

FINAL

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

August 4, 2006

The August meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on August 4, 2006 at the Lake County Board of County Commissioners' Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Hugh (Dave) Davis II, Vice Chairman
Rick Powers, P.G., Secretary
Keith Farner
Robert Kaiser, P.E.
Richard Royal
Edward M. Schlein, M.D.
Ted Woodrell

Members Absent

Skip Goerner, Chairman
Don Nicholson

1. CALL TO ORDER

Vice (V.) Chairman Dave Davis called the meeting to order at 9:00 AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Councilman Bob Kaiser, followed by the Pledge of Allegiance.

3. ROLL CALL

V. Chairman Davis called roll. Council members Skip Goerner (Chairman) and Don Nicholson were absent.

4. APPROVAL OF MINUTES

Patrick Hunter, Recording Secretary to the Council notified the Council members that due to a technical issue, the July meeting minutes would be provided for review prior to the September meeting.

5. DISCUSSION ITEMS

Quarterly Budget Report – 3rd Quarter FY 05-06

Councilman Ted Woodrell briefly presented the 3rd Quarter Budget Report – Fiscal Year 2005-2006. He explained that as of June 30, 2006 from the \$50,000 annual operating budget, the expenditures and encumbrances were \$29,875.12, leaving a balance of \$20,124.88 of which \$17,812.00 is obligated for consulting services and University of Florida (UF) services. The Council approved of the budget as presented.

Continuing Services Contract for Recording Secretary

Gene Caputo of the St. Johns River Water Management District (SJRWMD) reminded the Council that the SJRWMD Contracts and Procurement Office is in the process of preparing the Request for Proposal (RFP) for Recording Secretary Services for the period of December 1, 2006 through November 30, 2009. He said that it should be advertised by the end of the month and the SJRWMD will review the bids received, then he should be able to present the perspective bids to the Council at the September meeting. Mr. Caputo added that the Council will be involved in the selection process.

Harvester Purchase-Update: Skip Goerner

Due to the absence of Chairman Goerner, a discussion of the proposed harvester was postponed until the next meeting. Charles Clark, speaking to the Council as a private citizen provided a brief update on the harvester purchase saying that at the most recent meeting of the Lake County Water Authority (LCWA) Board of Trustees (Board), they voted to approve the purchase.

Spillway Park Marina Seawall at Burrell Lock – Letter from SJRWMD

Initially the discussion on the seawall at Spillway Park was postponed due to the absence of Chairman Goerner. Later in the meeting Councilman Kaiser expressed his opinion that the discussion of issues should not be postponed because Chairman Goerner is not present at a meeting.

Councilman Richard Royal suggested that Council members should be involved with the issues that Chairman Goerner is working on and it was decided to discuss the seawall issue at the meeting.

Councilman Kaiser said that he agreed with the findings of the SJRWMD as outlined in a letter provided in the August meeting agenda package. A copy of the letter presented by the SJRWMD is provided in Attachment 1 of these minutes.

He explained that he had recently visited the Spillway Park property and it would be difficult to determine the actual cause of the seawall rotating towards the water. Councilman Kaiser believes that the seawall may not have been constructed as well as it could have been originally. He also suggested that the SJRWMD could do a better job of maintaining the spillway leading from the discharge structure, by removing the sandbar that has accumulated and to provide improved hardpan [velocity dissipation] downstream of the structure.

Councilman Ed Schlein said that he and Councilman Woodrell had also recently visited the area and noted that the sandbar which has accumulated downstream of the discharge structure has grown considerably over the past few years and this has dramatically changed the flow patterns of water. Councilman Schlein is of the opinion that the Council has reviewed the matter and it is really an issue between the property owner and the SJRWMD.

Councilman Kaiser said that part of the issue is that the rip rap originally installed downstream of the structure was not of sufficient size to manage the flows through the structure. He suggested that either concrete or larger boulders be installed to better manage the flow through the spillway.

Councilman Schlein added that perhaps the spillway [apron] could be more funnel-shaped so as to increase the velocity of the water in the center of the spillway, which may inhibit formation of sandbars in the future.

V. Chairman Davis expressed his opinion that the Council is not in a position to refute the findings of the SJRWMD as outlined in their letter [dated May 10, 2006]. He then asked if there was a motion on the matter.

Councilman Kaiser presented a motion that the Council has reviewed the information in the letter provided by the SJRWMD and that the issue should be resolved by the property owner and the SJRWMD.

