

FINAL

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

February 1, 2013

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 a.m. on February 1, 2013 at the Lake County Board of County Commissioner Chambers, 315 West Main Street, Tavares, Florida

Members Present

Hugh (Dave) Davis II, Chairman
Skip Goerner, Vice Chairman
Richard (Rick) Powers P.G., Secretary
Sid Grow
Robert (Bob) Johnson
Don Nicholson
Keith Truenow
Lloyd Woosley

Members Absent

Edward Schlein, M.D

1. CALL TO ORDER

Chairman Davis called the meeting to order at 8:59 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Davis gave an invocation. The Pledge of Allegiance followed.

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

Chairman Davis called the roll. Councilman Schlein was absent.

4. APPROVAL OF MINUTES

Councilman Woosley requested the January 2013 minutes be amended to reflect Mr. Godwin's statement regarding the Council being able to provide their suggestions to the St. Johns River Water Management District (SJRWMD) on the regulation schedule of the lakes. This was recommended and approved unanimously.

The Council requested more detail in the January 2013 minutes. This was recommended and approved unanimously.

5. PUBLIC COMMENTS

- Linda Bystrak, Ocklawaha Audubon Society, spoke to the Council about the national wildlife refuge proposal. She wants the Council to spread their vision about the future of Lake Apopka. She agrees that the health of the Lake and its restoration are priority, but the national wildlife refuge proposal should be second in priority. She requested that the Council give a hand vote of whom would support the national wildlife refuge proposal.
- Responding to questions from the Council, Dave Walker, SJRWMD stated that the District has a contract with Harry Robinson, Ornithologist to provide an annual report for a bird counts on the north shore.

- Vice Chairman Goerner clarified that he speaks for the Council. He continued and stated that the Council wants the marsh to be utilized for the recovery of Lake Apopka. He didn't talk against the birds, but he feels that the north shore is important to Lake Apopka. If the marsh becomes a national wildlife refuge then the Council's recommendation to recover the marsh can't happen. If it becomes a shallow marsh or if more dumping spoils on the marsh then the reconnection of the Marsh cannot happen. The bottom of Lake Apopka has better soil conditions than what exist on the marsh. The Council (Vice Chairman Goerner's comment) does agree that the Lake should be dredged and the soils be used to fill the low areas of the Marsh to enhance the recovery.
- Councilman Woosley stated that the Council's primary objective is to restore Lake Apopka. Birds are an important component, but the Council's objective is the restoration of Lake Apopka. Councilman Woosley stated that the Council is to ensure that the management plan meets as many objectives as possible, but the Lake restoration is top priority.

6. PRESENTATIONS / ACTIONS

- Robert Christianson, Director, Division of Operations and Land Resources, SJRWMD gave a presentation on the Lake Apopka North Shore Restoration Area's 2013 Land Management Plan. He continued and stated that this is a ten-year plan that has been approved by SJRWMD Governing Board and that the land is constantly being managed. Mr. Christianson reviewed the Lake Apopka north shore area map and stated the acquisition includes implementation of the Marsh Flow-Way project to improve water quality in Lake Apopka and to reduce phosphorus discharge into Lake Apopka through acquisition and restoration of farmlands. He continued and stated the long-term vision is to provide floodwater storage for lake level fluctuation, wildlife habitat, phosphorus removal from Lake Apopka, and recreation and tourism. SJRWMD's interim goals have been set for phosphorus management, wetland habitat, flood storage, listed species, and recreation. SJRWMD's land use and management constraints include phosphorus rich and subsided organic soils, residual pesticides in soils, federal regulatory protection for birds, infrastructure design capacity, invasive and undesirable woody plants, drought and floods, and funding. Accomplishments from 2005 – 2012 include infrastructure improvements, remediation, permission from US Fish and Wildlife Service (USFWS) to flood remaining areas, operation and maintenance of Marsh Flow-Way; property maintenance (stormwater management, recreational trail development and improvements, trailhead agreements with Orange and Lake counties), Lake County Water Authority (LCWA) Nutrient Reduction Facility agreement, and a USFWS Scrub Restoration Grant. Mr. Christianson reviewed the north shore restoration phases: phase I - Dry Maintenance, phase II - interim saturation (estimated 5–10 year duration), and Phase III – active management with seasonal flooding (deep and shallow). He reviewed the strategies from 2012 – 2022 set by SJRWMD Governing Board to include continue operation and maintenance of Marsh Flow-Way and other water resource infrastructure, initiate mixed marsh restoration and management activities, continue treatment activities to control exotics, conduct prescribed fire management activities, manage and restore uplands to improve habitat conditions for many rare and listed plant and animal species, continue development of recreational trails and infrastructure, continue interagency and local government coordination, and explore partnerships for enhanced management and utilization of the north shore. Mr. Christianson shared with the Council the North Shore Restoration Area Land Management Plan public comments that included 20 written comments including nine opposed to adjacent airport expansion into District property, three supporting increased bird habitat, marsh restoration and the national wildlife refuge designation, three promoting waterfowl hunting, six promoting ecotourism/recreation, and three supporting increase funding partnerships to address shrub control/exotic plant management.

