

FINAL

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

May 2, 2014

The regular meeting of the Harris Chain of Lakes Restoration Council was held at 9:02 a.m. on May 2, 2014 at the Lake County Board of County Commissioner Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Skip Goerner, Chairman
Keith Truenow, Secretary
Lloyd Woosley
Don Nicholson
Sid Grow

Members Absent

Robert (Bob) Johnson, Vice Chairman
Hugh (Dave) Davis
Edward Schlein, MD

1. CALL TO ORDER

Chairman Goerner called the meeting to order at 9:02 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nicholson gave the invocation. The Pledge of Allegiance followed.

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

Chairman Goerner called the roll. Council members Johnson, Davis, and Schlein were absent.

4. APPROVAL OF MINUTES

The Council approved the March 7, 2014 meeting minutes. Chairman Goerner stated that the recording secretary did an excellent job on the meeting minutes; he noted that accurate recording is very important, and asked her to prepare (revise) minutes for the November 1, 2013 meeting.

5. PUBLIC COMMENTS

Linda Bystrak, President of the Oclawaha Valley Audobon Society stated concern over the proposed Goose Prairie Peat Mine Project; the Board of County Commissioners will vote on May 20, 2014. Councilman Nicholson commented on the new jobs this brings to the area. Councilman Woosley plans to express his concerns at the meeting on May 20, 2014. Ms. Bystak mentioned increased carbon dioxide from peat mining and the associated effect on global warming. The Council asked the Florida Department of Environmental Protection (DEP) for a briefing on the environmental impact statement at the next meeting. Chairman Goerner asked Ms. Bystak and the St. Johns River Water Management District (SJRWMD) for an in-depth presentation on the environmental impacts so the Council could make a recommendation on what is best for the lakes. The Council confirmed that the mine is required to get an Environmental Resource Permit (ERP) from DEP and that Lake County Water Authority (LCWA) does not have regulatory authority or permitting requirements. Mike Perry, LCWA said they have the same rights as any adjacent landowner and can only provide public comment. Councilman Woosley reiterated the Council's

request to DEP for review of proposed permitting activities before reading about them in the paper. The Goose Prairie Peat Mine Project is approximately 1,000 acres. The property boundaries on the north are CR 452 and Goose Prairie Road; the boundary on the south is CR 44. Chairman Goerner mentioned use of a buffer area. Council members Truenow, Nicholson, and Woosley discussed biodegradation of the pesticides, and the risk of mining the soil. The Council asked DEP for a briefing on the status of the ERP, SJRWMD for their assessment and LCWA's prior plan(s) and assessment of the property. Secretary Truenow questioned the status of the peat removal project on the Long Farm North property (Emeralda Marsh property). Jay Brawley, Initiative Leader, SJRWMD reported that no discussions at this time. He stated that SJRWMD does not expect peat removal on the Emeralda Marsh Area Seven property due to environmental concerns (pesticides) and a legal liability issue. Ms. Bystak inquired on the hydrology of Haines Creek due to reported dredging during the 1980's. Mr. Cullum, SJRWMD stated that the entire northern part of Lake Griffin is a recharge area.

Robert Hendrick, citizen, questioned the disappearance of springs near Lake Apopka, other than the one in the Gourd Neck area and the potential of finding hidden springs beneath peat. Mr. Cullum, SJRWMD referenced SJRWMD's springs protection initiative, cost sharing, and potential legislative funding for springs restoration.

