

FINAL

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

September 7, 2007

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on September 7, 2007 at the Lake County Board of County Commissioners' Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Skip Goerner, Chairman
Hugh (Dave) Davis II, Vice Chairman
Rick Powers, P.G., Secretary
Keith Farner
Robert Kaiser, P.E.
Richard Royal

Members Absent

Don Nicholson
Edward M. Schlein, M.D.
Ted Woodrell (Resigned)

1. CALL TO ORDER

Chairman Skip Goerner called the meeting to order at 9:05 AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Chairman Goerner called roll. Councilmen Don Nicholson and Edward Schlein were absent. Chairman Goerner notified the Council that Councilman Ted Woodrell had resigned his position.

4. APPROVAL OF MINUTES

Chairman Goerner requested that discussion and approval of the August Meeting Minutes be postponed until the next meeting; stating the he had edits to be discussed and he did not have the edits with him. The Council agreed.

5. DISCUSSION ITEMS

2008 Council Meeting Schedule – Gene Caputo

Gene Caputo of the St. Johns River Water Management District (SJRWMD) presented the 2008 Meeting Schedule, noting that the July and September 2008 meetings had been moved to the second Friday of the months, due to national holidays. He asked if the Council agreed with the meeting dates, so he could reserve the BOCC Chambers accordingly. The Council agreed with the schedule. A copy of the 2008 schedule is provided in Attachment 1.

Chairman Goerner noted that Mr. Caputo had submitted a notice of his upcoming retirement. Mr. Caputo said that he may not be present for the October meeting. Chairman Goerner said that Mr. Caputo had done a great job for the Council and thanked him for all of his efforts. Other council members expressed their sentiments.

Vacant Council Position – Chairman Goerner

Mr. Caputo notified the Council that an advertisement for the vacant Council position had been prepared and submitted to Senator Carey Baker (R, District 20). He said that Senator Baker's office is moving forward with posting the advertisement. Chairman Goerner hopes the Legislative Delegation will have chosen a replacement by October 1st. A copy of the advertisement is provided in Attachment 2.

Sunshine Law Issues – Councilman Bob Kaiser

Councilman Kaiser questioned whether the Sunshine Laws should apply to the Technical Advisory Group (TAG) to the Council. He believes that the laws are cumbersome and perhaps if they did not apply, the TAG could hold more frequent discussions of the issues that come before them. Councilman Kaiser suggested that if the Council hired a press agent, they could release statements as to the activities of the TAG; in order to fulfill the public notification requirements of the Sunshine Laws.

Councilman Kaiser requested that the Council contact the Secretary of State about relieving the TAG of their requirements under the Sunshine Laws. He said that the TAG can only present information and opinions that must be voted on by the Council; therefore they do not act independently and should not be governed by the laws.

Chairman Goerner reminded Councilman Kaiser that the Council had previously accepted the legal opinion on the matter from the SJRWMD. He asked if Councilman Kaiser had a suggestion to handle this issue.

Councilman Kaiser suggested that perhaps the Council could pay the TAG members \$1 per year and have a "Hold Harmless" clause in their contract. He said they the TAG members could hold more discussion on the scientific issues, then report their progress to the Council. Councilman Kaiser added, that if the Council were to retain a press agent; then they could brief the agent on the information provided by the TAG, for distribution to the media. He believes this would allow for more frequent discussion by the TAG members.

Councilman Keith Farner explained that if the TAG were to hold a meeting, they would have to advertise the meeting in order for the Council members to attend. He said that otherwise, the Council could not attend the meetings. Chairman Goerner agreed and believes it to be beneficial for the Council to attend the TAG meetings.

Mr. Caputo said that the Sunshine Laws only require that the TAG meetings are advertised and they prepare a written summary of their discussions. He reminded the Council that they have also received legal opinions from the SJRWMD and Sandy Minkoff (Lake County-County Attorney) which said the TAG and Council are governed by the Sunshine Laws.

Chairman Goerner said that he does not know of any way to improve the situation and it is important for the TAG to advertise the meeting so the Council members can attend.

Annual Legislative Report – Patrick Hunter

Chairman Goerner requested that the Council postpone their discussion of the Draft Annual Report to the Legislature until later in the agenda.

Councilman Farner said that in the past the Council have submitted their comments to Patrick Hunter, Recording Secretary to the Council, individually, and then discuss the comments at the next meeting. Chairman Goerner agreed and suggested the Council continue to review the report and to submit their edits to Mr. Hunter, for review at the October meeting.

Mr. Hunter explained that he would like to discuss with the Council their level of support for the various projects presented. Chairman Goerner said that could also be discussed at the October meeting and if necessary, a special workshop in October to discuss the report.

After further discussion, the Council agreed to submit edits electronically to Mr. Hunter by September 17th.

6. PRESENTATIONS

Review and Action of the University of Florida Web Site Maintenance Proposal – Gene Caputo

Mr. Caputo put forth two matters which required action by the Council. First he requested that the Council approve payment to the University of Florida (UF) for maintaining the Council's web site over the past year.

And secondly, he presented the proposal for the UF to maintain the Council's web site for the coming year; adding that the proposal is for the same amount as the previous three years.

The payment for services and proposal were approved by unanimous vote. A copy of the proposal is provided in Attachment 3.

Review and action regarding the engineering report for Red Howley regarding conditions at the Burrell Lock and Dam

Red Howley [owner of Spillway Park located immediately downstream of the Burrell Lock and Dam contends that operation of the Burrell structure and the sandbar built-up downstream of the spillway has caused damage to the seawall at his property] asked if the Council had received the letter prepared by the engineer [he retained to review the matter]. The Council said they had received the letter. A copy of the letter is provided in Attachment 4.

