

FINAL

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

November 7, 2003

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on November 7, 2003 at the Lake County Board of County Commissioners' Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Skip Goerner, Chairman
W. Thomas Brooks, Vice Chairman
Hugh Davis II, Secretary
Charles C. Clark
Thomas A. Cook, MD
Keith Farner
Don Nicholson
Rick Powers

Members Absent

1. CALL TO ORDER

Vice Chairman Thomas Brooks called the meeting to order at 9:05 AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Mr. Robert Kaiser (Citizen Advisor), followed by the Pledge of Allegiance.

3. ROLL CALL

Vice Chairman Brooks called roll. All members were present except for Chairman Skip Goerner who arrived shortly after the start of the meeting.

4. WELCOME AND OPENING REMARKS

Vice Chairman Brooks welcomed all Council members. No other opening remarks were made.

5. APPROVAL OF MINUTES

The monthly minutes for July 11th, October 3rd and October 15th were all unanimously approved by the Council.

6. DISCUSSION ITEMS

Vice Chairman Brooks discussed various aspects of the Council budget for the fiscal year ending September 30, 2003 and his conversation with Linda Girardin of the SJRWMD. He explained that \$10,649 of the funds balance will carry over to the 2003 – 2004 fiscal year. All other unexpended funds will be returned to the Lake County Water Authority (LCWA) and the St. Johns River Water Management District (SJRWMD) general funds.

Vice Chairman Brooks also discussed the budget for the 2004 fiscal year and said that the Council will receive \$40,000 from the LCWA, \$10,000 from the SJRWMD, and the \$10,649 carry-over from last year for a total of \$60,649. Mike Perry, Executive Director of the LCWA explained that the LCWA board of Directors (Board) approved the reallocation of the unexpended portion of the funds they provided in the 2003 fiscal year to be available to the Council, if they need it. After a brief discussion, the current budget as presented was unanimously approved.

The renewal contract for Berryman & Henigar, Inc. (BHI) to perform duties as the Recording Secretary and preparation of the Annual Report to the Legislature was briefly discussed. The Council members were in agreement with the contract details as provided during the October 15th meeting and voted unanimously to approve the renewal contract for the amount of \$18,882.

Gene Caputo of the St. Johns River Water Management District (SJRWMD) made a brief presentation of the 2004 Council's Monthly Meeting Schedule. Mr. Caputo also discussed the LCWA "Water Alliance" PowerPoint® Presentation provided as a hand out, which was presented to Lake County and all related municipalities. He explained that a consensus was reached to form a Water Alliance between the county and the municipalities to be involved with the long-term decision making process for water supply.

7. PRESENTATIONS

Agency Updates

Dr. Daniel Canfield, a member of the Technical Advisory Group (TAG) to the Council, representing the University of Florida (UF) Institute of Food and Agricultural Sciences (IFAS), provided information on the draft website for the Council that was posted on the Internet. Dr. Canfield explained that the website is in very preliminary stages of draft development, but the Council could view the website to provide any comments. Chairman Skip Goerner suggested that the chairman should be the point of contact for the website and that personal email may be posted on the site at the Chairman's discretion. He also

requested that a disclaimer explaining that the Council is not affiliated with the University of Florida (UF) be included on the website.

Mr. Caputo discussed the payment for website development services, which is due by December 31, 2003. After viewing the website, the Council members voted unanimously to approve the payment for the website development.

Bill Johnson of the Florida Fish and Wildlife Conservation Commission (FWCC) discussed the recent trawl sampling of creel in lakes Dora and Griffin. He explained that they have finished the sampling in Lake Dora and are approximately 50% complete with Lake Griffin. The FWCC had just begun sampling in Lake Harris and expect to continue sampling until April 2004. Mr. Johnson said that they could update the Council by mid-December on the crappie populations in lakes Dora and Griffin.

Chairman Goerner expressed his concern as to the Fishing License Fees collected by Lake County and whether the Harris Chain of Lakes receive their fair shares of the fees. He felt that the \$334,751 in fees collected in 2002 was intended to be used for a variety of projects associated with the area lakes and the fishing industry but was concerned that some of the money was being spent on the dredging of private canals in Marion County. Mr. Johnson explained that there are many active projects in the area that receive funding from the license fees, but he did not have the specifics on what the portion was that is being spent on the Harris Chain of Lakes (HCOL). Mr. Johnson felt that the HCOL are receiving funds from the fees.

Councilman Charles Clark asked if hydrilla in the lakes is good for the bass population. Mr. Johnson answered that it is in moderate quantities. He went on to say that although it may be beneficial to bass fishing, it is a regulated plant. Councilman Clark also inquired as to the size of the bass that had been netted during the recent counts. Mr. Johnson believed that they were in the 6" – 8" range.