Councilman Schlein seconded the motion saying that there has been a scientific review of the matter and the Council does not have the ability to take this issue any further.

Councilman Keith Farner reminded the Council that the property owner, Red Howley was not satisfied with the actions of the SJRWMD and that is why Florida State Senator Carey Baker had requested that the Council review the matter.

Councilman Powers suggested that the Council agree with the findings presented in the letter, but also recommend the SJRWMD take remedial actions within the spillway channel.

Councilman Schlein then suggested that although an opinion has been rendered by a SJRWMD Professional Engineer (P.E.), it may preferable to have an opinion of an independent P.E. He went on to say that he was uncertain as to the capacity or financial ability of the Council to hire an independent engineer.

Councilman Kaiser explained that hiring a private engineer to study the issue would be very expensive and it would be extremely difficult for anyone to be able to justify the limits of liability, when it comes to how much damage to the seawall can be attributed to the poor construction of the seawall and how much to the operations at the spillway.

Councilman Powers expressed his opinion that the Council has been put in a difficult situation because the qualified SJRWMD engineering staff have reviewed the issue and rendered an opinion. At this point he said; it is a matter to be decided between the property owner and the SJRWMD, and it is not the Council's responsibility to make any further decisions.

Councilman Woodrell said that to date, the Council has not been presented any evidence that warrants further action by the Council and unless the property owner presents such evidence, the Council has nothing further to act upon.

V. Chairman Davis then brought the third paragraph of the SJRWMD letter (Attachment 1) to the attention of the Council, asking if it were the proper qualifying language to be used when rendering an opinion.

Councilman Schlein said that he believes the SJRWMD engineer based his opinion on the initial design of the flow characteristics [through the structure] and that over time flows have changed, adding that the Council just doesn't have enough information to formulate an opinion.

Councilman Powers said that in response to the V. Chairman's question, the language of the opinion is fine in that P.E.'s express their opinions all the time.

Councilman Schlein offered his opinion saying that if the spillway was properly engineered and operated, large sandbars would not be forming [at the discharge]. He said that he understands the position of the SJRWMD but that the opinion offered may not be the best way to resolve the dispute.

Councilman Kaiser added that perhaps if the seawall [at Spillway Park] had been properly designed and constructed, the outcome of the seawall and ramp would have been different. He went on to say that if Mr. Howley were to hire an outside engineer [to review the issue], then perhaps he would have the basis for further action.

Dr. Dan Canfield of the UF and member of the Technical Advisory Group (TAG) to the Council suggested that perhaps the Council should be looking at the "big picture" in that the Legislature formed the Council to improve the overall recreational value and ecological balance of the Harris Chain of Lakes (HCOL). He further suggested that maybe the Council should consider whether to recommend modifications to the lock and dam structure to eliminate sandbars in the future. Dr. Canfield reminded the Council of the debate they had as to whether it would be appropriate to dredge private canals in Lake Griffin [utilizing State funds]. Ultimately he said, it was determined that an enhanced fluctuation schedule would benefit the lakes and dredging the canals would be necessary for the lake fluctuations. Dr. Canfield went on to ask that with respect to the spillway structure, would modifications eliminate sandbars and allow for improved manipulation of flows through the structure for the greater good of the HCOL. He added that in his

opinion, it may not be in the best interest of the lakes to drop this matter at this time, because he believes there are problems with sandbar accumulation.

Councilman Farner recalled that the Council's review of the Burrell Structure indicated that the spillway was not constructed exactly to plan and the rip rap proved to be not sufficient [to manage flows].

Councilman Kaiser said that the rip rap used in construction [of the spillway] was too small and was washed away. He also said that he disagreed with the opinion of the SJRWMD that flows from the spillway did not cause damage to the seawall, but that is an issue between Mr. Howley and the SJRWMD.

Dr. Canfield said that perhaps the rip rap was not of sufficient size and the sandbar may have caused problems with Mr. Howley's seawall, but suggested the Council keep in mind that modifying the spillway structure may preclude problems like this in the future.

Councilman Royal requested that Councilman Kaiser alter his motion to include a recommendation that the SJRWMD make changes to the [spillway] structure in order to improve navigation in Haines Creek.

Councilman Kaiser said that he may modify his motion to include that the SJRWMD obtain an outside engineer at their expense, who specializes in low head river flow to examine the situation.