Ted Wicks, a registered Professional Engineer (P.E.) introduced himself saying his company; Wicks Consulting Services has been in business in for 25 years in Tavares. Mr. Wicks explained that he had been retained by Mr. Howley to assist in reviewing conditions at the Burrell lock and dam spillway. Below is a summary of his discussion:

- Mr. Wicks has visited the facility on several occasions.
- The channel was dredged in 1995-96 and 1,500 to 2,000 cubic yards of silt and sediment were removed as channel maintenance.
- Current accumulation of a significant sandbar in the channel is a navigational hazard and requires attention.
- He requested the Council's assistance with moving the channel maintenance forward.
- Conditions at Mr. Howley's seawall are more difficult to evaluate because hydrostatic pressure and actions by seepage are very subtle.
- Mr. Wicks was not prepared to discuss the technical issues regarding the seawall at Spillway Park and reminded the Council of the SJRWMD opinion that deterioration of the seawall was due to certain construction techniques not being followed.
- Mr. Wicks said he would like to solicit assistance in obtaining information for Mr. Howley, so he can evaluate the situation and make recommendations for a way to deal with the situation.

Chairman Goerner said that he also believes the sandbar to be a navigational hazard and it restricts flow; creating a hydraulic issue which pushes the water closer to the banks. He also said that he does not believe that during the previous maintenance efforts at the structure, the sandbar had not completely been removed because sufficient funds were not allocated at the time. Chairman Goerner said it is his belief that there is a responsibility to maintain the channel.

Councilman Rick Powers asked if there are any other property owners near the spillway that are having erosion issues; noting that Mr. Howley is the only person who has come forward. Mr. Howley said there are also the Black Bass Marina and Gator Marina near his property.

Councilman Richard Royal asked who performed maintenance in that channel in the past. Chairman Goerner said that it was a joint effort between the Lake County Water Authority

(LCWA) and the SJRWMD. He added that the sandbar is restricting flow through the structure to downstream lakes.

Councilman Powers suggested that the owner of the spillway structure should clean the channel and perform maintenance dredging. He also asked if Mr. Howley has requested that either the LCWA or SJRWMD for maintenance in the channel. Mr. Howley said that he has owned his property since 1973 and this is the fourth sandbar that has formed. He also said that he has spoken with both agencies about the problems in the past.

Chairman Goerner suggested the Council make a recommendation to deal with the problem. Councilman Powers said that when it comes to routine maintenance, the agencies involved should have money set aside to perform that work. Chairman Goerner said he believes it is the responsibility of the Council to make a recommendation that the channel be maintained, to improve navigation and allow for the flow of increased discharges following a hurricane or large rain events.

Councilman Richard Royal said that the Council could make a recommendation that the LCWA and SJRWMD determine if the conditions are similar to when the initiated dredging in 1995-96, and they should establish a standard as to when dredging will be conducted in the future.

Councilman Keith Farner made a motion that the Council request the Legislature to determine the owner of the channel and to ensure funds are available to dredge.

Chairman Goerner said that the LCWA owns the structure through a 50-year lease agreement and the SJRWMD is responsible for maintenance of the channel and the structure.

Councilman Royal offered an amendment to Councilman Farner's motion saying that the Council could request that the LCWA and SJRWMD provide Mr. Wicks with the information, as to what the threshold level was when they performed dredging in the past.

Dr. Daniel Canfield, of the UF and a member of the TAG to the Council, suggested the Council consider their charge to restore the Harris Chain of Lakes (HCOL), and it would be within their purview to require matching funds from the Legislature to assist in dredging the channel.

Councilman Powers contended that dredging is a maintenance issue and the agencies should have money set aside for the maintenance. He also said that requesting funds from the Legislature would only further delay the problem.

Councilman Farner agreed with Councilman Powers and withdrew his motion.

Councilman Powers put forth a new motion that the Council makes a recommendation to the Legislative Delegation that they contact the SJRWMD and if required, conduct maintenance dredging to improve navigability and flow through the spillway channel. The motion passed by unanimous vote.

Mr. Howley requested that the Council assist in obtaining maintenance records from the SJRWMD, that were used in their determination regarding not having any liability for the condition of his seawall. Chairman Goerner agreed saying that in his opinion the Council also needs to review the information they can make a recommendation to the Legislature on the issue. He requested the SJRWMD provide the information to both Mr. Howley and the Council.

Councilman Powers expressed his belief that the issue of the seawall is between Mr. Howley and the SJRWMD; not the Council.

Mr. Howley thanked the Council.

Evaluation of Fish Restocking Programs – John Benton/Bill Johnson (FWCC), Dr. Dan Canfield, Chairman; Technical Advisory Group

Dr. Canfield, as Chairman of the TAG, explained that the TAG had met in August to discuss the bass stocking program on Lake Griffin. He characterized the discussion as frank and open. One issue discussed was the fact that over three years of stocking and conducting fish counts on Lake Griffin, the percentage of tagged (stocked) bass has remained constant at 10%. He said the fish counts were conducted in the “main part” of the lake. Dr. Canfield explained that when it came to report of tagged bass being caught by anglers; he observed that there were eight reports of tagged bass being caught in the main part of the lake and 51 reports of tagged fish being caught in canals, along the lake. He also noted that historically, bass harvests in Lake Griffin produced 18,000 to 19,000 fish [per year] and currently it is approximately 1,000 bass.