Councilman Nicholson asked if there were proposals for surplus land for sale in the north shore area?

Mr. Christianson stated that there are four areas for potential surplus sale equaling approximately 560 acres: Sand Farm, eastern shoreline – Zellwood shop, former Hickerson farms which will be donated to Orange County to become a park, and 20 acres - former growers pre-cooler property to be sold to the City of Apopka to build a small facility to capture some water from north shore, filter it and add it to their reclaimed water system.

Councilman Woosley asked several questions: If prototype, science-based models were used to formulate the management plan for the North Shore Restoration Area, what the \$90,000 grant from the USFWS was used for, and if a conjunctive water use strategy had been developed as part of the management plan? He stated that the management plan should have a hydrologic component specifying how much water is needed to support the downstream chain of lakes system and how much water is needed to support alternative uses for the restoration area. Councilman Woosley also asked if the SJRWMD had been contacted to sell the land for the proposed airstrip?

Mr. Christianson stated that common sense, round the table discussions, and studies were done. The grant was for some of the high sandy land on the west side coming in off of Ranch Road and was for scrub jay vegetation control and conversation for a habitat to support scrub jays. Mr. Christianson stated that SJRWMD is not trying to drive water supply, but are trying to accomplish lake level fluctuation and achieve goals for on site water level management. Mr. Christianson stated that the existing airport land is owned and there has been a request from the West Orange Airport Authority exchange lands for continuation of airstrip. The action has not been considered by SJRWMD Governing Board.

Councilman Powers asked what the national wildlife refuge habitat would differ from what SJRWMD has done in their restoration improvement for birds and habitat.

Mr. Christianson feels that the management area is set-up and is consistent of what the refuge would accomplish.

Councilman Truenow stated that the state has left out the direction for agriculture to follow with these crop relocation enhancement and environmental growth. Is there a place for agriculture?

Mr. Christianson stated that the 1996 legislation stated that the private/public sector would build more water treatment facilities and agriculture would continue on the north shore as one path and while you are at it, look to buy-out the land. The agriculture landowners agreed to the buy-out. SJRWMD did not choose the land buy-out plan. The light blue area in the plan (map) can be available for agricultural uses consistent with lake restoration and management. He added that SJRWMD's largest project is in Indian River County and its primary beneficiary is agriculture.

Councilman Johnson stated that the soils are high in phosphate naturally. How are levels going to be reduced with natural phosphate load and then move the bottom (sediments) of Lake Apopka, also high in phosphate, to the north shore? He continued and stated that natural arsenic is in most muck soils. Councilman Johnson stated that studies showed that a major killer of the birds was botulism and Newcastle disease. He continued and stated that the chemical diazinon was banned due to the bird mortality and it had nothing to do with the chemical diazinon, but rather the Newcastle disease.

Mr. Christianson stated that phosphate is not being reduced, but rather the District is trying not to transfer it into the lake.

Vice Chair Goerner asked about the flow-way operations and how long will it be continued? He stated there are many projections, but are there any reconstructions?

Dave Walker stated that the flow-way doesn't have a date of cutoff, perhaps ten more years.

Vice Chair Goerner stated he wants to know what the enhanced fluctuation plan for Lake Apopka is?

Mr. Christianson stated that specific proposal has not been set-up yet, but will come this year 2013. SJRWMD is looking to maximize lake level fluctuation.

Councilman Johnson asked if there is any more dredging planned for the Lake?

Dave Walker stated that there are places in the lake that will be located and dredged.

Dr. Dan Canfield, University of Florida (UF), told the Council to ask the District how long do they plan on keeping the Marsh flow-way and is it accomplishing what the District wants? He stated that removing phosphorus would be to remove the farms. What costs are being projected and other things are trying to be accomplished? He added that the District states that they would like to keep the phosphorus under six tons per year, this can be accomplished if there is a drought, but if there is a wet season it would be nearly impossible to accomplish this without major structures or major treatment.