Councilman Schlein said that he agrees with Dr. Canfield and whenever a river or channel enters an open body of water, sandbars build up and require dredging. He suggested that the SJRWMD may want to develop a plan and provide funding for continuing maintenance to ensure the spillway at Haines Creek operates as designed and not cause any collateral damage [in the area].

Councilman Farner expressed his belief that even if Mr. Howley hires an outside engineer, that this will eventually become a legal matter between the property owner and the SJRWMD. He also believes that there is fault on both side of this issue that can be argued.

Councilman Kaiser then modified his previous motion to include a request for the SJRWMD to hire an outside engineer to review the matter. Councilman Schlein seconded the modified motion.

Councilman Farner said that perhaps the SJRWMD will review the motion and decide to offer Mr. Howley one-half of the estimated \$15,000 to repair the seawall would be cheaper than hiring an outside engineer.

Councilman Schlein said that he agreed with Councilman Farner that perhaps the SJRWMD will find it cheaper to pay \$7,500 to repair the seawall. He also agreed with Dr.

Canfield that Senator Baker may find a benefit in the recommendation for the SJRWMD to maintain the channel at the spillway.

Dr. Canfield said that perhaps Senator Baker will view this issue as part of the whole program of lake restoration, to maintain the lock and dam structure will improve flow through the channel and in the process Mr. Howley's seawall may be repaired.

Councilman Kaiser then withdrew his motion.

Councilman Powers asked if the SJRWMD plans to perform any maintenance in that channel. Dave Walker of the SJRWMD said that they do perform maintenance on a scheduled basis, but it is not currently planned at the Burrell Structure. Councilman Powers asked if Mr. Walker would check with his engineers and determine if any maintenance is scheduled. Mr. Walker agreed.

Bill Johnson of the Florida Fish and Wildlife Conservation Commission (FWCC) reminded the Council that during a drawdown in 1984, the SJRWMD hauled away many truckloads of sand that had accumulated in the channel and he understands during that time, Mr. Howley erected his seawall. He added that in general, no cinder block seawall will last forever.

Dr. Canfield reiterated his opinion that the Council should ask the SJRWMD whether this lock and dam needs to be improved and through the improvements and regular maintenance, many of the other problems will go away over time. With respect to Senator Baker he said; the Council should decide that proper operation of the lock and dam is important to the overall restoration of the HCOL.

V. Chairman Davis asked if there was a new motion.

Councilman Kaiser put forth a new motion that the Council recommends the SJRWMD continue to review the situation to decide further if the sandbar is causing a problem and that funds be made available to remove the sandbar and maintain the channel at the spillway, so as not to become a nuisance to nearby property owners. Councilman Schlein seconded the motion.

V. Chairman Davis expressed his opinion that with respect to the seawall, it is not the responsibility of the Council to make a decision of liability saying that it is a matter between the property owner and the SJRWMD.

After further discussion, a vote to approve the motion passed unanimously.

Upper Ocklawaha River Basin (UORB) Draft Legislative Funding Initiative; Dave Walker
Mr. Walker discussed the UORB State Funding Initiative and provided a handout to the Council. Below is a summary of the projects proposed in the initiative.

- In-lake Nutrient Reduction via Rough Fish Harvest
 - Gizzard shad harvesting will continue in lakes Apopka and Griffin
 - Lakes Dora and Beauclair are experimental lakes and no harvesting will be conducted in those lakes next year
 - Approximately \$200,000 to \$250,000 will be requested
- Restoration of the North Shore of Lake Apopka
 - Remediation and reflooding projects to store more water are underway
 - Approximately \$1 million will be requested
- Control of Nuisance Aquatic Vegetation
 - The SJRWMD will provide support to the Lake County Mosquito and Aquatic Vegetation Control Department
 - Approximately \$200,000 will be requested
 - Funding to be used in the HCOL excluding Lake Apopka which is already managed by the SJRWMD
- Apopka-Beauclair Canal Nutrient Reduction
 - The Apopka-Beauclair Nutrient Reduction Facility (NuRF) continues to move forward
 - Engineering plans are near 100%
 - Approximately \$500,000 will be needed for construction
- Nutrient Loading Reduction
 - Potential purchase of alum for treatment prior to discharges to lakes Apopka and Griffin
 - Approximately \$200,000 will be requested
- Lake Beauclair Aquatic Enhancements
 - Includes a project to dredge accumulated sediments at the mouth of the Apopka-Beauclair Canal in Lake Beauclair
 - The SJRWMD is working on finalizing a site to dispose dredged material
 - The dredged material may be used to cap contaminated soils on 300 acres in the Lake Apopka North Shore Restoration Area (NSRA)

V. Chairman Davis asked if the dredge material from Lake Beauclair would be used to cap highly contaminated sites in the NSRA. Mr. Walker said they are going to target a moderately contaminated site with the material.