6. PRESENTATIONS / ACTIONS

- A. Eric Thomas, Regional Biologist, Division of Freshwater Fisheries Management, NE Region, Florida Fish and Wildlife Conservation Commission (FWC) discussed the proposed Statewide Largemouth Bass Regulation Plan. He explained that largemouth bass is generally the only species of black bass that we have in this part of the state. Biologists from the Division of Freshwater Fisheries Management, Habitat and Species Conservation, and the Fish and Wildlife Research Institute formed a Bass Regulation Review Committee to review current and past regulations for black bass species; staff from the University of Florida served in an advisory capacity. The goal is optimal sustainable use of Florida's bass fisheries with an emphasis on production of high quality bass and trophy bass. Their objective was to review current bass regulations (biological and stakeholder data) and make recommendations. FWC desires to use the least restrictive regulations possible to protect trophy bass and maintain a statewide bass fishery with a healthy population that provides diverse angling opportunities, controlled harvest, and high angler satisfaction. To get stakeholder involvement, the committee distributed information cards, held open house events and conducted surveys on bass regulations and stocking. Staff held approximately 200 in-person conversations, and received 5,608 surveys. They found anglers to be generally apathetic about bass regulations; there appears to be no significant variation across the state, and some preference for trophy bass. FWC examined the harvest rate (number of fish caught that were harvested), not the catch rate. They wanted stakeholder's opinions to play an important role in the process. Regulations become less important when the harvest rate is only 10 percent. FWC used exploitation data but most rates are very low across the state; the rates (approximately 20%) for Lake Santa Fe and Lake Panasoffkee are notable exceptions and appear to be artificially high; FWC believes that the fish were harvested for the reward tags.

The committee considered the biological and the stakeholder data concurrently to come up with the recommendation. They reviewed the data, discussed the biological, social, and economic impacts of regulation changes, and consulted the goal and desired future condition. After reviewing the options, the committee developed recommendations for the FWC Division

Leadership Team within the Division of Freshwater Fisheries Management. The current three black bass fishing zones are northwest, central and northeast, and south. The northwest zone includes waters north and west of the Suwannee River, including its tributaries. Current regulations require the immediate release of black bass less than 12 inches total length and a bag limit of five of which only one may be 22 inches in total length or longer. In the central and northeast zone, current regulations require the immediate release of black bass less than 14 inches total length and a bag limit of five, only one of which may be 22 inches in total length or longer. The south zone includes waters in the St. Lucie canal, areas east of US Highway 441 and south of SR 80. The current regulation is that only one bass of the bag limit of five may be 14 inches or longer. The proposed change to the statewide largemouth bass regulation is a bag limit of five, one of which may be longer than 16 inches; there is no minimum size length limit. The proposed regulation is simplified, less restrictive, and protects fast growing females (potential trophy fish). Keeping the five fish bag limit satisfies most anglers, and changes the culture. The three step plan to protecting trophy bass allows anglers to keep smaller bass, limits the harvest of bass over 16 inches to one, and pays for the release of big fish through the Trophy Catch Program. FWC is reviewing the special regulations, considering the effects on other black bass species (e.g., Shoal, Spotted, and Suwannee) and collecting public input. The Division of Freshwater Fisheries Management will make a final decision in 2014 and the agency will make a decision by the end of 2015; if the commission passes the rule, the regulation should go into effect by July 1, 2016. Councilman Grow asked about exemptions for tournaments. Mr. Thomas, FWC reported that tournament anglers get an exemption to the length limit but not the bag limit; another committee is working on tournament issues. Councilman Nicholson commended simplification of the process. Councilman Woolsey asked for the rationale behind catch and release, when you have a productive fishery such as to Stick Marsh. Mr. Thomas, FWC reported that the idea is to protect the top end of the fishery because anglers can take the top end off the size structure and significantly affect the number of trophy bass. He added that the rationale for designating catch and release only is for a water body that is not stressed, that we want to make a premier water body, is to protect the trophy fish. Councilman Woosley asked the Council to consider, as an option, a special designation (no harvesting of fish over 16 inches) for the Harris Chain of Lakes (HCOL) to protect the trophy fish. Chairman Goerner wants more information from “bass” anglers not just anglers. He added that regulation would prohibit the harvest of bass over 16 inches provides the best protection for trophy bass, but may be too restrictive. Chairman Goerner requested FWC data (creel reports, catch rates, etc...) for the ten-inch limit on crappie in Lake Griffin. Dennis Refro, Fisheries Resource Coordinator, FWC stated that this information should be available in September 2014.

