

# FINAL

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

January 08, 2010

The regular meeting of the Harris Chain of Lakes Restoration Council was held at 9:00am on January 8, 2010 at the Lake County Board of County Commissioner Chambers, 315 West Main Street, Tavares, Florida.

### Members Present

Hugh (Dave) Davis II, Chairman  
Skip Goerner, Vice Chairman  
Richard (Rick) Powers P.G., Secretary  
Keith Farner  
Edward Schlein, M.D.  
Jon VanderLey

### Members Absent

Robert (Bob) Kaiser, P.E.  
Don Nicholson  
Richard Royal

### 1. CALL TO ORDER

Chairman Dave Davis called the meeting to order at 9:05am.

### 2. INVOCATION AND PLEDGE OF ALLIANCE

An Invocation was given by Chairman Davis followed by the Pledge of Allegiance.

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

Chairman Davis called the roll; Councilman Keiser, Councilman Nicholson and Councilman Royal were absent.

### 4. INTRODUCTIONS

Nancy Christman, St. Johns River Water Management District (SJRWMD), introduced Jeff Cole, Director Of Communications & Governmental Affairs, SJRWMD and Barbara Jadcak, Business Resource Specialist II, SJRWMD who is the current Recording Secretary for the Harris Council Chain of Lakes Restoration Council. Barbara Jadcak will be producing minutes similar to SJRWMD District Governing Board minutes.

- Chairman Davis requested that documents be sent in Word Doc. Format, which was agreed upon with Ms. Jadcak and Ms. Christman. Vice (V.) Chairman Goerner questioned who would be doing the annual report. Ms. Christman stated that Dave Fisk, Assistant Executive Director, SJRWMD, has approved hiring a short-term contractor to produce the annual report. That person will probably start coming to Harris Council meetings in June 2010 to learn about the issues of the council.

### 5. ELECTION OF OFFICERS

Chairman Davis called for the election of officers.

- A. Councilman Schlein nominated Skip Goerner for Chairman; Approved by unanimous vote of the Council.
- B. Councilman Schlein nominated Hugh (Dave) Davis for Vice Chairman; Approved by unanimous vote of the Council.
- C. V. Chairman Goerner nominated Richard (Rick) Powers for Secretary; Approved by unanimous vote of the Council.

### 6. APPROVAL OF MINUTES

Chairman Davis called for a discussion of the November 6, 2009 meeting minutes.

- Councilman VanderLey announced that after reading the November minutes he remembered that he was to write a letter to the local municipalities and other entities around the lakes, to discuss the Annual Report and provide the Council's website address. He will work on a draft and send to everyone to review.
- November minutes were approved by unanimous vote.

## **7. PRESENTATIONS / ACTIONS ITEMS**

Chairman Davis called for an informal Council discussion of future priorities and agendas

- V.Chairman Goerner provided a report of the St. Johns River Water Management District (SJRWMD) Projects and Lands Committee meeting (PALCOM) on December 2009 on the Upper Ocklawaha River Basin. He stated that the Harris Council came under attack at the meeting and serious attack by the Friends of Lake Apopka (FOLA) regarding the Harris Council's Annual Legislative Report recommendations. V.Chairman Goerner determined that more communication is needed between the council and the District. He also stated that the Council needs to respond to FOLA.
- Council discussed more effectively communicating with St. Johns River Water Management District (SJRWMD). V.Chairman Goerner commented that the Council needs technical staff from the District to attend all of the meetings. Charles Clark, member of the Lake County Water Authority (LCWA), was asked to participate in the discussion and he recommended that the council propose very specific restoration recommendations to the SJRWMD. As an example, specifics of Lake Apopka partial dredging locations, cost, quantity of material to be removed and where muck will be relocated, must be part of the recommendation to the District. Council Members agreed with this approach.
- Discussion of the partial dredging of Lake Apopka continued among council members. Council members felt the SJRWMD has the technical expertise and resources to determine the feasibility of the Council's recommendations. Councilman Farner suggested that SJRWMD give a presentation on partial dredging of Lake Apopka, to include any areas identified by SJRWMD that are feasible. Councilman Powers offered to draft a 1-2 page white paper to present to the District on partial dredging of Lake Apopka as a demonstration project. He recognized that funding at this time will be difficult. Bill Johnson, Florida Fish and Wildlife Conservation Commission (FWCC) suggested that instead of dredging, buying land around Lake Apopka, so the water level can be kept at higher elevations might be a better option than dredging.
- The council discussed the roll of aquifer levels on springs and lake levels. V.Chairman Goerner suggested that he will ask Joe Branham, owner of Bug Spring, to come and give a presentation on spring levels and lake levels. Bill Johnson, FWCC was asked to provide records for Lake Griffin. SJRWMD was requested to provide current and historic aquifer level information; current and historic lake levels, over-all water balance and trends, and the effects of aquifer levels on lake levels.

## **8. COUNCIL & PUBLIC QUESTIONS & ANSWERS**

### **A. Agency Updates**

- Bill Johnson, FWCC, spoke about harvest regulations for crappie in Lake Griffin; state-wide program of tagging Large Mouth Bass in lakes; and fish stocking in Lake Griffin.
- Christianne Ferraro, Florida Department of Environmental Protection (FDEP) explained the numeric nutrient criteria to be proposed by Environmental Protection Agency (EPA); stated that public workshops will be held around the state, with one in Orlando on Feb. 17, 2010; and discussed the surface water classification changes that FDEP are considering. She will forward the copy of the draft proposal. In response to V.Chairman Goerner's question regarding funding for the Nutrient Reduction Facility (NURF) and other projects, Ms. Ferraro stated that there is some money thru section 319 funds but not much other money except for impaired water bodies restoration identified in Basin plans.
- Mike Perry, Executive Director, Lake County Water Authority (LCWA), provided information on 1) Lake levels, stating that they are below regulatory levels; 2) stated that LCWA is working with the University of Florida (UF) on the inter-local agreement for habitat enhancement at Hickory Point; 3) gave an update on NURF, stating that clarity of water coming out of NURF into the Apopka-Beauclair Canal (A-B Canal) and into Lake Beauclair is clear water top to bottom. He also stated that there is a lot of vegetation in the

A-B Canal, including hydrilla; 4) LCWA is working on the Florida Department of Environmental Protection (FDEP) and Army Corps of Engineers (ACOE) permits for the Lake Beauclair and Beauclair Canal restoration and entered into an agreement with FWCC for one million dollars for the sediment removal.

