

FINAL

**MINUTES OF THE MEETING
Of the
HARRIS CHAIN OF LAKES RESTORATION COUNCIL**

March 4, 2011

The regular meeting of the Harris Chain of Lakes Restoration Council was held at 9:00am on March 4, 2011 at the Lake County Board of County Commissioner Chambers, 315 West Main Street, Tavares, Florida

Members Present

Skip Goerner, Chairman
Richard (Rick) Powers P.G., Secretary
Richard Royal
Don Nicholson
Lloyd Woosley

Members Absent

Hugh (Dave) Davis II, Vice Chairman
Jon VanderLey
Keith Farner
Edward Schlein, M.D.

1. CALL TO ORDER

Chairman Skip Goerner called the meeting to order at 9:08 am.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nicholson gave an invocation. The Pledge of Allegiance followed.

3. COUNCIL ROLL CALL; REMINDER FOR OTHERS TO SIGN IN

Chairman Goerner called the roll. Vice Chairman Davis, Councilman Schlein, and Councilman VanderLey, were absent. Councilman Powers arrived after roll call.

4. APPROVAL OF MINUTES

Councilman Woosley commented he would like to remove the word 'state' from his statement on page 4, section 8A, on line 6. The February 4, 2011 meeting minutes were approved by unanimous vote with the edit.

5. PRESENTATIONS / ACTION ITEMS

1) Chairman Goerner called for a presentation by Dennis Renfro, Florida Fish and Wildlife Conservation Commission (FWC).

- Dennis Renfro, FWC, provided information on the Freshwater Fisheries Management of the Harris Chain of Lakes (HCOL). His presentation slides are viewable on the website at <http://sfrc.ifas.ufl.edu/harrischaincouncil/Minutes>. The presentation and discussion by the Council and Mr. Renfro included: 1) data on anglers in Florida; 2) the major issues identified by freshwater stakeholders; and 3) current and future projects and challenges for the fisheries. He stated, based on the 2006 national survey, Florida ranks first for in-state anglers and sport fishing has generated \$440 million for state and local taxes. His presentation included numerous ways the fishery managers will be addressing the major issues identified by the fresh water stakeholders, which included habitat enhancement, fish population manipulations and people management. Mr. Renfro spoke about habitat enhancement and the successful planting of bullrush, which was completed in Lake Dora, Lake Beauclair, and Lake Yale. Another habitat enhancement that will soon be implemented is plastic fish attractors with a concrete block base; they will be used to create an off-shore fishery. He said that black bass fishing generates \$1.25 billion per year. He also stated the FWC is developing a management plan for black bass to ensure quality bass fishing for the next 30 years. The black bass management plan will be published after June 2011 and will be available for viewing on their website at <http://myfwc.com>. He informed the Council that this year the proposed plan is to stock 600,000 sunshine bass in Lake Apopka and 90,000 sunshine bass in Lake Harris (determined by availability from the hatchery). Mr. Renfro said that the proposed 10-inch minimum size regulation for black crappie in Lake Griffin is currently going through the rule development process, and will possibly be ready to go into effect by July 2012. He mentioned that in two months one of the staff from the FWC hydrilla management team will be giving a presentation to the Council.