Dr. Canfield reminded the Council that bass stocking is a temporary measure for lake restoration to improve angler perception, while other restoration activities were taking place. He went on to say that he has made the recommendation to stock Lake Dora for the next year or two, so they can have the opportunity to study the response of bass populations Lake Griffin as a result the previous stocking. Dr. Canfield also noted that while the number of anglers on the lakes had increased, while the number of fish caught per angler has gone down.

Another issue discussed was the economic impact of the bass stocking program to the local economy. Dr. Canfield explained that the UF did not receive funding for an economic study, but using figures provided by the Florida Department of Environmental Protection (FDEP); the area receives great economic benefit, possibly millions of dollars per year, from anglers coming to fish in the HCOL.

Chairman Goerner noted that one FLW Outdoors tournament on Lake Okeechobee, returns \$7 million per year to the City of Clewiston.

Dr. Canfield explained the importance of creel counts, noting that the data in Lake Griffin is skewed because the stocked bass move into better habitat in the canals, and are also moved to other lakes by anglers. He added that tagged bass have been caught in every lake in the chain, except Lake Apopka.

Councilman Powers asked how many bass have been stocked in Lake Griffin and how much money has been spent on the program.

Dr. Canfield said that over the past three years, they have moved 13,900 fish. He explained when it comes to the cost of moving the fish it is approximately \$65,000 per year and additional money has been spent on developing infrastructure to keep the program operational. Dr. Canfield estimated that \$80,000 to \$100,000 total may be spent on the program per year.

Councilman Powers said he believes that bass stocking has provided benefits to the HCOL.

Chairman Goerner said they have seen increases in angler activity; interest by professional anglers; and an increase in the number of bass. He also said the City of Leesburg will host a Bass Anglers Sportsman Society (B.A.S.S.) tournament next Spring and that is only because there are bass being caught in the HCOL.

Dr. Canfield said that it is important to understand the economics of the program and whether the costs are justified.

Councilman Kaiser said the hope of long-term effects of the stocking program is that fish populations will begin to increase naturally over time.

Bill Johnson of the Florida Fish and Wildlife Conservation Commission (FWCC) said that they do not dispute creel counts and tag returns reported by Dr. Canfield, and that it can all be explained. He added that the fishing effort, or number of hours anglers spend fishing, has increased while the catch rate has gone down. Mr. Johnson went on to say that the statistic does not support the notion of the bass stocking providing improvement to the fisheries.

Mr. Johnson then provided handouts to the Council outlining creel count data for the HCOL, which included angler effort and catch rate. A copy of the handout is provided in Attachment 5.

Councilman Powers asked if a “catch and release” rule were in place for Lake Griffin, would that improve the creel counts in the lake. John Benton (FWCC) explained that during tournaments, the anglers are required to release the fish alive, however; it would be impractical to implement returning them to Lake Griffin, as the weighing and other tournament activities are conducted on another lake.

Mr. Johnson pointed out the graph on Age Distribution (Attachment 5) saying there is a very poor age class of one to two year old bass in Lake Griffin, due to the lack of fisheries habitat. He said the numbers indicated that currently, bass populations are not able to support themselves in that lake.

Councilman Farner said that he supports the FWCC [Richloam] fish hatchery as a means to provide less expensive fish for restocking. He also supports Dr. Canfield’s program to provide large, predator bass that may help control the shad populations in the lakes.

Mr. Johnson said they do not oppose Dr. Canfield's restocking program, although the FWCC is working hard to produce viable fish for the lakes.

Dr. Canfield said that he supports the FWCC hatchery as a developing program, but the Council should note that advanced fingerlings introduced in lakes are really just food for the other fish. He explained that the mortality rate of bass under 10-inches is high and the fingerlings require better aquatic habitat, than is currently present in the HCOL.

Councilman Farner said that he supports both programs, while the FWCC hatchery program develops. He noted that Dr. Canfield has funding available for his program over the next two years and asked if the FWCCF needs additional funding for their hatchery. Mr. Johnson said they have funds available from their previous budget.

Chairman Goerner thanked Mr. Benton, Mr. Johnson, and Dr. Canfield for their presentation.

Upper Ocklawaha River Basin Funding Initiative – Dave Walker

Dave Walker (SJRWMD) provided a copy of the 2008-2009 SJRWMD Draft Upper Ocklawaha River Basin (UORB) Funding Initiative to the Council. Mr. Walker briefly discussed the following priority projects in the initiative on the HCOL

- Priority 1: In-Lake Nutrient Reduction via Rough Fish Harvesting
- Priority 2: Restoration of the North Shore of Lake Apopka
The SJRWMD are working to flood the whole North Shore Restoration Area (NSRA) at Lake Apopka.
The NSRA is the largest source of nutrient inputs to Lake Apopka.

Mr. Walker said, last year they received no funding from the Legislature for the projects in their previous initiative and they anticipate the same for this year.

Chairman Goerner asked about the status of the Emerald Marsh project. Mr. Walker explained that they are seeking to support for stormwater control through the Priority 4 project of the initiative; Nutrient Loading Reduction. He explained they intend to treat the water with alum prior to discharge to either Lake Griffin or Haynes Creek. Mr. Walker also noted they are seeking funds for the Priority 6 project; Wetland and Aquatic Habitat Restoration. He went on to say that he would appreciate any input from the Council on the initiative, although they would have to provide it soon.

Councilman Royal asked what the per acre cost is for their soil inversion efforts [at the NSRA]. Mr. Walker said they are plowing (inverting) to a depth of 36 to 42 inches, at a cost of \$2,500 per acre.