Dr. Canfield explained that State rules identify hydrilla is a targeted species for control and the State is working towards managing the plant at its lowest possible level in term of number of plants.

Mike Perry, Executive Director of the LCWA, provided an update on the access canal dredging program. He started out by saying that over 90% of the indemnification letters have been returned from the waterfront property owners. He also said that they were still waiting for the Army Corps of Engineers (ACoE) permit in order to begin dredging and that the disposal site approval efforts are moving forward. Additionally, the LCWA Governing Board (Board) approved the cyanobacteria monitoring plans. The LCWA is refining the timing of the sampling efforts. One of the issues discussed by the LCWA Board was to make better use of the data collected and Mr. Perry said they are evaluating that issue. Mr. Perry also explained that any results which indicate toxins should be reported to the Lake County health officials. Chairman Goerner asked if he would be allowed to make a brief statement regarding the Council's resolution requiring the

reporting of toxic algae to public health officials, during the November meeting of the LCWA Board. Mr. Perry said that he could during the public comment portion of the meeting.

Chairman Goerner also asked Mr. Perry if there was anything that the Council could do to expedite the access canal dredging project. Mr. Perry said that there has been some difficulty in obtaining the ACoE permit and suggested that the Council could possibly contact the ACoE to express their thoughts on the project. Mr. Perry said that he would provide some names of “key people” involved in the permitting process at the ACoE. Chairman Goerner stated that he would contact the ACoE to discuss the dredging.

Dr. Canfield cautioned the Council that the ACoE is somewhat opposed to the dredging. Councilman Keith Farner expressed his appreciation to the LCWA for their support of the resolution and their efforts in performing toxic algae monitoring.

Mr. Perry said that the FWCC had reinitiated creel sampling in Lake Griffin in an effort to address concerns with the Habitat Initiative that there was not up to date creel data available. He went on to discuss the chemical application of herbicides and said that they use the least amount of chemicals that are effective in plant control. He also discussed the LCWA efforts to use harvesting of aquatic vegetation to further minimize the amounts of chemical used. Mr. Perry explained that there are only a few areas which are available for harvesting and the LCWA is exploring other areas which may be suitable for vegetation control via harvesting.

Mr. Perry then discussed the other efforts of water quality improvement including the upcoming Nutrient Reduction project on the Apopka-Beauclair Canal. He said that the LCWA Board will be making a decision on the proposals submitted by private consulting firms and moving forward with the project.

Mr. Perry also mentioned an article in “Florida Trends” magazine which discussed the economics of bass fishing. He went on to say that it is important for the LCWA to partner with other agencies. He felt that it would be very beneficial to establish better communications with Orange County. He asked the Council if they could assist in this effort of improved cooperation. Chairman Goerner said that he felt this was very important and offered his assistance.

Councilman Clark asked about the use of Lake County Ad Valorem money to dredge private canals in Marion County. Mr. Perry explained that the state provides nearly 50% of the \$702,000 in funding for those dredging projects and that although the Marion County canals are currently included in the dredging projects, in the long-term they may not be included.

Dr. Canfield expressed his opinion of the controversial views of Dr. Shoemaker [with respect to the presentation he gave on biotoxic disorders]. He offered to contact two professionals with opposing views including Ed Klibbs (spelling?) of UF who has studied

Cylindrospermopsis and also Joann Burkholder who has done work with *Pfiesteria* and toxic algae. Chairman Goerner said that it is the intent of the Council to pursue other opinions on the matter next year.

Dave Walker (SJRWMD) provided clarification of the timeframe and funding for the dredging disposal site. He said that they are moving forward with the permitting through the Florida Department of Environmental Protection (FDEP) and the U.S. Fish and Wildlife Service (FWS). Mr. Walker also discussed the phosphorus levels in various lakes including lakes Apopka and Griffin. He explained that the current total phosphorus (TP) levels for Lake Apopka is 68 micrograms per liter ($\mu\text{g/l}$) and the Pollutant Load Reduction Goal (PLRG) is proposed to be 55 $\mu\text{g/l}$. Mr. Walker said that this is much lower than the 200 – 300 $\mu\text{g/l}$ that has been recorded in the lake in the past. For Lake Griffin he explained that the current TP is 35 $\mu\text{g/l}$ and the proposed PLRG is $\mu\text{g/l}$. He also said that shad harvesting is to begin again in Lake Apopka on December 1, 2003 and that they would like to catch 1.5 million pounds of shad over the three month harvest, depending on the availability of both funding and fish.

