know what a storm surge is. It is -- a hurricane
18 pushes like a plow all this water in front of it from
19 all the winds and drives it ashore. Nothing stops
20 it. Land, it goes over it and it goes as far as it
21 can until the storm passes through.

22 So that's going to happen no matter what.
23 Hurricane is a disaster. That's -- this channel is
24 not. And the problem with back in 1999 when this
25 project was born, the industries, the shipping

1 industries were asked how -- what's the largest ship
2 that possibly will be built. They said the Susan
3 Maersk and she was built in 2009.

4 Well, since that, the shipping companies built
5 bigger and bigger. The Panama Canal expanded and
6 made a 14,000 size canal. It is imperative that we
7 match that and make this as safe as possible. These
8 ships are coming. They are coming to the East Coast,
9 New York. Everybody is having these ships come and
10 Miami is on their list to stop.

11 And they either can come in with more safety
12 margins and come in a lot safer protecting the entire
13 environment, every aspect of the environment, not
14 just the coral reefs, but the water, the beaches, the
15 tourism.

16 Also, passengers do not come to Miami on these
17 ships to enjoy our corals or beaches. They get on
18 the ships and they leave. They come back and fly
19 out. So that's a misnomer. That's not correct.

20 MR. MURPHY: Anyone else? I spoke -- we have to
21 be careful here. The public comment period was
22 suppose to run to about 1500 or 1530. We were
23 supposed to adjourn at 1530.

24 So the question is -- I said it when I first
25 started off that I wanted to have an opportunity for

1 you to interact and ask personal questions of the
2 staff or anyone else. I want to leave time for that.

3 So if nobody is going to have a big deal, let's
4 see if we can cut this thing off at 15 minutes from
5 now, about 3:15, excuse me. And then we'll have some
6 time to have some interaction with the folks that are
7 here in addition to the poster sessions that are in
8 the back.

9 Ms. Rachel, you were about to --

10 SPEAKER: Go ahead.

11 MS. SILVERSTEIN: Just to readdress some of the
12 things that were just mentioned. I don't think it's
13 accurate to say that coral reefs don't bring any
14 tourism value to Miami particularly from cruise ship
15 passengers. I think a lot of small business owners
16 here would disagree with that and their businesses
17 are based on having viable reefs nearby this major
18 metropolitan center, which is the only place in the
19 Continental U. S. where you can do that --

20 MR. NITKIN: I was addressing a statement about
21 cruise ship passengers.

22 MS. SILVERSTEIN: I also think that we don't get
23 to choose which reef is worth protecting and because
24 our reef doesn't look like the Great Barrier Reef
25 anymore, it doesn't mean that it -- it doesn't mean

1 that it's not valuable.

2 In fact, it has been designated as critical
3 habitat by the federal government. It has special
4 protections under the State of Florida. What you are
5 suggesting is death by a thousand cuts for the reef
6 and that every little project, you know, we're just
7 damaging a small area.

8 Well, actually the impacts of this dredging
9 stretched for kilometers. It happened that in the
10 middle of this dredging, there was a massive disease
11 outbreak. Was that linked to the dredging? I don't
12 think we know yet, but we can investigate that and
13 find out.

14 I think it was a little weird that in the middle
15 of the dredging, at the same time, it triggered a
16 massive sea grass die off inside of Biscayne Bay, a
17 massive coral reef die off offshore and an unusual
18 dolphin mortality that NOAA recorded.

19 We don't know what caused any of these die offs,
20 but I think it's coincidental in space and time and
21 coincident with the dredging. I think all of these
22 things to be explored and investigated in great
23 detail before we embark on yet another dredging
24 project around our coral reefs and that includes Port
25 Everglades, which I know that the Corps is also

1 planning another major dredging project along our
2 Florida reef tract, which is yet another one of the
3 death by a thousand cuts, cuts.

4 So I think there is a lot of trust that needs to
5 be rebuild. It's hard to look at a straight face
6 with -- it's hard to imagine with a straight face
7 these fact sheets that were given about how wonderful
8 the marine life is doing from the mitigation that was
9 done because we dropped a bunch of rocks into the
10 ocean and you're calling that an artificial reef.
11 That is not restoring the reef.

12 A lot of research has been done for decades
13 showing that these reefs can never recover to what a
14 natural reef was. As Jane mentioned, you can do all
15 the restoration in the world if you want, you'll
16 never get back the reef that was lost. We have to
17 protect it in the first place and that is the
18 critical point. Thank you.