COUNCIL AND PUBLIC – QUESTIONS & ANSWERS

No Council or public comments were made.

Agency Updates

Mr. Walker provided a brief update of the current SJRWMD construction projects:

- Lowrie Brown
The reconnection to Lake Griffin and Haynes Creek is nearly complete.
They have made breeches in the levees to improve the connections.
The marsh is approximately 450 acres in size.
The hydrilla was [chemically] treated prior to reconnection.
- Emerald Marsh
Hydrilla suction dredge testing is complete.
- Lake Apopka North Shore Restoration Area (NSRA)
The soil inversion project is moving forward.
Preliminary results indicate a 70% reduction in contaminant levels.

Councilman Royal asked why they are proposing shallow flooding in the NSRA [as opposed to holding more water]. Mr. Walker explained it is for control of the other contaminants [in the soil], besides DDE. He said they are also seeing significant reductions in the other contaminants including toxaphene and chlordane. Mr. Walker also noted that they have received funding from the Natural Resources Conservation Service (NRCS), and continued with his update:

- Shad Harvesting
Planned to begin in November in lakes Griffin and Apopka.

Chairman Goerner asked about the status of the report by Dr. Mike Allen (UF) on shad harvesting. Mr. Walker said that it is scheduled to be completed in September. Chairman Goerner requested that Dr. Allen provide an update to the Council at the October meeting.

Mr. Walker continued with his presentation:

- Harris Bayou
Permitting for the project is not part of the Surface Water Improvement and Management (SWIM) Plan, as was discussed at the last Council meeting. The permit was approved by the SJRWMD Governing Board, which allowed for approval by the FDEP.

Barbara Bess of the FDEP provided two handouts to the Council. A summary of her update is provided below and the handouts are included as Attachment 6.

- The FDEP has adopted the UORB Basin Management Action Plan (BMAP)

- Changes to the 303d List of Impaired Surface Waters are anticipated in the future and if lakes are added to the list, Total Maximum Daily Loads (TMDLs) will have to be developed for those lakes.
- Harris Bayou Noticed General Permit (NGP)
 - Chapter 373 of the Florida Statutes provides that NGPs can be approved given that there is a “Reasonable Assurance” that water quality standards will be met. Reasonable Assurance is not a guarantee that there will not be any violations of State water quality standards by the proposed projects.

Chairman Goerner believes that any violations should be cited and the violations corrected. He expressed his concern that projects would be allowed to discharge poorer quality water than their receiving water bodies.

Councilman Powers explained that the applications include monitoring requirements and the project operators must make considerable efforts to meet the State water quality standards.

Chairman Goerner said he is concerned with how long a project would be allowed to “temporarily” discharge poor quality water.

Councilman Royal asked who was responsible for stepping in and stopping a project that is discharging poor quality water. Ms. Bess explained the agency that approved the permit could tell the operator to stop. She said there is language in the NGP that allows for the temporary discharge of poor quality water. Ms. Bess also related a situation from about 15 years ago; where the Greater Orlando Aviation Authority paid a \$186,000 fine to the FDEP for discharging poor quality water for quite some time, after receiving violation. Therefore, the FDEP can take enforcement actions for NGPs.

Mr. Walker then mentioned that the Harris Bayou historically discharged into Lake Harris and now is part of the Lake Griffin drainage area. He explained that the TMDLs within the adopted BMAP include approximately one pound of phosphorus [per acre per year of nutrient loading from the bayou to Lake Griffin.

Councilman Farner asked how much of the property in the Harris Bayou would need to be remediated in order to reconnect directly to Lake Harris, as it was historically. Mr. Walker said he was not certain, although it would not be feasible to remediate that amount of land at this time. He added that one of the options of the Harris Bayou project is that they can release water from either Lake Eustis or Lake Harris into the bayou; depending on which lake has the better quality water. Therefore, he said the project will provide greater control of nutrients being released into Lake Griffin.

Mike Perry, Executive Director of the LCWA provided a handout of lake level data obtained from the FDEP web site. A copy of the handout is included in Attachment 7 and a summary of his update is provided below:

- Water Level Data

<u>Lake</u>	<u>Current Level</u>	<u>Regulatory Level</u>	<u>Minimum Desirable</u>
Apopka	64.5 feet	66.95 feet	66.5 feet
Eustis, Dora, Harris	60.25 feet	62.8 feet	62.0 feet
Griffin	57.1 feet	58.8 feet	58.0 feet

Mr. Perry explained that the water levels are very low and without significant rainfall before the dry season, the levels will drop even lower. He also reminded the Council that they have not released any water from Lake Apopka since March 2006.

Councilman Royal suggested that during this period of lower water levels, they should figure out a way to take advantage of the situation to possibly remove more muck and conduct vegetative planting. Mr. Perry explained that muck removal is completed with a dredge, so it doesn't matter if the water is six inches or two feet deep, however: if the water levels are low enough, muck can be removed mechanically. He also said that the lower water levels are a benefit to lake restoration and continued with his updates:

- Lake Beauclair Nutrient Reduction Facility (NuRF)

The LCWA will sign the lease agreement on the SJRWMD property where the facility will be built on September 12th. A groundbreaking event for the project may be held in the middle of October.

- LCWA Budget

Includes \$40,000 for operation of the Council.

Even though the LCWA reduced the millage rate [to property owners], the same revenue will be provided.

\$8.5 million has been set aside for the Lake Beauclair Dredging Project.

The next budget meeting is September 12th and the final meeting will be September 26th.