Mr. Walker also discussed several of the upcoming efforts of the SJRWMD including the Apopka-Beauclair Canal and the Harris Bayou culvert connection planned to be installed under U.S. Highway 441. With respect to the Harris Bayou reconnection Mr. Walker explained that a geotechnical report of the flow-way determined that the substrate (soils) could not support a channel running through it. He said that the current plan is to allow “sheet flow” through the bayou. Chairman Goerner reminded him that the Council had expressed their concerns about nutrients and other contaminants being discharged from the bayou. He also mentioned that the Council had suggested possibly using culvert piping to transport water through the bayou. Mr. Walker said that the SJRWMD would assure the Council that they would treat the marsh to minimize the discharge of phosphorus and other contaminants.

Dr. Canfield discussed the “condition” of Lake Apopka using a list of five charts indicating that in 2002 the parameters for, Total Suspended Solids (TSS), Secchi Depth, Chlorophyll, TP and Total Nitrogen (TN) were higher than the historic averages. He also expressed his concerns about biotoxins accumulating in area birds associated with Lake Apopka. One of the toxins of concern is toxaphene which bioaccumulates in birds but is not found in the water samples. He again expressed his recommendation to the Council to seek opposing opinions on many of the issues they review. Councilmen Clark and Farner both expressed their concerns about water quality being discharged from the bayou.

Mr. Walker continued discussing the Harris Bayou project explaining that the primary reason for operating the bayou is to reduce flooding from Haynes Creek and to better control water levels in the HCOL. He pointed out that water will flow through the bayou only a few times a year, as needed to control flooding.

Mr. Walker continued to discuss other projects including Sunnyhill and reserving water. He explained that the cost estimate recently provided by the ACoE was \$8 million and that

the available budget was \$5 million. Therefore he explained, the SJRWMD is in the process of reviewing the design plans to consider other options. He also briefly mentioned that the SJRWMD Board did not approve the water reservation for Sunnyhill.

Barbara Bess of the Florida FDEP discussed TMDL development for the Upper Ocklawaha River Basin (UORB) and the 5-year activities planned beginning in 2004. The PLRG adopted for Lake Apopka is a 77% reduction of phosphorus their current concentrations and she also provided the proposed PLRGs for the other lakes in the UORB including:

- Lake Beauclair – 85% reduction
- Lake Carlton – 59% reduction
- Lake Dora – 67% reduction
- Lake Eustis – 43% reduction
- Lake Griffin – 66% reduction
- Lake Harris (including Little Lake Harris) – 32% reduction
- Lake Yale – 10% reduction, and
- Trout Lake – 50% reduction

She explained that the discharges of concern into the lakes are “non point source” in origin and therefore difficult to manage. Ms Bess went on to say that the FDEP is in the process of providing assistance to stormwater retrofits in Lake County on facilities which have been previously identified by the county. She explained that the retrofits will assist in bringing the lakes into TMDL compliance.

Ms. Bess also discussed reclaimed / reuse water. She explained that the Cutrale Waste Water Treatment Plant (WWTP) is authorized to discharge into Lake Griffin but they are now in the process of reusing their cooling water instead of discharging it. Ms. Bess does not anticipate phosphorus as a regular discharge of treated water from the facility. She went on to say that in the past these discharges have only accounted for 0.02% of the phosphorus loads to the lake.

Chairman Goerner questioned Ms. Bess’s use of the term “stormwater.” She explained that stormwater is defined as all non point source discharges including agricultural operations and the area citrus groves. He also requested formal notification for the February 2004 TMDL Meeting.

Berryman & Henigar – Patrick Hunter, Re: Review of Second Draft of the Legislative Report.

The Council then went on to discuss the Draft Annual Report to the Legislature. Overall they felt the report was very well written. Only a few minor edits and suggestions are made for the report. Dr. Canfield provided a few suggestions on content which were discussed by Patrick Hunter (Recording Secretary for the Council and author of the report) and the Council. Based on the suggestions and changes being made to the report, the Council unanimously voted to approve the 2003 Annual Report to the Legislature. They

requested that a total of 25 bound, hard copies of the report and 12 CDs containing the report be provided as soon as they are available.

8. COUNCIL MEMBER COMMENTS

No Council member comments were made.

9. PUBLIC COMMENTS

No public comments were made.

10. ADJOURNMENT

Chairman Goerner called for meeting adjournment. A motion to adjourn was made, seconded, and passed. The meeting was adjourned at 11:40 AM.

Respectfully submitted by:

Skip Goerner, Chairman

Hugh Davis II, Secretary