Councilman Royal asked why the material would not be used to cap highly contaminated sites and how much of the NSRA is considered to be highly contaminated. Mr. Walker explained that capping the moderately contaminated sites is really a pilot project to determine the effectiveness of capping pesticide contaminated sites. With respect to the amount of highly contaminated property in the NSRA, Mr. Walker said it was several hundreds of acres. He also said they have completed some experimental remediation

projects at the NSRA including blending the top four (4) feet of soil to dilute the contaminants or by flipping the top three (3) feet in an effort to bury the contaminated soils. Mr. Walker explained that the blending or tilling of soil would be the most cost effective method of remediation and they have seen up to a 70% reduction of contaminants using this method.

V. Chairman Davis requested a presentation on the remediation efforts at the NSRA. Mr. Walker agreed.

Councilman Farner also requested a formal presentation on the final design of the NuRF. Mr. Walker said he would make arrangements with the Lake County Water Authority (LCWA) for that presentation and continued with his current presentation:

- Wetland and Aquatic Habitat Restoration
 - The FWCC has completed aquatic planting in the HCOL
 - The SJRWMD would like to conduct wetland planting in the Emeralda Marsh
- Habitat Restoration-Planting of Desirable Vegetation on Lake Apopka
 - Approximately \$10,000 to \$25,000 will be requested
- Silver River / Half Mile Creek Comprehensive Watershed management Plan
 - This project is outside the geographical bounds of the HCOL
- Assessment Subprojects
 - Support of Pollutant Load Reduction Goals (PLRGs) of the Total Maximum Daily Load (TMDL) program for the HCOL
 - The Basin Management Action Plan for the Upper Ocklawaha River Basin (UORB) Chain of Lakes in the final approval stage by the Secretary of the Florida Department of Environmental Protection (FDEP)
 - Discharges from the NSRA are the largest nutrient contribution to Lake Apopka
 - Approximately 35,000 pounds per year of phosphorus discharge to the lake, which is the entire TMDL loading goal; therefore that load must be reduced

V. Chairman Davis noted that there are no large scale projects in the SJRWMD initiative requiring \$1 million or more, as in previous years. Mr. Walker explained that funding has been secured for the larger projects in the UORB, including the Harris Bayou project which should begin construction by October of this year and both the Sunnyhill Farm Restoration and Emeralda Marsh projects. He said that the restoration of the NSRA is the largest project for which they are seeking additional funding.

Dr. Canfield asked if the SJRWMD has discussed aquatic plant management plans with the FDEP Bureau of Aquatic Plant Management to determine their participation in funding those efforts on the HCOL. Mr. Walker said he was not sure and would look into the matter.

Councilman Farner asked about the status of funding for aquatic vegetation received by the Council, a portion of which will be used to purchase the harvester. Mr. Walker explained that the agreement between the LCWA and the SJRWMD to transfer the funds received through the Council's Community Issue Budget Request (CIBR) was approved at the recent LCWA Board meeting, although the funds have not yet been transferred. He said that those funds are to be used for the initiatives approved by the Council including bass restocking, aquatic plant management, cypress tree plantings, aquatic vegetation plantings, and purchasing the harvester. Mr. Walker went on to explain that these funds are from the Council's previous CIBR and that they are working on an agreement with the LCWA to transfer the funds from their most recent CIBR.

Funding Request to the LCWA, Status

Councilman Kaiser asked Charles Clark if he had information regarding the Council funding historically received from the LCWA. Mr. Clark said that he had attended the recent LCWA Board meeting and he did not recall any objections to the funding for the Council.

6. PRESENTATIONS

No formal presentations were scheduled for the August meeting.

Agency Updates

Mr. Johnson provided an update for the FWCC saying that for the past month, they have been preparing reports and that no fish sampling has been conducted.

Councilman Farner said that recently he had seen some dead and dying fish floating by his dock and asked if he could collect a couple of them for study [as to the cause of their death]. Mr. Johnson said yes and that they would prefer live fish or freshly dead fish so they can perform necropsies, either at the UF or the FWCC laboratory in St. Petersburg. He explained that fish mortality is normal, especially in warmer waters but if Councilman Farner does collect any fish, that he call him to have them picked up.