Chairman Goerner commended the LCWA with their efficiency in reducing the millage rates and protecting taxpayer money for use on projects, which are very beneficial. Mr. Walker continued with his update:

- Consumptive Use Permit (CUP)

The Water Alliance technical group continues to develop a plan to supplement reuse water with surface water withdrawal. He suggested that the Council receive an update from the Water Alliance on the issue.

The CUP issued for the City of Eustis directs them to evaluate the potential to withdraw up to 2 million gallons per day (mgd) from Lake Eustis.

Vice (V.) Chairman Dave Davis asked if the LCWA intends to discharge any water from Lake Beauclair to the downstream lakes. Mr. Perry explained because of the current low water levels

in the lake, only the minimum discharge is being released from the lake. However, he said once the Lake Beauclair dredging project is complete, they will discharge additional water to allow for vegetative restoration of the lake.

Mr. Johnson noted that the FWCC is providing \$1 million for the Lake Beauclair Dredging Project, and that he had no further updates for the Council.

Dr. Canfield provided the following updates to the Council:

- There are five additional lakes available for bass harvesting at Orlando International Airport.
- Mechanical Harvester
Completed dredging at the City of Leesburg Marina.
The harvester is being transported to Gainesville today for routine maintenance.
Next they may dredge portions of Little Lake Harris or the Restore Our Waterways (ROW) canals [off the Apopka-Beauclair Canal].
- Toxic Algae
The Harris Chain of Lakes (HCOL) are still below the World Health Organization (WHO) Recreational Standard of 20 micrograms per liter ($\mu\text{g/L}$), but are above the WHO Drinking Water Standard of 1 $\mu\text{g/L}$.
- Water Quality
The trends of limited reduction of nutrients, as provided by Dr. Larry Battoe (SJRWMD) for the HCOL, are similar to other lakes throughout the State.
- Fish Attractors
He suggested the Council could use a portion of their Legislative funding received for aquatic plants and cypress tree plantings, to install fish attractors in the lakes to improve fisheries habitat and support future plant growth.

V. Chairman Davis asked if Dr. Canfield had read a recent article where biologists said they have broken the [genetic] code for Red Tide. Dr. Canfield explained that although genetic scientists have claimed to broken the code, now they have the problem to control production of the algae on the scale of an ocean.

V. Chairman Davis also asked if this information can be translated to the blue-green algae. Dr. Canfield said that it does, but due to the lack of funding and several issues; it will be many years before field studies will be completed.

7. OTHER PUBLIC COMMENTS

Chairman Goerner thanked the ROW representatives for their letter of appreciation.

No public comments were made.

8. COUNCIL MEMBER COMMENTS

Council Member Comments

Mr. Hunter addressed the draft annual report saying that he had hoped there would be a discussion of the level of support the Council would be giving to the various issues in the report. After brief discussion on various elements of the annual report, Mr. Hunter suggested that the Council may want to provide their review and comments to the next draft for the annual report

Discussion of October 5, 2007 Meeting

Mr. Caputo told the Council that the BOCC Chambers have been reserved for next year's meeting. He also notified the Council that the SJRWMD Project and Land Committee will hold a meeting on the first Thursday of October at Lady Lake in the Villages and a tour of the Sunnyhill projects will be held on the following Friday.

Mr. Caputo then outlined the agenda items for October meeting of the Council:

- Review and approval of the August meeting minutes
- Discussion of the 2nd draft of the Annual Report
- The Council to receive a copy of Dr. Mike Allen's Shad Report
- Discussion of funding to cities making requests for cypress tree plantings

9. ADJOURNMENT

The meeting was adjourned at 12:05 PM.

Respectfully submitted by:

Chairman Skip Goerner

Vice Chairman Dave Davis II

Attachment 1

Harris Chain of Lakes Restoration Council

2008 Schedule of Monthly meetings

HARRIS CHAIN of LAKES RESTORATION COUNCIL

2008 MEETING SCHEDULE

The scheduled dates for the calendar year 2008 are as follows:

- January 4th.
- February 1st
- March 7th
- April 4th
- May 2nd
- June 6th
- July 11th
- August 1st
- September 12th
- October 3rd
- November 7th
- December 5th

Dates in **RED**, indicate schedule changes due to national holiday weekends.

All meetings are scheduled for 9 AM on the first Friday of each month in the BCC Meeting Room at the Round Courthouse in Tavares, but may be modified as to time and place throughout the year.

Due to the time and effort necessary to prepare and review the Council's Legislative Report, as well as the need for issues of special attention, additional meetings and/or workshops may be held throughout the year. They will be scheduled as necessary.

Attachment 2

Advertisement for Vacant Position

on the Council

September 2007

Volunteer Needed
to Serve on the
Harris Chain of Lakes Restoration Council

The Harris Chain of Lakes Restoration Council is seeking applicants to fill a vacancy on the Council. The vacant position is for one of the two At-Large Seats on the Council. To be considered, applicants must have the qualifications and interests that will enable them to conduct the business of the Council.

The duties of the Harris Chain of Lakes Restoration Council include reviewing lake restoration and management projects, evaluating the need for additional studies, identifying sources of funding, and making recommendations to the Florida Legislature.

The members of the Council are appointed by the Lake County Legislative Delegation. Those interested should submit a cover letter, resume, and references (including contact numbers) to the office of:

Senator Carey Baker, Chair
Lake County Legislative Delegation
301 W. Ward Street
Eustis, Florida 34726-4024
Telephone: (352) 742-6490
Fax: (352) 742-6492

Those interested must contact Senator Baker's office no later than _____, 2007.

