

FINAL

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

November 6, 2009

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on November 6, 2009 at the Lake County Board of County Commissioners' (BOCC) Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Hugh (Dave) Davis II, Chairman
Skip Goerner, Vice Chairman
Keith Farner
Robert Kaiser, P.E.
Don Nicholson
Richard Royal
Jon VanderLey

Members Absent

Rick Powers, P.G., Secretary
Edward M. Schlein, M.D.

1. CALL TO ORDER

Chairman Dave Davis 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 Davis called roll. Secretary Rick Powers and Councilman Ed Schlein were absent.

4. APPROVAL OF MINUTES

Chairman Davis called for a discussion of the October 9, 2009 meeting minutes. Patrick Hunter, Recording Secretary of the Council discussed minor edits within the minutes. No other edits were suggested and the October minutes were approved by unanimous vote.

5. PRESENTATIONS / ACTION ITEMS

Discussion of the Annual Report - Council

Chairman Davis called for a discussion of the draft annual report of the Council.

Vice (V.) Chairman Goerner said that Patrick did a good job with the report.

Mr. Hunter explained to the Council that last November, Chairman Davis asked if there could be links within the report that open the appendices. Mr. Hunter explained that this year's report includes hyperlinks that open each appendix in a new window, when the reader clicks on the appendix number. Chairman Davis thanked Mr. Hunter for providing that element to the report and the other Council members were also appreciative.

Chairman Davis asked about delivery of the printed reports. Mr. Hunter said per the contract with the St. Johns River Water Management District (SJRWMD), that 25 printed, bound copies of the report with the accompanying CDs will be sent to the District. Nancy Christman, Intergovernmental Coordinator with the SJRWMD said that once she receives the reports, two (2) will be sent to the Florida State Legislature and nine (9) will go to the SJRWMD Governing Board. V. Chairman Goerner advised Ms. Christman that the Chairman will be sending the reports to the Legislature, as he has in previous years. Ms. Christman agreed.

After an extended discussion of the number of printed reports that will be provided and the disposition of the reports; it was determined that Mr. Hunter would deliver 25 bound copies with CDs to the SJRWMD and would also provide an additional five (5) copies to Chairman Davis. Additionally, Ms. Christman would forward 24 of the SJRWMD copies to the Chairman for the Council's use.

It was also requested by the Council that Councilman Jon VanderLey write a letter to the local municipalities and other entities around the lakes which discusses the annual report and provides the Council's website address so they may read or obtain a copy of the report.

Councilman Keith Farner suggested the Council could release a statement to the press that the annual report is complete and would be available on the Council website. V. Chairman Goerner said that was a good idea.

No edits or comments were suggested for the final draft of the annual report, which was approved by a unanimous vote of the Council.

Council and Public Questions & Answers

Chairman Davis made a call for public or Council questions or comments. No public or Council member questions or comments were made at this time.

Agency Updates

Chairman Davis made a call for Agency Updates.

Dr. Dan Canfield of the University of Florida/Institute of Food and Agricultural Sciences (UF/IFAS) and Chairman of the Technical Advisory Group (TAG) to the Council provided the following updates to the Council:

- Fees charged for use of the mechanical harvester include \$100 each to deliver and pick-up the harvester and then if trained LAKEWATCH volunteers run the machine; the costs are \$50 per operating hour on the Harris Chain of Lakes (HCOL) and \$70 per hour (\$70/hour) for lakes outside the chain. If UF/IFAS personnel are required to operate the harvester the costs are \$75/hour for one operator and \$100/hour for two operators on the HCOL, and \$100/hour and \$150/hour respectively, for lakes outside the chain. Additional fees are also charged if the harvested material needs to be removed from the area. There have been no major repairs required for the harvester to date, just routine maintenance.
 - o Permit requirements for plant removal activities in the lakes is handled by Nathalie Visscher of the Florida Department of Environmental Protection (FDEP) Bureau of Invasive Plant Management.

Dr. Canfield also explained there is a potential to relocate a large number of bass in 2010 from a lake/reservoir in Hillsborough that will undergo a massive drawdown. He asked which lakes in the Harris Chain would most benefit from the bass. In general the Council suggested lakes Harris and Dora would benefit most. Dr. Canfield agreed saying that artificial fish attractors are planned to installed in those lakes.

Later in the meeting Dr. Canfield also informed the Council that the EPA is currently considering their ability to provide new funding to the Section 314 Clean Lakes Program, which was passed after the Clean Water Act. He said that if that program becomes funded, then it could be a source of funding for some of the lake restoration programs the Council is endorsing.