- B.** Michael Cullum, PE, Bureau Chief, Engineering and Hydrologic Science, SJRWMD gave a presentation on the draft water budget for Lake Apopka and the HCOL. Shaw Huang, PhD, Engineer Scientist, SJRWMD was present and acknowledged as the lead modeler for the project. Mr. Cullum, SJRWMD referenced a conveyance improvement in the Harris Bayou area and interesting findings about the role of groundwater in the hydrologic budget. He identified the flow of groundwater into a lake as discharge and the flow of water out to the groundwater system as recharge (leaky). Lakes Apopka and Griffin are characterized by discharge and recharge (leaky), and Lake Harris is characterized by discharge. Lakes Eustis, Beauclair, Dora and Yale are characterized by recharge (leaky). Chairman Goerner noted that this is a complete reversal of the hydrologic cycle presented in earlier years. Mr. Cullum, SJRWMD stated that use of the East Central Florida – Transient (ECFT) MODFLOW groundwater model allows for better understanding of how the groundwater system (surficial and Floridan aquifer) interacts with each

of the lakes in the HCOL. The US Geological Survey developed the ECFT model for the Central Florida Water Initiative (CFWI).

Councilman Nicholson asked about differences in the bottom structure of a lake (peat-like) as it relates to discharge or recharge. Mr. Cullum, SJRWMD explained that peat does not make a huge difference because water will move through the peat and more importantly is the clay layer. The confining layer between the surficial and Floridan aquifers is known as a leaky confined layer because water can move from the lower (Floridan) area/system up through the leaky clay layer into the surficial; the lakes are parts or components of the surficial aquifer system. During peat mining, finding a spring is most likely due to the removal of peat rather than the unplugging of peat from a spring.

Mr. Cullum discussed the upper Floridan potentiometric level (groundwater head). He explained that the minimum flows and levels (MFLs) hydrologic model needs long-term (30 yrs or more) groundwater head data to simulate discharge or recharge to or from lakes. The ECFT model simulated monthly upper Floridan level for the HCOL using ground water head data from 1995 to 2006 (12 years), but more data is needed. Careful examination of data from 1964 for long-term monitoring wells at the Blue House, Lake Yale Groves and Orlo Vista reveals a correlation between the lake data and data from the wells. He displayed an aerial photo of the wells and the potentiometric levels for a snapshot in time (May 2010). Mr. Huang used the Move-3 (Maintenance of Variance) statistical method to compare the calibrated data (1995-2006) with the long-term data (1964-2011). Councilman Woosley commented on the extension of the data set beyond its recorded history. Mr. Cullum presented data plots (graphics) of the observed water levels, actual data simulated using the ECFT model, and extension of the 12-year data. It is again evident that Lake Eustis contributes to the groundwater system and Lake Harris gets water from the groundwater system. Discharge and recharge is evident in and out of Lakes Griffin and Apopka. Chairman Goerner referenced past presentations that showed that Lake Griffin had a confining layer - like that of a pond and no leakage in or out of Lake Griffin. Mr. Cullum reiterated big advances in understanding how the system works on a detailed basis. He showed a graph of frequent water loss from Lake Apopka to the groundwater except during high rainfall periods. Councilman Woosley noted that this answers the question why Lake Apopka appears to have a net loss of water at a more rapid rate than the mid lakes and Lake Griffin.

Chairman Goerner reiterated concern for water leakage from the dike between the north shore and Lake Apopka and counting this leakage as leakage into groundwater. Mr. Cullum stated that the north shore is inundated with water to help with pesticide issues. The ultimate goal is reattachment to Lake Apopka, as a kidney, for treatment of pollutants in the lake; he noted that this is included in the model. Chairman Goerner asked if water was being pumped from the lake to the City of Apopka for irrigation. Jay Brawley, SJRWMD reported work is in the construction phase for the reclaimed system. The system is not active and water is not being pumped. Councilman Woosley restated Chairman Goerner's concern for keeping Lake Apopka at a lower level because it is feeding the marsh; Mr. Cullum reported on keeping the marsh flooded at the minimum level to protect against pesticides moving up through the food chain. Chairman Goerner requested more information on this subject.