Dr. Canfield provided an update to the Council saying that the UF is working with the FWCC in a study of the economics of bass restocking in Lake Griffin. He said they continue to receive calls from anglers who catch tagged bass [previously relocated to the lake].

Dr. Canfield also said they are in the process of algae sampling and asked the Council to notify him of any known algal blooms. He reminded the Council that he is working with Mike Allen (UF) on the gizzard shad removal study in lakes Apopka and Griffin and that effort would continue for another year and will include Lake Dora.

Dr. Canfield then discussed budget issue requests of the Council saying that the funds of the current \$500,000 request are to be utilized for both the UF fish restocking program and the FWCC fish hatchery to produce advanced fingerlings. He said that the restocking

program costs approximately \$300,000 to \$350,000 per year and they are working on permits to stock the other lakes beside Lake Griffin. When it comes to the economic value of the bass fisheries in Lake Griffin, he said the UF has estimated the value at \$1.2 to \$2 million

Mr. Walker provided an update on behalf of the SJRWMD saying that Dr. Gian Basili (SJRWMD) had been promoted to a new position and that now he [Mr. Walker] will be the Program Director of the Lake Apopka and UORB projects. He then continued with his presentation.

- Restoration Projects in the UORB
 - Several major projects are nearing the construction phase
 - Harris Bayou Restoration is proceeding with the construction of the culverts under US Highway 441 and a contract to begin construction in the bayou should be completed by October.
 - Sunnyhill Restoration Project should be completed by the next fiscal year
 - The infrastructure for alum treatment of all water released from the Emeralda Marsh should be in place by next year.
 - The SJRWMD continues to work with the UF Institute of Food and Agricultural Sciences (IFAS) and the FWCC on the gizzard shad removal study and that as the sport fish population continue to increase, the bycatches become greater, therefore at some point the shad harvests will have to stop.

Councilman Farner asked if there is a bycatch issue in Lake Apopka and Mr. Walker said there is only a limited bycatch at this time. He also said that they are pleased to see bass tournaments returning to Lake Apopka after many years. He then continued his presentation:

- The Lake Apopka Marsh Flow-way (LAMF) is currently operating at 150 to 160 cubic feet per second (cfs) and the phosphorus concentration at the outfall is 56 micrograms per liter ($\mu\text{g/L}$).
 - The entire Duda property in the NSRA has been flooded and they have plans to reflood approximately 1,000 acres in Unit 2, although the water levels in Lake Apopka are below desirable levels and they will wait for the Summer rains before pumping additional water into the NSRA.
- Article in upcoming Orlando Sentinel on Lake Apopka
 - A major story about the restoration of Lake Apopka and development around the lake will appear in an upcoming edition of the Orlando Sentinel.

V. Chairman Davis asked if there have been any problems with low dissolved oxygen (D.O.) in the Apopka-Beauclair Canal (A-B Canal) [as a result of discharges from the LAMF]. Mr. Walker said he was not aware of any recent problems.

A copy of the written SJRWMD August Update to the Council is provided in Attachment 2.

Barbara Bess (FDEP) provided an update to the Council:

- Basin Management Action Plan (BMAP)
 - The final draft of the BMAP has been developed
 - Many of the local governments in the UORB have passed resolutions to support the BMAP

- Total Maximum Daily Loads (TMDLs)
 - A map of the basin indicated the estimated results of implementing the BMAP (A copy of that map is provided in Attachment 3)
 - Lakes in blue and pink will meet their TMDL goals for Total Phosphorus; however the FDEP does not believe it will happen in the first 5-year cycle of the TMDL Program.
 - Lake Harris is not expected to meet its respective TMDL goals at any time in the near future due to growth in the area. The FDEP believes that Total Phosphorus will continue to increase over the next several years.
 - Local governments will have to face the growth issues [and effects on the lakes].
 - Modified and new stormwater rules must be written in the next few years to include more treatment of the water released.
 - The FDEP would like to see local governments review their water quality data and implement regulations to improve the quality of stormwater discharges.
 - TMDL goals may be modified over time based on new or updated information.