**B. Correspondence/Reports Received with Agenda**

- Nancy Christman, SJRWMD, stated that written reports were provided with the agenda package for the Lake Apopka North Shore Restoration, the Marsh Flow-Way Project, Emerald Marsh, Shad harvesting, and Upper Oklawaha River Basin (UORB) lake level management (see attachment 1).
- Jeff Cole, SJRWMD, in response to earlier comments by the Council, stated that the lake level regulation schedules are required and approved by the ACOE; aquifer levels are on the SJRWMD website; the district can come and speak to the Council on aquifer levels; SJRWMD has documented Lake Apopka water quality improvements and enhancements to the littoral zones ; will encourage a presentation on managing marshes around Lake Apopka . V.Chairman Goerner questioned whether the district will assign scientific staff to attend the meeting. Jeff Cole stated there is staff that can provide input but attending every meeting is up for discussion. V.Chairman Goerner stated that he would discuss it with Dave Fisk.

**9. OTHER PUBLIC COMMENTS**

- Charles Clark, member of LCWA, proposed that the NURF project be stopped until the Lake Beauclair canal is dredged, since it is costing \$75,000 a month to operate and NURF cannot be successful until the muck is removed.
- Mike Perry stated that phosphorous levels in Lake Beauclair are the lowest they have been in years. He will look at this issue along with some other data, but stated the NURF does have a purpose now. He will bring this up with the LCWA board.

**10. COUNCIL MEMBER COMMENTS**

**A. Comments**

- V.Chairman Goerner stated that Patrick Hunter, former recording secretary, did a great job and the council should recognize him with a letter or plaque. He also stated the Chairman Davis ended 2-year tenure and should be recognized.

**B. Discussion of Next Scheduled Meeting: February 5, 2010**

- Presentations for the Feb.5, 2010 meeting will include 1) Lake levels and spring flows – presentations by Joe Branham, owner of Bug Spring, Bill Johnson, FWCC, and SJRWMD. Another presentation will be by SJRWMD to discuss aquifer levels, current and historic, and how those levels affect lake levels and spring flows. Bill Johnson FWCC was asked to report on the Sunshine Bass in Lake Apopka in his agency update.

**11. ADJOURNMENT**

The meeting was adjourned at 10:50am

Respectfully submitted by:

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Chairman Dave Davis

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Secretary Rick Powers, P.G.

## **Attachment 1**

Apopka Update - SJRWMD  
for January Governing Board

### **Lake Apopka North Shore Restoration:**

Work began on Phase 3 in October and another work-order was issued during the week of December 14<sup>th</sup> for infrastructure on Phases 6, 7, & 8. District staff is preparing applications for two more permits allow completion of the infrastructure this fiscal year. Re-flooding began on Phase 2 in May 2009. Initial testing of fish tissue indicates low levels of pesticides. This is important because if this holds for the necessary time period, it confirms that the soil inversion was successful in that area. These Phase 2 data become part of the next biological assessment to flood additional acres.

### **Lake Apopka Marsh Flow-Way Project:**

Average flows through the system have increased over the past month to about 108 cfs. Maintenance in the flow-way cells is now complete and all cells are operational. Cell C2 was the last cell put into operation. Incoming lake water quality continues to improve and performance of flow-way is improving since maintenance. When lake TP is low, the performance of the marsh flow-way is low, as mass loading to the flow-way is reduced. Data from October show that the operating cells retained 3.9 metric tons suspended solids/day, 76 kg of TN/day and 0.2 kg TP/day. In October, the lake concentration of total phosphorus averaged 76 ppb.

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UORB monthly project status report - SJRWMD  
For January Board

### **Emeralda Marsh:**

The contractor completed construction related to reconnection of the K cell and a pump station at Emeralda Marsh in mid-December. Plans for the box culvert under Emeralda Island Road are with Lake County Road Department for review. The culvert will reconnect Areas 6 & 7 to Area 2 and thence Lake Griffin. Recent aerial photos from Area 2 show significant expansion of beds of spatterdock, a water lily-like plant that once dominated large areas of Lake Griffin. This is a welcome development and an important habitat to return to the Lake Griffin/Emeralda system.

### **Shad Harvesting in the UORB and Lake Apopka:**

Shad harvesting on Lake Apopka ended for the season at the end of November because of low catches and small fish. The fisher men harvested almost 400,000 pounds of gizzard shad. The fishermen did not catch significant numbers of sunshine bass, a fish that was stocked in the lake last year by the Florida Fish & Wildlife Conservation Commission. The District plans to expand the harvest to Newnans Lake in February 2010.

### **UORB Lake Level Management:**

Lake levels throughout the basin continued to rise over the summer and recently, discharges over the minimum were made at both the Burrell and Moss Bluff dams. These are the first major discharges from the basin since February 2006, finally ending the extended drought. Planning continues on implementation of enhanced lake level fluctuations for the Harris Chain of Lakes and Lake Apopka. Establishment of MFLs for these lakes will be incorporated into the project. Staff anticipates that this major project will require 4 years to complete.