19 MR. MURPHY: Does anyone else want to make a
20 comment?

21 MR. MARTIN: Again, Drew Martin. I'm with the
22 Sierra Club. I think that we need to look at the
23 science and that would be great if the Corps wanted
24 to pay for some additional studies.

25 If you go into the Pacific and you see these very

1 -- islands with very low elevation, they survive
2 because they're surrounded by reefs. The reef system
3 is protecting those islands. That's why they're not
4 wiped off the map every time there is a storm out in
5 the Pacific.

6 The same is true for Miami and if you look at
7 this historically, we will see the inlets in much of
8 this area is originally sandbars and reefs. There
9 wasn't a lot of interaction. In fact, much of the
10 area where I lived was freshwater. But I want to
11 talk about the long-term damage from the turbidity of
12 the dredging and the dynamiting and how that gets out
13 into the water stream.

14 We just saw the example of red tide coming all
15 the way around the state and getting captured and
16 now, moving all the way up to Melbourne. The same as
17 true with the turbidity that is created by these
18 dredging projects. And one of the areas that we have
19 been focused is turbidity from the dune restoration
20 projects and the sand projects. It does the same
21 thing.

22 This turbidity gets into the coral reef's corals
23 and it begins to clog those corals. Also, coral
24 reefs are very dependent upon sunlight. The
25 turbidity again is damaging the sunlight that reaches

1 the reefs.

2 Now, the reefs -- I don't know how someone can
3 determine that no one came here on a cruise ship ever
4 went to a reef or into the reefs because a lot of
5 people come here and they dive and they snorkel.

6 So I think that that would be a worthwhile
7 subject for the Army Corps to research because I
8 think we need to sit down and say what's the economic
9 drawbacks of moving forward with this project. I
10 don't think we always know all the economic
11 drawbacks. We don't know the cause of the coral die
12 off and the sea grass die offs. Thank you.

13 MR. MURPHY: Anyone else? Captain, you're coming
14 up again. You're coming up for another bite.

15 MR. NITKIN: Yes. I was answering to your
16 statement that passengers -- the studies have already
17 been done. The cruise ships, the cruise lines, these
18 studies on everything. The majority of the
19 passengers fly in go right directly to the ships,
20 sail out of here, and go to coral reefs and all these
21 other ports, come back and fly out. So that is the
22 majority of them. I was just commenting on that, but
23 I care about our reefs. I'm not asking to sacrifice
24 our reefs. I really -- I am a diver and I care about
25 it. I live here.

1 This project allows to us to protect these reefs.
2 This current port is not going to go away. We're not
3 now going to fill this port in and save the reefs.
4 The port is here.

5 Now, to make it so it is safe for the entire reef
6 and economic -- all the ecology here, this project
7 allows it to be tremendously more protected. That's
8 what I'm talking about. That's my point.

9 So it would behoove any environmentalist to get
10 behind this project because of the safety that it
11 brings to the entire environment, not just
12 specifically to the reefs. The reefs are along the
13 coasts. I've dove all the Keys and all the way up
14 north, Palm Beach. Very similar.

15 This area is a little -- this island of Port of
16 Miami is doing amazing things. It's the cruise
17 capitol of the world and allowing these ships to be
18 able to come here directly from Asia. If they don't
19 come here from the canal to here, they will go
20 elsewhere. That is not good for all the families and
21 all who live in the area and work here and are able
22 to feed their families and support their families
23 because of the Port of Miami.

24 MR. MURPHY: I'd like to kind of shut off the
25 microphones and kind of closeout the public comment

1 period, but I encourage you, please, take advantage
2 of the Corps team that's here, take advantage of the
3 Port of Miami team that's here, poster sessions in
4 the back, talk to someone, ask your questions.

5 If you have something that maybe you want to
6 storm the microphone for that you want to ask about,
7 please ask. Our folks are excited to have an
8 opportunity to have a dialogue with you.

9 Thank you for taking the time to come out today.
10 We'll be back here again at 5:30 for posters. We'll
11 start the formal presentation at 6:00 and try to wrap
12 up by 8:00, but again, that depends on how many
13 public comments we have. Thank you all very much. I
14 appreciate your time.

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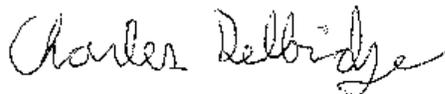
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C E R T I F I C A T E O F R E P O R T E R

STATE OF FLORIDA)
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I, Charles Delbridge, Court Reporter, certify
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Dated this 20th day of November, 2018.



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