Mr. Walker said that he has been the SJRWMD representative for the past two (2) years during development of the BMAP and the SJRWMD is requiring that new development conform to the Impaired Water Rule, such that water discharged from developments does not adversely affect the water quality of surface waters or add to their nutrient loads. He also said that tributary inputs to the HCOL are the primary contributors to nutrient loading and cited that 93% of the nutrient load in Lake Beauclair comes from Lake Apopka. Additionally, he said that 90% of the nutrient load in Lake Dora comes from Lake Beauclair. Mr. Walker explained that the nutrient load contributions from stormwater are relatively minor when compared to the tributary contributions. He also said that the restoration projects at the NSRA, Harris Bayou and Emerald Marsh will substantially reduce nutrient loading.

Ms. Bess said that the FDEP closely reviews all water quality data within the lakes and examine the upstream lakes as a source of impairment. She went on to say that Eric Livingston of the Lake County Mosquito and Aquatic Vegetation Control Department has 319 Funding available to local governments, to assist with water quality improvement projects targeted for impaired water bodies. Ms. Bess explained that there are \$10s of million available annually and in some instances the local governments are required to

provide matching funds for their projects. She believes that entities within Lake County have done a good job of identifying beneficial water quality projects.

Councilman Schlein said that he is a member of the Planning and Zoning Board in Leesburg which is an area experiencing a lot of growth. He said that they are at the forefront of managing growth and believes that new developments will not add to the problems of lakes in the area.

Councilman Powers asked Ms. Bess if she has seen any budgets from local governments that include the economic impacts of conforming to the TMDL program. Ms. Bess said that she has not seen any specific budgets however, she is encouraged by the active participation of local governments at the TMDL meetings over the past two years and they understand that actions must be taken to meet the goals of the program.

Mr. Caputo agreed with Ms. Bess that the responsibility of the TMDL program falls on local governments. He then reminded the Council of the presentation they heard on Low Impact Development (LID) by Dr. Pearce Jones of the UF and that initially, Dr. Canfield provided funding assistance through the LakeWatch organization. Since that time, the acceptance of LID has been tremendous with both local governments and developers. He said that due to the success of that program, funding for additional workshops is being provided by Eric Livingston, the FDEP, SJRWMD, and the US Environmental Protection Agency (EPA).

Mr. Caputo went on to say that Dr. Jones is meeting with the City of Leesburg later in the week to discuss not only how to include LID in their regulatory process, but also how to provide incentives to developers for implementing LID. He added that the SJRWMD is providing funding for a LID workshop to be attended by representatives of St. Johns, Flagler, and Putnam counties on August 24th. Mr. Caputo said that next year the SJRWMD plans to provide funding for five (5) additional workshops and the FDEP is offering funds to assist with the development of products that come from the workshops. Additionally, he explained that IFAS is working with the EPA to provide funding for the tools local governments need to implement the LID program.

Mr. Caputo suggested that the Council may want to visit the Madera Subdivision in Gainesville, which is the model for LID. He said the developers of that subdivision have incorporated many innovations to make it more environmentally friendly by abandoning the traditional engineering designs, such as curb and gutter [to manage stormwater flows]. He said that with the tremendous success of the program in Lake County, the UF has developed the Program for Resource Efficient Communities which is acting as a springboard to get other local governments involved.

Councilman Powers asked Ms. Bess for a copy of her report. Ms. Bess said she would provide it to Mr. Caputo who in turn would distribute it to the Council members.

7. COUNCIL MEMBER COMMENTS

Council Member Comments

Councilman Kaiser thanked the agencies for their presentations.

No additional Council member comments were made.

Discussion of September 15, 2006 Meeting

Mr. Caputo notified the Council that the September meeting is scheduled for the 15th and the meeting will be held at the Lake County Board of County Commissioners' Chambers. He then provided a brief summary of the agenda items for the September meeting:

- Update on the harvester purchase
- Discussion of the Council's Legislative Funding Initiative
- Discussion of the SJRWMD's Legislative Funding Initiative
- Discussion of Funding Request to the LCWA
- Presentation on Remediation Efforts at the NSRA
- Presentation on the Final NuRF Plans
- Discussion of the Initial Draft of the Annual Report to the Legislature

8. PUBLIC COMMENTS

Mr. Clark expressed his opinion on the importance of the NuRF project saying that requested withdraws from Lake Apopka could jeopardize the project, which still has not received final approval by the LCWA Board.

He also discussed the Lake Griffin Access Canal Dredging project saying that the crews are working 13.5 hours per day, seven (7) days per week and are incurring higher costs because of the unforeseen problems which they did not anticipate. He encouraged the Council to continue to provide funding support for this project.

No additional public comments were made.

