

## **Harris Chain of Lakes Restoration Council**

Please address correspondence to Robert (Bob) Johnson, *Chairman*  
Harris Chain of Lakes Restoration Council.  
P.O. Box 867, Mount Dora, FL 32756

August 12, 2016

Ann B. Shortelle, Ph.D.  
Executive Director  
St. Johns River Water Management District  
P.O. Box 1429  
Palatka, FL 32178-1429

Dear Dr. Shortelle:

The Harris Chain of Lakes Restoration Council (HCOLRC/Council) was formed by the Florida Legislature in 2001 (Enacting Legislation: CHAPTER 2001-246 Senate Bill No. 1394). Attached is Chapter 373.467, Florida Statutes, creating the Council and defining its objectives. The Legislature recognized at that time that the St. Johns River Water Management District (SJRWMD), the Florida Fish and Wildlife Conservation Commission (FWC), and the Lake County Water Authority (LCWA), along with other state, regional, and local entities, had developed proposals to restore portions of the Harris Chain of Lakes.

For over a decade, the Council has reviewed many existing restoration proposals to determine which ones are the most environmentally sound and economically feasible methods of improving the fish and wildlife habitat and natural systems of the Harris Chain of Lakes. Council recommendations are detailed in their Annual Reports to the Legislature.

The Council is now prepared to recommend a Harris Chain of Lakes Restoration (including Lake Apopka) program. Per Chapter 373.468, Florida Statutes, the Council and FWC are to recommend a final Harris Chain of Lakes Restoration proposal for the enhancement of fish and wildlife habitat. The Council is seeking input from the agencies regarding their policy positions and what programs they expect to recommend to the Legislature within the next ten years.

Much has changed since 2001, but there is now a recognition that new approaches, such as dredging and habitat management, need to be adopted to meet the recreational, water quality and habitat objectives for the multi-use Harris Chain of Lakes. Specific bulleted issues and associated requests are as follows:

### **Lake Apopka:**

- The Council strongly recommends connecting Lake Apopka to the North Shore Restoration Area (NSRA). The Florida Legislature appointed the SJRWMD as the agency responsible for implementing the farm buy-out program. The plan for restoration after the buy-out focused on re-flooding the farm fields and elimination or breaching of the levees that separated the

fields from the main body of the lake, allowing Lake Apopka to return to its historic size. (See p. 2 from the report entitled “Final Lake Apopka Natural Resource Damage Assessment and Restoration Plan,” dated 6/2004). SJRWMD now seems intent on creating a bird sanctuary by placing infrastructure on former farmlands, which may prevent reconnection.

**Request:** Council requests SJRWMD and pertinent Council technical advisory group (TAG) agencies (FWCC, FDEP, LCWA) to provide scientific data in a presentation to the Council that allows the NSRA to be connected or not connected to Lake Apopka. The presentation should include required steps, cost, and time line to reconnect if the scientific information supports reconnection.

- SJRWMD is essentially building a flat sawgrass marsh to try to restore the marsh to its original condition. Alternatively, soil could be mounded to provide wind breaks, small islands of sawgrass, and deep holes, much like a marsh that would be developed by Ducks Unlimited. Deeper channels will allow boats to migrate through the NSRA for bird watching and fishing. Dredging could be used to provide soil for the NSRA.

**Request:** Council requests pertinent TAG agencies to provide a plan to accomplish the above statements.

- While SJRWMD has made reductions in phosphorus and chlorophyll (algae) and improved water clarity slightly, fisheries habitat (i.e., aquatic plants) have not increased significantly.

**Request:** Provide to the Council a proposal for establishing more aquatic plants, e.g. continued plantings, use of geotubes, or other types of barriers to facilitate aquatic vegetation establishment. These barriers will reduce wave action along the shore and form a substrate for rooting or the use of geotubes could create islands to protect shore lines with newly planted vegetation. Agencies should consider an approach similar to the U.S. Army Corps of Engineers to create islands similar to Fox Lake in Illinois.

- Water quality improvements have stagnated due to the lack of rainfall and flushing of the lake.