- Nathalie Visscher, FWC, said hydrilla has become resistant to current herbicide treatments. She stated some hydrilla on John's Lake and in Emerald Marsh has shown resistance, so now the FWC is rotating different types of herbicides to prevent hydrilla from adapting to the treatments. She mentioned that this procedure is also being done by other agencies doing plant control. To keep the maintenance cost down, hydrilla is being managed to the lowest possible level each year. She stated if it were allowed to grow and expand that would increase the cost to maintain it. In addition, with keeping the invasive hydrilla growth down, other submerged aquatic native plants are increasing, creating a good fish habitat in the Harris Chain of Lakes. She reminded the Council that Lake Apopka is a big lake, and if the hydrilla is allowed to expand, it will cost more money to maintain it.
 - Bruce Jagers, FWC, commented that Orange Lake in the late 70's was nearly 100% covered with hydrilla, and where there were little holes in the hydrilla, there was green water. The hydrilla was acting like a nutrient pump by pumping nutrient sediments into the water column.
 - Dan Canfield, University of Florida (UF), commented that hydrilla management should be managed less. He believes if it is allowed to grow to a reasonable level, it will provide a good habitat for the fish populations to survive and multiply. Mr. Canfield mentioned that there is a \$40 million Aquatic Plant Management Trust Fund available in Florida (each year, the Legislature appropriates aquatic plant control funds). He suggests the Council make a recommendation to the legislature to dedicate a certain amount of the trust fund money to the Harris Chain of Lakes Restoration Council (HCOLRC). It will provide the funding needed to experiment with the hydrilla, and to keep it at a reasonable level, for the restoration of the lakes. Mr. Canfield recommends that a demonstration project be done on Lake Apopka to allow more hydrilla to spread. He stated it has never been proven that hydrilla wipes out native plants in the state of Florida. In addition, no studies have proven that native Florida plants are a better habitat for fish than hydrilla. He suggests reading the following report by UF, Department of Fisheries and Aquatic Sciences on hydrilla management at:
http://lakewatch.ifas.ufl.edu/HydrillaMgmt_Final_June05 .
 - Councilman Woosley asked Mr. Renfro if FWC does an ecological assessment and consultation with the St. Johns River Water Management District (SJRWMD) before the district issues a permit for a dock or pier, or does the SJRWMD have their own biologists who do the assessments and determine the modifications? He is surprised that FWC is not in a consulting role on hydrographic construction activities for state and local permits. Mr. Renfro will look into it and report his findings to the council.
 - Chairman Goerner questioned Mr. Renfro on the survival rate of the largemouth bass fingerlings that were stocked in 2009-2010 in Lake Griffin and Lake Carlton. Mr. Renfro explained they were 4-inch fingerlings that were fitted with a micro-wire tag for research identification and he will have that data for the Council's next meeting.
- 2) Chairman Goerner called on David Walker, SJRWMD, for his report on the laws and procedures for discharges at Lake Apopka, the Burrell Dam, and Moss Bluff.
- David Walker, SJRWMD, provided the Council with: 1) an overview of the procedures for changing lake regulation schedules in the HCOL; and 2) information on changing the minimum discharges. Mr. Walker commented that since the temporary stopping of discharges from Lake Apopka and the Burrell Lock and Dam and because of the rainfall in January, all the lakes in the HCOL are at higher levels than they were on December 15, 2010. Mr. Walker stated that the lake regulation schedules are designed primarily for flood control and navigational purposes and the minimum discharges are set for water quality considerations, and they are handled differently. He explained that in order to change the lake regulation schedule, agreements are in place with Orange County Board of County Commissioners for the Apopka Lock and Dam and the Lake County Water Authority (LCWA) for the Burrell Lock and Dam. SJRWMD needs to notify them 30 days in advance of a public hearing. Moss Bluff Lock and Dam is owned by the US Army Corps of Engineers (USACE) and their approval would be needed to change the regulation schedule. Regarding minimum discharges, the water control manual gives the Water Management District authority to manipulate the discharges based on water quality considerations in the basin. He mentioned that to meet the minimum flow and levels (MFLs) set for Lake Apopka, wintertime periods of zero discharge may happen. The current temporary zero discharge is being tested to see what occurs in the rest of HCOL and how their lake levels can be protected as well. He stated that workshops should begin this summer for public input on proposals on changing how the lake level regulations are set.

- Dan Canfield, UF, questioned Mr. Walker on information he heard that SJRWMD and the US Fish and Wildlife Service (USFWS) are going to make the North Shore Restoration Area (NSRA) a national refuge. Dave has not heard anything about that but he will check into it.