9. ADJOURNMENT

The meeting was adjourned at 10:58 AM.

Respectfully submitted by:

Chairman Skip Goerner

Secretary Rick Powers, P.G.

Attachment 1

St. Johns River Water Management District

Spillway Park Marina Seawall Opinion

May 10, 2006



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

*Gene Caputo
JEF*

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On the Internet at www.sjrwmd.com.

May 10, 2006

8/4/06

Mr. Skip Goerner, Chairman
Harris Chain of Lakes Council
05101-60 Eagles Nest Road
Fruitland Park, FL 34731

#5D

Re: Spillway Park Marina Seawall

Dear Chairman Goerner:

At their April 7, 2006 meeting, the Council requested the SJRWMD evaluate the structural problems associated with the seawall at the Spillway Park Marina owned by Mr. Richard Howley.

District staff have made several visits to the marina to inspect the seawall and surrounding area both above and below the waterline. They found no evidence of scour or undermining near the seawall that would indicate impacts due to discharge from the Burrell spillway. Staff have also interviewed Mr. Howley regarding the seawall. We learned the current seawall is approximately 22 years old, built during the 1984 Lake Griffin drawdown. It was made from concrete blocks anchored 8-inches below a hardpan bottom, with steel reinforcing rods and concrete fill in the block cells. Earthen fill was placed behind the seawall to create the grade for the concrete walkway. The seawall was likely not constructed with tiebacks or weep holes. On March 3, 2006, the Council meeting included a field trip to the marina, where John Richmond, a professional engineer on my staff, gave a presentation of his findings that included the information mentioned above.

Based upon my staff's observations and information provided by Mr. Howley, I believe discharges from the Burrell structure have not impacted the seawall. It is likely suffering from deterioration due to its age. Also, the seawall may have been constructed without some key elements that would help overcome forces from the backfill and groundwater trying to tip it over.

This is a privately owned structure. It would not be appropriate to use public funds to repair it, especially since the problems with the structure appear to be due to its design and construction. The owner of this structure is responsible for this structure.

Sincerely,

Jeffrey C. Elledge, P.E., Director
Department of Water Resources

JE/drw

C: Mr. Richard Howley
Kirby B. Green III

GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	John G. Sowinski, VICE CHAIRMAN ORLANDO	Ann T. Moore, SECRETARY BUNNELL	Duane L. Ottenstrofer, TREASURER JACKSONVILLE
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			W. Leonard Wood FERNANDINA BEACH

Attachment 2

UORB Projects Status Report

provided by

Dave Walker

St. Johns River Water Management District

August 2006

UORB monthly project status report (includes shad harvesting)
For August Board

ORB Rough Fish Harvesting

Small scale harvesting continues on Lake Apopka with two boats removing about 25,000 to 30,000 lbs per month. Research efforts continue on schedule. Based on experimental gill net sampling, the 2006-07 harvest will focus on Lake Apopka and Lake Griffin.

UORB Emeraldal Marsh

Desired water levels are being maintained in the Emeraldal properties. Lowrie Brown staff are planning and coordinating the revised schedule for the project to begin levee removal next budget year. Staff continue to make progress on a design/build contract for the proposed interim modifications to the water control system in Areas 3, 5, & 7.

UORB Harris Bayou

The FDOT installation of the District box culverts is on schedule. The District project design and construction planning is a 90% and is on schedule to begin contracting process in July.

UORB Sunnyhill Restoration

Work on the revised project plan has advanced; permit applications, survey, geotech analysis, and design continue. One project component constructed in May (a culvert installed in Field B) needs to be replaced.

Lake Apopka

- **Marsh Flow-Way** – Pump and electrical problems have been repaired without pulling the pump. Flow-way operation now is set for the summer schedule of 150-160 cfs. The most recent total phosphorus concentration at the outfall is 56 ug/l, which represents a 37% removal by the flow-way.
- **Restoration in Unit 2** –The Biological Assessment for the Unit 2 West property has been submitted to the USFWS and NRCS. Contracting has begun to arrange dredging of the alum floc that has settled in the Unit 2 pump basin. Planning continues for facilitated meeting to charter conceptual plan development.
- **Other**– Orlando Sentinel staff are working on a large story on restoration at Lake Apopka and new development that is occurring in the basin. The Laughlin Road has been completed extension will be completed in June, weather permitting.