**Request:** Determine the best practice the agencies would use to remove fluid flocculent on the bottom of Lake Apopka in order to allow plant growth on bottom of the lake to survive. Include a possibility of strategic dredging in certain parts of the lake.

- The Council does not support gizzard shad harvesting by SJRWMD.

**Request:** Council requests SJRWMD to review gizzard shad harvesting as to benefits and costs. The review should also include an assessment of whether shad harvesting should be done in the rest of the Harris Chain.

- Aquatic vegetation will improve the establishment of sportfish populations. The Council recommends stocking adult bass when vegetation is limited. FWCC prefers advanced fingerlings, but have had limited success.

**Request:** Council requests recommendations by the TAG agencies on methods to attract anglers to Lake Apopka.

- As vegetation enters the lake, *Hydrilla* will colonize.

**Request:** Council requests information on approaches for managing this plant, as it could have benefits for the largemouth bass fishery.

- The Council recommends deemphasizing the importance of phosphate levels as science has shown that phosphate is not the major cause of the lake problems. Aquatic vegetation is the primary problem (too much or too little). Agencies need to collaborate on how vegetation should be managed and include the MFL's in the study.

**Request:** SJRWMD and LCWA to report to the Council the need for the NuRF facility to continue to treat water coming from Lake Apopka and discharging to the Harris Chain. Should SJRWMD prioritize water for the marsh or downstream users if the marsh is not reconnected.

- The Council is not certain organochlorines are responsible for the bird deaths at the NSRA. The Florida Department of Health (DOH) needs to provide threshold action levels for the organochlorines (bans and health advisories).

**Request:** Council requests DOH initiate toxicology studies on ducks and fish collected on the NSRA to determine if they are edible to remove the prohibition from hunting and fishing if the NSRA is reconnected to Lake Apopka. SJRWMD must not make this determination.

#### **Lakes Downstream from Lake Apopka:**

- Aquatic vegetation is important for fish and other aquatic life.

**Request:** Council requests TAG agencies to determine present existing vegetation in Harris Chain and make recommendations as to how much vegetation is best for the health of the lakes. Include recommendations as to most efficient and cost effective way to improve aquatic vegetation in the lakes.

**Request:** Council requests TAG agencies to make recommendations as to the best way to keep canals and narrow boat passage ways where homes exist open.

- The fisheries success rate has gone up and down over the last few decades.

**Request:** Council requests a determination as to when fish stocking is advantageous and an estimate of the economic costs for doing nothing.

- Dredging is needed in the downstream lakes to remove mud.

**Request:** Council request agency plans, if any, on downstream dredging

The Council requests SJRWMD, FWCC, DEP, DOH, and the Lake County Water Authority formulate and provide to Council their detailed future plans for the Harris Chain of Lakes, based on the issues and requests shared above. The details for the plans must include projected costs. The Council requests an agency audit of the total amount of tax payer dollars spent to date by each agency on projects undertaken/completed since the farm buy-out. Council requests these plans be in outline form and sent to Bob Johnson, Chairman, Harris Chain of Lakes Restoration Council, P.O. Box 867, Mount Dora, FL 32756. Finally, Council requests a progress report within 30 days of receiving this request and a final report in 60 days.

Sincerely

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Robert R. Johnson, Chairman

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Skip Goerner, Vice-Chairman

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Don Nicholson, Secretary

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Stephanie Bishop, Member

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Sid Grow, Member

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Keith Truenow, Member

cc: Ann Shortelle, Executive Director, SJRWMD  
FWCC  
DEP  
DOH  
Mike Perry, Executive Director, LCWA  
Lake County Legislative Delegation

**2016 Florida Statutes**

**Title XXVIII**

**NATURAL RESOURCES; CONSERVATION, RECLAMATION, AND USE**

**Chapter 373**

**WATER RESOURCES**

**SECTION 467 The Harris Chain of Lakes Restoration Council**—There is created within the St. Johns River Water Management District, with assistance from the Fish and Wildlife Conservation Commission and the Lake County Water Authority, the Harris Chain of Lakes Restoration Council.