Attachment 3

University of Florida

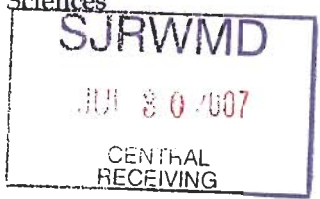
Proposal to Provide Web Site

Maintenance Services 2007 – 2008

UF UNIVERSITY of FLORIDA

Institute of Food and Agricultural Sciences
Department of Fisheries and Aquatic Sciences

7922 NW 71st Street
Gainesville, FL 32653-3071
352-392-9617
352-392-3672 Fax



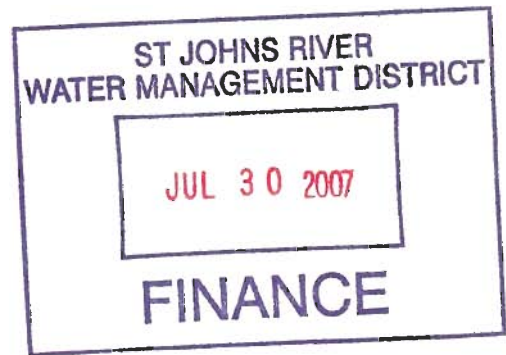
July 25, 2007

Gene Caputo
St Johns Water Management District
PO Box 1429
Palatka, FL 32178-1429

Gene,
Here is my request for maintenance of the Harris Chain Advisory Council's website for October 1, 2007 through Sept. 30, 2008. My fee is \$150/month (\$1800/yr) for maintenance. I will add documents (e.g. minutes, reports, personnel lists) and make any changes or additions requested by the council. I will keep the site current as materials are sent to me. I will also be glad to add links to any other web sites you might find useful.

Sincerely,
Marilyn D. Bachmann
Marilyn D. Bachmann
Ctsy Professor,
Dept of Fisheries and Aquatic Sciences

*Gene,
I need a po/contract #.
Rene*



Attachment 4

Letter of Introduction

Ted Wicks, P. E.

August 29, 2007

Attachment 5

Creel Count Data

and Other Information

provided by the

Florida Fish and Wildlife Conservation Commission

September 2007

6-C

Table 2. Comparison of largemouth bass and black crappie effort and catch for recent creel seasons in lakes Eustis, Dora/Beauclair, and Griffin.

LAKE	YEAR	Black Crappie Effort ± s.e.	Black Crappie Harvest ± s.e.	Largemouth Bass Effort ± s.e.	Total Largemouth Bass Catch (incl. released fish)		Largemouth Bass Harvest ± s.e.
					All LMB	Legal size LMB	
Eustis	2004-05	12,674 ± 1,779	9,279 ± 1,814	14,695 ± 1,412	5,921 ± 986	3,862	1,526 ± 255
Eustis	2005-06	28,053 ± 3,700	29,472 ± 5,369	20,100 ± 2,029	9,916 ± 1,356	6,509	3,203 ± 504
Eustis	2006-07	29,194 ± 4,345	20,680 ± 3,494	19,639 ± 1,493	7,177 ± 942	5,138	3,105 ± 474
Dora	2004-05	28,682 ± 2,411	31,547 ± 3,400	2,622 ± 548	1,759 ± 809	1,636	66 ± 35
Dora*	2005-06	26,127	38,604	4,309	870	822	695
Dora	2006-07	28,292 ± 2,885	36,734 ± 4,040	3,602 ± 737	422 ± 87	263	214 ± 99
Griffin	2002-03	40,781 ± 3,660	76,668 ± 7,510	724 ± 168	121 ± 64	37	37 ± 19
Griffin	2003-04	52,255 ± 4,005	64,153 ± 5,719	2,649 ± 533	2,813 ± 792	624	167 ± 75
Griffin	2005-06	45,598 ± 3,085	51,215 ± 4,416	4,034 ± 675	2,131 ± 607	961	348 ± 128
Griffin	2006-07	38,167 ± 3,607	46,525 ± 5,110	6,443 ± 1,012	1,450 ± 285	969	519 ± 148

* using an estimated value for one period of missing data. The estimate was derived from the same period in 2004-05 from lakes Dora/Beauclair and the same period in both creel years of Lake Eustis.

Table from FWC Creel Report -2007

John Benton
Fish & Wildlife Commission
Eustis, FL
352.742.6438
john.benton@myfwc.com

FL Fish & Wildlife Commission – Average Electrofishing Catch for Largemouth Bass
 (fish per hour): CPE_COUNT = Total bass

CPE_200 = Catch rate for fish larger than 200 mm (8 inches)

CPE_356 = Catch rate for fish larger than 356 mm (14 inches)

Average of CPE_Count_Mean		YEAR			
LAKE	2004	2005	2006	2007	Grand Total
Apopka	20	37	41	54	37
Beauclai	26	41	57	61	46
Carlton	56	91			74
Dora	53	65	75	84	69
Eustis	166	120	93	100	120
Griffin	57	63	43	32	49
Harris	97	93	87	82	92
Yale	162	149	142		153
Grand Total	80	82	73	67	77