6. COUNCIL & AGENCY QUESTIONS & ANSWERS

- Mike Perry, LCWA, gave his updates on: 1) current water levels in the HCOL; 2) the Lake Beauclair dredging project; 3) the LCWA budget for next fiscal year; and 4) the Nutrient Reduction Facility. Mr. Perry began his updates to the Council with the daily water level reports on the Upper Ocklawaha River Basin (UORB) he received from the SJRWMD website, located at: <http://www.sjrwmd.com/hydrologicdata/waterlevels> . Mr. Perry stated since Dec. 15, 2010 (when the water flow was stopped from the dams), the water levels in the lakes are a little higher now. He commented that the rainfall has helped keep the levels from getting too low. He also updated the Council on the Lake Beauclair restoration dredging project. The bids should be in by March 18, 2011 and he will keep the Council informed. Mr. Perry mentioned that the LCWA budget for the fiscal year of 2011-2012 will possibly be reduced by another \$200,000- \$400,000. He stated that the Nutrient Reduction Facility (NuRF) is still idle, with the Apopka and Burrell Lock and Dams flow stopped, but people are still requesting tours of the facility. He informed the Council that the American Society of Civil Engineers will be touring the NuRF next week, and the South Florida Water Management District will be given a tour the end of April. He will let the Council know the dates and times, and they are welcome to join the tours.
- Nancy Christman, SJRWMD, reminded the Council that if two or more members go on the tour, a public notice would need to be published in the newspaper.
- Dan Canfield, UF, gave his updates on: 1) the US Environmental Protection Agency's (EPA) numeric nutrient criteria; 2) the mechanical harvester; and 3) the dredging project at Lake Apopka. He reminded the Council that EPA's proposed rule on the numeric nutrient criteria would list even the restored Florida lakes in violation. Mr. Canfield suggests the HCOLRC talk to their colleagues to help solve the problem. He informed the Council that the harvester is still being used, and the next project will be at the Dead River area. He stated the Lake Apopka dredging project still is being considered and that everyone is trying to resolve the un-ionized ammonia problem. They are waiting on the Clean to Green engineers to get a proposal back to the Florida Department of Environmental Protection (FDEP) for approval. He will return the funds back to the state in mid-May if the dredging project is not going forward.
- Dave Herbster, FDEP, informed the Council that the FDEP has been developing a new way of measuring the health of lakes; it is called a lake vegetative index. It involves taking a survey of the plants that are growing in the lakes and then rating them.
- David Walker, SJRWMD, informed the Council that his monthly updates were sent to the Council with the agenda.

7. PUBLIC COMMENTS

- Ann Griffin, citizen, spoke about her concerns on the temporary changes in the Lake Apopka and Burrell Lock and Dam to a zero-discharge rate. Ms. Griffin handed out to the Council some notes she had written on: 1) the precursor conditions needed before undertaking enhanced fluctuations; 2) a 2007 letter from LCWA to SJRWMD on the 1963 agreement on water level changes; and 3) historical data on annual levels in Lake Griffin. They are viewable at: <http://sfrc.ifas.ufl.edu/harrischaincouncil/Minutes>. Ms. Griffin spoke about the precursor conditions that she believes were not established before stopping the discharge from the dams and she is upset that there were no public meetings before the decision was made to close them. Ms. Griffin spoke about a 1963 agreement between the LCWA and SJRWMD which stated that a special hearing is needed to be held before water levels are changed. She stated that Lake Griffin's water level is low and without minimum discharges, fish and wildlife have trouble surviving. Ms. Griffin would like to have the Burrell Lock and Dam on Haynes Creek re-opened immediately and she stated it is the legal responsibility of the LCWA (the owners) to do so.
 - Chairman Goerner suggested that Ms. Griffin discuss this matter with the LCWA Board of Trustees at their next meeting. He expressed his concerns as well, and he explained that fortunately

there was some rainfall, and with the flow reduced from Moss Bluff Lock and Dam the impact is minimized.

8. COUNCIL MEMBER COMMENTS

A. Comments

- Chairman Goerner is proud of the efforts of the Harris Chain of Lakes Restoration Council for bringing back the major bass tournaments to this area. He also thanked David Walker, with SJRWMD, for reducing the flow at Moss Bluff.

B. Motions

- Councilman Woosley made a motion for the HCOLRC to encourage FWC to incorporate adaptive management strategies (e.g. experimentation and demonstration projects) in the formulation of ways to use invasive plants to achieve water quality objectives, principally habitat establishment and maintenance. Councilman Royal seconded the motion. The motion was approved unanimously.
 - Chairman Goerner instructed Councilman Woosley to write the letter to FWC (on behalf of the Council, with Chairman Goerner's name typed on it, and without his signature) and then submit it to Nancy Christman, SJRWMD, and she will send to the Commissioners of the FWC and to the Chairperson on FWC's hydrilla management team (on behalf of the Council). Ms. Christman will also distribute it to the other Council Members and the Council's e-mail group.
- Chairman Goerner stated that he cannot attend the April meeting. Councilman Royal made a motion to cancel the HCOLRC April 1, 2011 meeting, Councilman Nicholson seconded the motion. The motion approved unanimously.

C. Discussion of Next Scheduled Meeting: May 6, 2011

- Chairman Goerner called on Nancy Christman, SJRWMD, to include FWC on the agenda for May to discuss the FWC hydrilla management plan and for Dennis Renfro, FWC to update the survival rates of fisheries. Dennis Renfro will get with Nancy for the actual presentation titles.

9. ADJOURNMENT

The meeting was adjourned at 11:37 am