(1)(a) The council shall consist of nine voting members which shall include a representative of waterfront property owners, a representative of the sport fishing industry, a person with experience in environmental science or regulation, a person with training in biology or another scientific discipline, an attorney, a physician, an engineer, and two residents of the county who are not required to meet any additional qualifications for membership, each to be appointed by the Lake County legislative delegation. The Lake County legislative delegation may waive the qualifications for membership on a case-by-case basis if good cause is shown. A person serving on the council may not be appointed to a council, board, or commission of any council advisory group agency. The council members shall serve as advisors to the governing board of the St. Johns River Water Management District. The council is subject to chapters 119 and 120.

(b) There shall be an advisory group to the council which shall consist of one representative each from the St. Johns River Water Management District, the Department of Environmental Protection, the Department of Transportation, the Fish and Wildlife Conservation Commission, the Lake County Water Authority, the United States Army Corps of Engineers, and the University of Florida, each of whom shall be appointed by his or her respective agency, and each of whom, with the exception of the representatives from the Lake County Water Authority and the University of Florida, shall have had training in biology or another scientific discipline.

(2) Immediately after appointment, the council shall meet and organize by electing a chair, a vice chair, and a secretary, whose terms shall be for 2 years each. Council officers shall not serve consecutive terms. Each council member shall be a voting member.

(3) The council shall meet at the call of its chair, at the request of six of its members, or at the request of the chair of the governing board of the St. Johns River Water Management District. Resignation by a council member, or failure by a council member to attend three consecutive meetings without an excuse approved by the chair, results in a vacancy on the council.

(4) The council shall have the powers and duties to:

(a) Review audits and all data specifically related to lake restoration techniques and sport fish population recovery strategies, including data and strategies for shoreline restoration, sediment control and removal, exotic species management, floating tussock management or removal, navigation, water quality, and fish and wildlife habitat improvement, particularly as they may apply to the Harris Chain of Lakes.

(b) Evaluate whether additional studies are needed.

(c) Explore all possible sources of funding to conduct the restoration activities.

(d) Report to the President of the Senate and the Speaker of the House of Representatives before November 25 of each year on the progress of the Harris Chain of Lakes restoration program and any recommendations for the next fiscal year.

(5) The St. Johns River Water Management District shall provide staff to assist the council in carrying out the provisions of this act.

(6) Members of the council shall receive no compensation for their services, but are entitled to be reimbursed for per diem and travel expenses incurred during execution of their official duties, as provided in s. 112.061. State and federal agencies shall be responsible for the per diem and travel expenses of their respective appointees to the council, and the St. Johns River Water Management District shall be responsible for per diem and travel expenses of other appointees to the council.

#### **SECTION 468 The Harris Chain of Lakes restoration program—**

(1) The Fish and Wildlife Conservation Commission and the St. Johns River Water Management District, in conjunction with the Department of Environmental Protection, pertinent local governments, and the Harris Chain of Lakes Restoration Council, shall review existing restoration proposals to determine which ones are the most environmentally sound and economically feasible methods of improving the fish and wildlife habitat and natural systems of the Harris Chain of Lakes.

(2) To initiate the Harris Chain of Lakes restoration program recommended by the Harris Chain of Lakes Restoration Council, the Fish and Wildlife Conservation Commission, with assistance from the St. Johns River Water Management District and in consultation and by agreement with the Department of Environmental Protection and pertinent local governments, shall develop tasks to be undertaken by those entities for the enhancement of fish and wildlife habitat. These agencies shall:

(a) Evaluate different methodologies for removing the extensive tussocks and buildup of organic matter along the shoreline and of the aquatic vegetation in the lake.

(b) Conduct any additional studies as recommended by the Harris Chain of Lakes Restoration Council.

(3) Contingent on the Legislature's appropriating funds for the Harris Chain of Lakes restoration program and in conjunction with financial participation by federal, other state, and local governments, the appropriate agencies shall, through competitive bid, award contracts to implement the activities of the Harris Chain of Lakes restoration program.

(4) The Fish and Wildlife Conservation Commission is authorized to conduct a demonstration restoration project on the Harris Chain of Lakes for the purpose of creating better habitat for fish and wildlife.