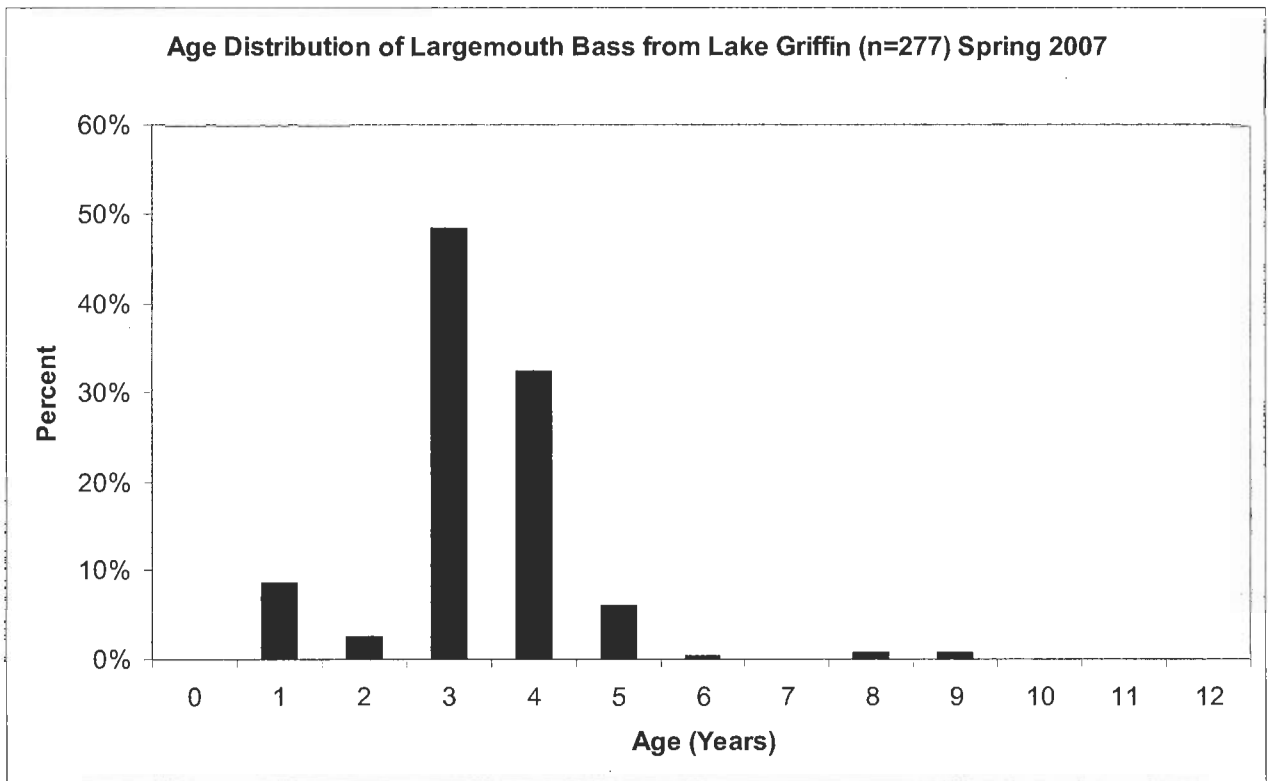
Average of CPE_200_Mean		YEAR			
LAKE	2004	2005	2006	2007	Grand Total
Apopka	13	33	36	50	33
Beauclai	19	25	39	40	31
Carlton	43	74			58
Dora	41	51	67	68	57
Eustis	90	105	82	96	93
Griffin	35	48	42	30	39
Harris	77	79	71	79	77
Yale	66	113	118		95
Grand Total	48	66	62	59	58

Average of CPE_356_Mean		YEAR			
LAKE	2004	2005	2006	2007	Grand Total
Apopka	6	19	16	17	14
Beauclai	10	9	10	15	11
Carlton	23	33			28
Dora	18	19	27	28	23
Eustis	30	48	35	48	41
Griffin	14	16	20	16	17
Harris	40	30	26	32	33
Yale	10	27	25		19
Grand Total	19	25	23	25	23

FL Fish & Wildlife Commission – Average Electrofishing Catch for Largemouth Bass (fish per hour):
 CPE_458 = Catch rate for fish larger than 458 mm (18 inches)
 CPE_Juvs = Catch rate for fish between 200 mm and 356 mm (8 to 14 inches)

Average of CPE_458_Mean	YEAR				
LAKE	2004	2005	2006	2007	Grand Total
Apopka	2	5	3	4	4
Beauclai	2	2	0	3	2
Carlton	8	12			10
Dora	6	4	7	5	5
Eustis	8	10	6	9	8
Griffin	3	2	5	4	4
Harris	9	9	7	8	9
Yale	2	5	9		5
Grand Total	5	6	5	5	5

Average of CPE_Juvs_Mean	YEAR				
LAKE	2004	2005	2006	2007	Grand Total
Apopka	15	17	25	37	23
Beauclai	17	32	47	46	35
Carlton	34	57			45
Dora	35	46	48	56	46
Eustis	136	72	57	51	79
Griffin	43	47	23	16	32
Harris	57	64	60	50	59
Yale	152	122	117		133
Grand Total	61	57	50	42	54



FL Fish and Wildlife Commission: Largemouth bass age distribution from spring 2007 electrofishing samples. This sample does not include any marked fish. Bass stocked by the University of Florida had a fin clip or tag.

Age	% Composition
0	
1	8.7%
2	2.5%
3	48.4%
4	32.5%
5	6.1%
6	0.4%
7	0.0%
8	0.7%
9	0.7%

Note: this figure differs slightly from the one handed out at the technical advisory committee meeting. That figure was for the selected and aged fish only (so many per size class were selected for aging, reducing the number of fish to be sacrificed). In this figure, the aging data was applied to the total length frequency, less any marked fish.