- Dave Walker, SJRWMD gave a presentation to the Council on lake levels, management and minimum flows and levels (MFL) development. He reviewed the potential changes in water levels for Lake Apopka and the Harris Chain of Lakes. Mr. Walker stated that the original framework for implementing new lake fluctuations began in 2002 on Lake Griffin because of ability to return lake levels to minimum desirable levels in an acceptable time period, add flexibility to manage Burrell sub-basin lakes with completion of the Harris Bayou project in 2008, and establish a more consistent flow of water from Lake Apopka by storing more water in the basin after resolving contamination issues and re-flooding of the North Shore Restoration Area in 2012. Changing lake level regulation has now been combined with establishing MFLs for lakes in the basin. He stated that Florida Statutes and administrative code direct MFLs be established to protect natural resources and non-consumptive uses and define MFLs as the limits at which further withdrawals cause significant harm to the water resources or ecology. SJRWMD general MFL process is to gather MFL data (science based), provide technical drafts, have independent peer review, and rule development that includes a public workshop, rule hearing and adoption. Mr. Walker explained the technical concepts for MFLs is defining new minimum hydrologic regime. This is based on water budget models that define hydrologic statistics of magnitude (how high or low); duration (how long); and frequency (how often). He stated that the multiple MFLs protect high, intermediate, and low hydrologic conditions. SJRWMD's approach for implementing interim lake levels in the Harris Chain of Lakes and Lake Apopka is to operate schedule modifications and two scenarios which are A: raise "recession" portion in spring and A1: raise "recession" portion in spring and floor in summer.

Vice Chair Goerner stated that he doesn't see improvement for discharge of a lot of water or to maintain a maximum discharge of 300 cubic feet per minute out of Lake Apopka.

Dave Walker stated that SJRWMD is looking at how to hold the water in Lake Apopka and to put the water in the north shore. He stated that up until now there has not been the ability to store water in the north shore. Mr. Walker stated that the problem is not Apopka, but how the water backs up downstream. He stated that downstream is what slows-up the water even if you have the dam and lock open.

Dave Walker told the Council that his job might possibly be changing and there may be a new basin program manager in the near future. He would continue to help with the basin until the program manager was up to speed.

7. COUNCIL & AGENCY QUESTIONS & ANSWERS

- Dennis Renfro, Florida Fish and Wildlife Conservation Commission (FWC), told the Council that FWC's biggest portion of the last month was spent on preparing for the Lake Apopka Restoration (legislative projects) meeting with Senator Hayes. These power point presentations will be available on both FWC and SJRWMD's website for review. FWC is working on process for lake fish attractors. Three local groups have volunteered and bids for contractors have been sent out for proposals to install the attractors at various locations within the lake.
- Walt Godwin, SJRWMD told the Council that the lakes are in the winter phase and vegetation growth should be starting in the next month or so.
- Mike Perry, LCWA updated the Council that the lake levels are below regulatory and minimum desirable levels. He provided his report - Lake Apopka is at 63.55 feet which is 2.59 feet below regulatory schedule and 1.9 feet below minimum desirable level; Superpond is at 60.4 feet which is 1.81 feet below regulatory schedule and 0.6 feet below minimum desirable level; Lake Griffin is at 56.1 feet which is 2.11 feet below regulatory schedule and 0.9 feet below minimal desirable. He stated that Lake Beauclair dredging project is 95 percent complete and the contractor is hopeful to start moving into the residential canals by the end of February. They are hoping for the project to be complete by May.
- Dr. Dan Canfield, UF updated the Council on the Lake Apopka Restoration (legislative projects) meeting. He continued and stated that there is a demonstration project at Magnolia Park that includes dredging. Clean-to-Green is using a new system that is used in wastewater and drinking systems water by using iron. Treating water with iron has potential of use in fertilizers and is at a considerably lower cost. The plan is to build a basin at Magnolia Park with the use of Geo-Tubes. Dr. Canfield invited the Council to go out to Magnolia Park and see the Geo-Tubes and how they are working. He continued and told the Council that his want was to have a clear sports fishing lake restored within the next 5 years.

8. COUNCIL MEMBER COMMENTS

A. Comments

B. Discussion of Next Scheduled Meeting: March 1, 2013

Councilman Woosley requested a presentation on the ground water/surface water modeling that has occurred as part of the MFL (development) and using the output of mod-flow (model) in the surface water model, and if there is a water budget for the lakes that has been updated with the recent model.

Vice Chair Goerner requested a field trip to view the Geo-Tubes at Magnolia Park.

Kraig McLane, SJRWMD added that he will advertise for the Council to see the Clean-to-Green site at Magnolia Park for the March meeting. Mr. McLane addressed the Council regarding an email that he forwarded to the Council on January 24th about some research the

FWC prepared. The research was related to annual reports and was requested by Councilman Woosley.

Vice Chair Goerner requested to see a follow-up presentation with the creel surveys from FWC.

9. ADJOURNMENT

The meeting was adjourned at 12:31 pm.