Mr. Cullum commented on use of the Nash-Sutcliffe model efficiency coefficient to assess the accuracy of the model (MFLs Hydrologic Model calibration 1995-2006) and that it showed a good performance rating. He presented a simulated draft water budget for the lakes. Chairman Goerner

fears that what is being done is to the detriment of the HCOL. He wants more discussion on preserving the quality of Lake Apopka and the lakes in the HCOL by natural means. He referenced the subsidence of elevations and advocates providing a natural flow to the upper lakes and planting of drought tolerant sawgrass. Mr. Cullum explained that sawgrass is finicky and needs a low level of nutrients. Councilman Woosley commented on management of the plant regime to reduce evapotranspiration (ET) and the different ET rates of plants. Mr. Cullum confirmed vegetation planting in the north shore and major issues on the eastside, in the “old” Zellwood area, due to the pesticide issue in 1989 with the Endangered Species Act. Councilman Woosley agrees that the water budget should include water demand of the north shore as a component of the budget. He recommended separating ET for the north shore and ET for the open water so it could be recognized as a management objective independent of the initial objective of the north shore. Mr. Cullum noted this for consideration and presented the draft water budget for Lake Griffin. Chairman Goerner wants to know how much water is used to keep the wetlands hydrated in Lake Griffin and is concerned about the use of water in the north area of Lake Griffin to hydrate the marshes. Mr. Cullum agreed to include that as a separate component in the water budget.

- C. Kraig McLane, Intergovernmental Coordinator, SJRWMD provided an overview of the support function provided by SJRWMD to the Council. As stated in Chapter 373.467 of the Florida Statutes, SJRWMD shall provide staff to assist the council in carrying out the provisions of the act. The four primary areas of support include meeting notices, preparation of the agenda and meeting minutes, website maintenance and support (harrischainoflakescouncil.com), and preparation of annual report to the legislature.

Mr. McLane shared that prior to Fiscal Year (FY) 2010-2011, SJRWMD hired a consultant to provide administrative support to the Council except for meeting notices; annual expenditures were \$20,000. During FY 2010-2011, consultant services were used to provide website maintenance and preparation of the annual report; SJRWMD provided the other administrative services and annual expenditures were \$10,000. In FY 2011-2012, a consultant services prepared the annual report; SJRWMD provided the other administrative services and annual expenditures were \$6,300. In FY 2012-2013, SJRWMD provided all of the administrative support to the Council and spent \$2,800. SJRWMD is providing all of the administrative services again in FY 2013-2014 and annual expenditures are pending. Mr. McLane provided the Council a summary of how the Council’s products and support services have improved and how the Council has control over important aspects of its legislative charge – the Council sets its schedule, presentations, and agenda; and prepares its annual report. Chairman Goerner stated that he is generally displeased with the annual report and incomplete meeting minutes from last year; he feels that minutes do not adequately reflect the concerns and recommendations of the Council, adding that the condensed annual report is based on the insufficient minutes. He emphasized the Council’s need to maintain its independence. Mr. McLane asked the Chairman for clarity regarding independence. The Chairman shared that he desired more independence from the SJRWMD preparation of support documents and that there were favorable aspects. The Council expressed that the FY 2013-2014 minutes are accurate, more complete and informative and that they should lead to a more thorough annual report.

- D. Mr. McLane reports that Dr. Schlein expressed that he wants to resign but has not provided a resignation letter; Chairman Goerner stated that the Council needs an official letter of resignation. Chairman Goerner would like for advertisement of the vacant positions on the Council quickly. Mr. McLane, SJRWMD has prepared the advertisement for the vacant Environmental Engineering

position. The Council granted him permission to approach Dave Davis regarding resignation and advertisement of the vacant Environmental Engineering position prior to confirmation of other vacancies. The Council recalled the need for a limnologist and their desire for Dr. Dan Canfield, Professor of Limnology, UF to participate as a scientific resource for the Council. Mike Perry, LCWA reports not exploring financial support for Dr. Dan Canfield, UF due to other tasks but will provide this information at the next meeting.