Attachment 6

Handouts

Barbara Bess

Florida Department of Environmental Protection

September 2007

Bess, Barbara

From: Depnews
Sent: Tuesday, August 28, 2007 1:19 PM
To: all-dep-employees
Subject: DEP RELEASES UPPER OCKLAWAHA RIVER BASIN MANAGEMENT ACTION PLAN

FOR IMMEDIATE RELEASE: August 28, 2007

CONTACT: Dee Ann Miller, (850) 245-2112 or (850) 519-2898 (cell)

DEP RELEASES UPPER OCKLAWAHA RIVER BASIN MANAGEMENT ACTION PLAN

--Program moves aggressively forward with cooperation of dozens of local, regional stakeholders--

TALLAHASSEE - The Florida Department of Environmental Protection (DEP) today announced adoption of the Upper Ocklawaha River Basin Management Action Plan (BMAP). The action plan, developed in partnership with cities, counties, the St. Johns River Water Management District, Lake County Water Authority and other local stakeholders, is a roadmap to restoring and protecting water quality in the Upper Ocklawaha River Basin. Its implementation will benefit surface waters throughout Lake and part of Orange Counties, including the Clermont Chain of Lakes connected by the Palatlahaha River, Lake Apopka, Lake Griffin, and the Harris Chain of Lakes.

In 2003, the DEP adopted water quality restoration targets, called Total Maximum Daily Loads (TMDLs), to establish how much phosphorus loadings entering the waterbodies must be reduced. The TMDLs helped stakeholders evaluate and identify local actions to control phosphorus discharges. The action plan now sets forth these actions in detail, including a schedule for their implementation and potential resources to accomplish them.

The Upper Ocklawaha BMAP is the first to be developed under DEP's comprehensive approach to identify polluted waterways and build partnerships with local, regional and state interests to clean them. Through a science-based program, DEP determined that ten of the waterbodies in the Upper Ocklawaha River Basin do not meet Florida's water quality standards. High levels of phosphorus in the waterbodies have caused an imbalance in the native plant, fish and wildlife communities.

"The Upper Ocklawaha River Basin Management Action Plan represents and incredibly strong collaboration among local, regional, and state agencies, elected officials, citizens, and private interests," said DEP Deputy Secretary Mimi Drew. "Together we have committed to a concrete set of actions to reduce phosphorus pollution in the streams, rivers, and lakes throughout the basin."

Among the programs and projects called for in the BMAP are restoration of former agricultural lands, better stormwater controls for active agricultural lands and urban development, more stringent local ordinances to control pollution, surface water restoration projects by the St. Johns River Water Management District and the Lake County Water Authority and an ongoing program of public and private sector education and outreach. By reducing the discharges of phosphorus through cooperative action, the ecological health of the Upper Ocklawaha can be restored.

For more information about DEP's water quality protection and restoration programs visit <http://www.dep.state.fl.us/water/tmdl/index.htm>.

--30--

The 2001 Florida Statutes

CHAPTER 373

WATER RESOURCES

PART I

STATE WATER RESOURCE PLAN (ss. 373.012-373.200)

PART II

PERMITTING OF CONSUMPTIVE USES OF WATER (ss. 373.203-373.250)

PART III

REGULATION OF WELLS (ss. 373.302-373.342)

PART IV

MANAGEMENT AND STORAGE OF SURFACE WATERS (ss. 373.403-373.466)

PART V

FINANCE AND TAXATION (ss. 373.470-373.591)

PART VI

MISCELLANEOUS PROVISIONS (ss. 373.603-373.71)

373.414 Additional criteria for activities in surface waters and wetlands.--

(1) As part of an applicant's demonstration that an activity regulated under this part will not be harmful to the water resources or will not be inconsistent with the overall objectives of the district, the governing board or the department shall require the applicant to provide **reasonable assurance** [*emphasis added*] that state water quality standards applicable to waters as defined in s. 403.031(13) will not be violated **and reasonable assurance** [*emphasis added*] that such activity in, on, or over surface waters or wetlands, as delineated in s. 373.421(1), is not contrary to the public interest. However, if such an activity significantly degrades or is within an Outstanding Florida Water, as provided by department rule, the applicant must provide reasonable assurance that the proposed activity will be clearly in the public interest.

(a) In determining whether an activity, which is in, on, or over surface waters or wetlands, as delineated in s. 373.421(1), and is regulated under this part, is not contrary to the public interest or is clearly in the public interest, the governing board or the department shall consider and balance the following criteria:

1. Whether the activity will adversely affect the public health, safety, or welfare or the property of others;
2. Whether the activity will adversely affect the conservation of fish and wildlife, including endangered or threatened species, or their habitats;
3. Whether the activity will adversely affect navigation or the flow of water or cause harmful erosion or shoaling;
4. Whether the activity will adversely affect the fishing or recreational values or marine productivity in the vicinity of the activity;
5. Whether the activity will be of a temporary or permanent nature;
6. Whether the activity will adversely affect or will enhance significant historical and archaeological resources under the provisions of s. 267.061; and
7. The current condition and relative value of functions being performed by areas affected by the proposed activity.

(b) If the applicant is unable to otherwise meet the criteria set forth in this subsection, the governing board or the department, in deciding to grant or deny a permit, shall consider measures proposed by or acceptable to the applicant to mitigate adverse effects that may be caused by the regulated activity. Such measures may include, but are not limited to, onsite mitigation, offsite mitigation, offsite regional mitigation, and the purchase of mitigation credits from mitigation banks permitted under s. 373.4136. It shall be the responsibility of the applicant to choose the form of mitigation. **The mitigation must offset the adverse effects caused by the regulated activity.** *[emphasis added]*

Attachment 7

Lake Water Level Data

Florida Department of Environmental Protection

presented by

Mike Perry

Lake County Water Authority

September 2007