Attachment 3

Anticipated Outcomes of BMAP Implementation

in the

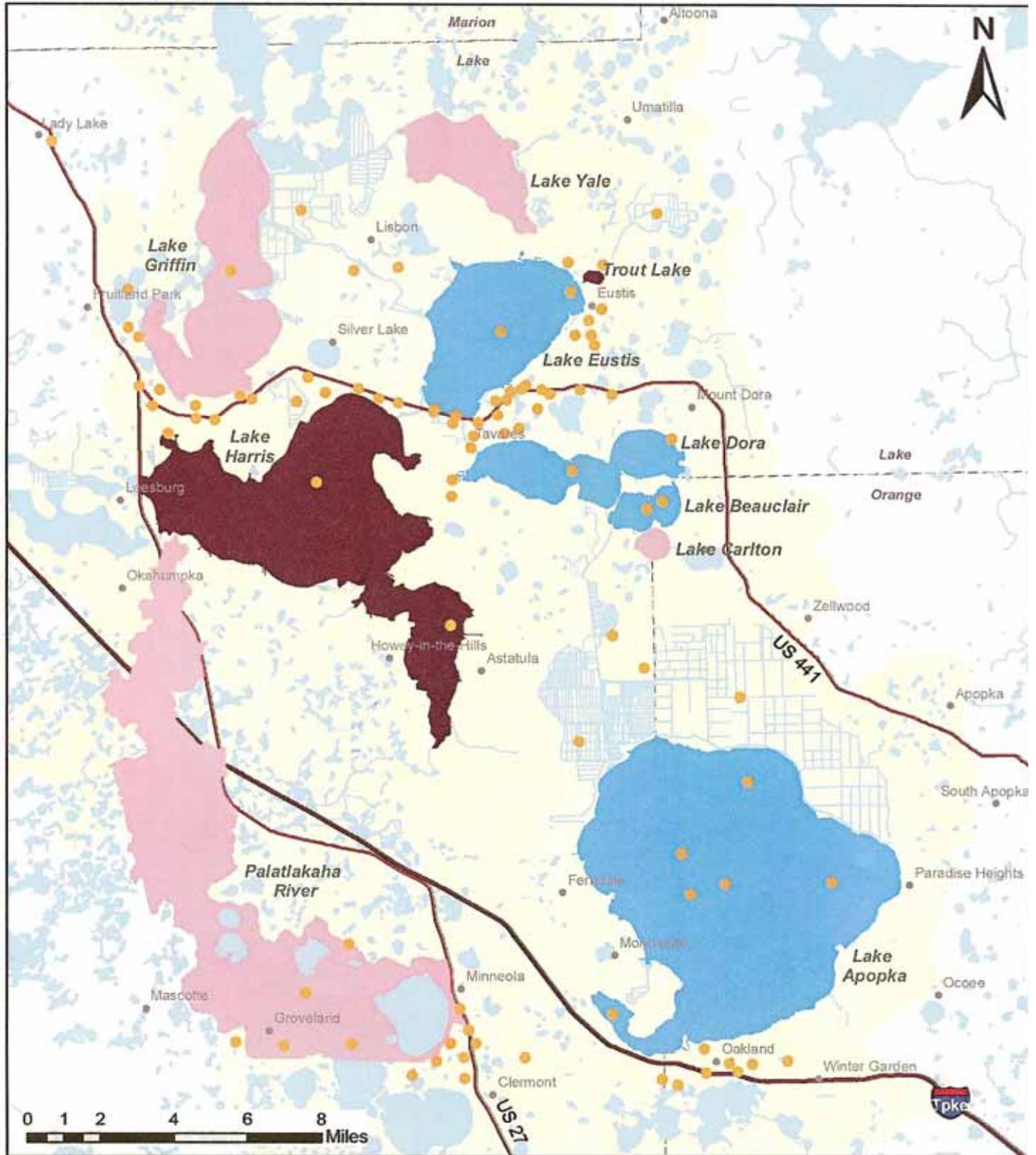
UORB TMDL Waters

Barbara Bess

Florida Department of Environmental Protection

May 12, 2006

FIGURE 7. ANTICIPATED OUTCOMES OF BMAP IMPLEMENTATION IN UPPER OCKLAWAHA RIVER BASIN TMDL WATERS



Upper
Ocklawaha
Basin

- Projects with estimated TP load reductions
- Projected to meet TMDL after BMAP implementation
- Projected to be close to TMDL after BMAP implementation
- Projected to need significant additional reductions after BMAP implementation



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