- E. The Council desires to hold the project workshop during the regular meeting and involve members of the Technical Advisory Group (TAG). Chairman Goerner wants to concentrate on major concerns such as Lake Apopka, the water budget, and the annual report. Councilman Woosley suggested postponing the workshop until the vacant positions are filled. The Council agreed to hold the workshop discussion at its regular June meeting.

7. COUNCIL & AGENCY QUESTIONS & ANSWERS

Mike Perry, LCWA reports that the current water level at Lake Apopka is 64.25 feet, the regulatory schedule is 64.75 feet, and the minimum desirable is 65.45. The current water level at the Super Pond is 61.2 feet, the regulatory schedule is 62.25 feet and the minimum desirable is 61 feet. The current water level in Lake Griffin is 56.95 feet, the regulatory schedule is 58.25 feet and the minimum desirable is 57 feet. LCWA is preparing a request for proposal (RFP) regarding the potential for nutrient loads from sediments in Lake Yale, Trout Lake, and Lake Denham. Councilman Woosley commented on the amount of nutrients and organics from a large rookery on the northeast shore of Trout Lake. LCWA is preparing a budget with no change in funding for the Harris Council.

Jay Brawley, SJRWMD reports that the wildlife drive on the north shore will open sometime between November and March. Chairman Goerner requested information on water quality and planned restoration. He emphasized the Council's desire to hear about the projects before reading about them in the newspaper. Mr. Brawley stated work on development of the final plan for reconnection of area three in Emerald Marsh with planned reconnection in two years and review of legal issues for lake level management (flooding). Councilman Nicholson commented on issues with FEMA flood maps and leinholders who are financing properties in flood zones. Secretary Truenow questioned the status of other aforementioned projects at Lake Apopka. Mr. Brawley stated planned construction of the Lake County boat ramp and park during 2014 and legislative funding (approximately \$3.9 million) for dredging of select areas in Lake Apopka and testing of innovative water quality treatment processes via request for proposals. He shared that a half-hour interview with Hank Largin, Public Communications Coordinator, SJRWMD on the history and status of Lake Apopka, was taped for the "Orlando Matters" television show.

Dennis Renfro, Fisheries Resource Coordinator, FWC met with the Director of Lake County Economic Development & Tourism Department regarding plans to bid the B.A.S.S. Classic for the HCOL in 2016 and 2017. FWC reviewed its annual work plan for invasive plant management in 2014-2015; surveys in the HCOL show a small amount of hydrilla. The Town of Montverde submitted a grant proposal to the Florida Boating Improvement Program (FBIP) to build boat ramp, dock, and parking facilities on the west side of Montverde. This would provide deep-water access. Legislative funding of \$3 million is currently budgeted in FY2014-2015 for Lake Apopka restoration. He clarified that the line item appropriation is for FWC and is shown as Lake Apopka restoration – Fixed Capital Outlay.

8. COUNCIL MEMBER COMMENTS

A. Chairman Goerner would like the project workshop to be held during the meeting on June 6, 2014. Secretary Truenow requested a presentation on findings of the CFWI.

B. Mr. McLane, SJRWMD stated that the next meeting is scheduled June 6, 2014 with planned presentations on legislative funding for Lake Apopka by Tom Champeau, Division Director, FWC and on ecological considerations in setting MFLs and lake regulation targets for the Ocklawaha Chain of Lakes by Rolland Fulton, PhD, Environmental Scientist, SJRWMD. The CFWI presentation is tentatively scheduled for meeting on August 1, 2014.

9. ADJOURNMENT

The meeting adjourned at 12:14 p.m.