Mike Perry, Executive Director of the Lake County Water Authority (LCWA) provided the following updates to the Council:

- Lake water levels continue to drop as a result of low rainfall; Lake Apopka is below the Minimum Desirable Level and Lake Griffin is between the Regulatory Schedule and Minimum Desirable.
- He will make a request to the LCWA Board of Trustees at their November 18th meeting to approve the use of Hickory Point for the artificial fish habitat, as part of the Council's plan for various habitat restoration sites.
- They are moving forward with the permit to dredge Lake Beauclair and are in the process of answering a Request for Additional Information regarding potential mitigation for any existing native vegetation in Cell G.

Christianne Ferraro, Florida Department of Environmental Protection (FDEP) Program Administrator for Water Facilities and Watershed Management provided the following updates to the Council:

- The FDEP has been working on establishing numerical nutrient criteria, although the U.S. Environmental Protection Agency (EPA) will now take the lead for the state of Florida.
 - o A public workshop on the issue will be held in Tampa on November 17th

- The FDEP is in the process of surface water reclassification for designated use
 - o Additional classifications may be implemented
 - o The Florida Stormwater Association (FSA) has submitted a petition requesting the FDEP continue moving forward with reclassification
 - o A Public workshop on this issue will be held in Tampa November 18th

Councilman Farner requested that Ms. Ferraro keep the Council informed on the nutrient criteria development process. Mr. Ferraro agreed.

Dr. Canfield cautioned that the EPA nutrient criteria could increase the number of impaired lakes in Florida and could also set criteria of lakes in the Harris Chain that may be impossible to meet.

Ms. Ferraro added that the FDEP intends to maintain that lakes with established Total Maximum Daily Load (TMDL) criteria in place will not be affected by the new criteria to be handed down by the EPA.

Nancy Christman, Intergovernmental Coordinator with the SJRWMD notified the Council that the St. Johns Governing Board Projects and Land Committee (PALCOM) meeting will be held on December 3rd and a tour of their projects at Lake Apopka will be available on December 4th. She explained that if two or more of the Council members plan to attend either function, the SJRWMD would need to know by next Monday so they can provide legal advertisement for the Council's attendance.

V. Chairman Goerner asked for an update from the SJRWMD on the construction he had seen along Haines Creek and the reconnection of the marsh. Mr. Christman said she would speak with both Dave Walker and Walt Godwin (SJRWMD) about the matter and have one of them either call or email the V. Chairman.

6. PUBLIC COMMENTS

No public comments were made.

7. COUNCIL MEMBER COMMENTS

Chairman Davis made a call for Council member comments.

V. Chairman Goerner suggested the December meeting of the Council be cancelled so members could attend the SJRWMD PALCOM meeting. The Council agreed and the next scheduled Council meeting will be held on January 8, 2010.

V. Chairman Goerner asked about the status of the Council Recording Secretary contract. Ms. Christman explained that yesterday (11/5) a new contract went out for bid to approximately 10 prospective bidders, including Mr. Hunter. She also noted that many of the provisions in the new proposal are the same as in the existing contract and there are optional bid items to include many of the administrative duties she now performs.

Councilman Kaiser asked who will make the decision on approving a contractor. Mr. Christman said the District will make that decision. She also explained another difference in this proposal is that the contract is only requiring someone with an administrative background and not an environmental scientist background as in the previous contracts.

Several Council members expressed their concern that the SJRWMD has decided to remove the requirement that the Recording Secretary have an environmental background. Chairman Davis requested that Ms. Christman send the Council a copy of the bid solicitation and a list of the bidders who received the proposal. Ms. Christman agreed.

Dr. Canfield provided his comments saying it would be important for the Recording Secretary to have an environmental background because there are many terms/words used that the average layperson would not understand. He likened it to a medical transcriptionist needing to have a background that would allow them to understand the terminology. Dr. Canfield recalled the first year of the Council where the [administrative] secretary did not have a grasp of the language and the TAG had to put forth much effort to get the minutes and annual report corrected.

After an extended discussion of the current bid solicitation, Councilman Farner made a motion that Councilman VanderLey writes a letter to Dave Fisk (SJRWMD) requiring the Recording Secretary position be held by someone with an environmental background. Councilman Richard Royal seconded the motion, which was approved by unanimous vote.

Councilman Kaiser asked if Councilman Ed Schlein would be attending any future meetings of the Council. V. Chairman Goerner said he hasn't spoken to Councilman Schlein in a couple of months, but he would contact him to discuss his participation on the Council.

There was no discussion of agenda items for the January 8, 2010 meeting.

8. ADJOURNMENT

The meeting was adjourned at 11:00 AM.

Respectfully submitted by:

Chairman Dave Davis

Secretary Rick Powers, P.G.