

FINAL

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

June 4, 2004

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on June 4, 2004 at the Lake County Board of County Commissioners' Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Hugh (Dave) Davis II, Chairman
Skip Goerner, Vice Chairman
W. Thomas Brooks
Keith Farner
Robert Kaiser
Don Nicholson

Members Absent

Thomas A. Cook, MD, Secretary
Charles C. Clark
Rick Powers

1. CALL TO ORDER

Chairman Dave Davis called the meeting to order at 9:02 AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Councilman Robert Kaiser, followed by the Pledge of Allegiance.

3. ROLL CALL

Chairman Davis called roll. All members were present except for Secretary Thomas Cook, and Councilmen Charles Clark and Rick Powers.

4. WELCOME AND OPENING REMARKS

Chairman Davis welcomed the Council and members of the audience.

5. APPROVAL OF MINUTES

Minutes from the April 2, 2004 meeting were unanimously approved by the Council. Approval of the minutes from the May 7, 2004 was postponed until the July 2004 meeting.

6. DISCUSSION ITEMS

Distribution and Discussion of Roberts Rules of Order

Gene Caputo of the St. Johns River Water Management District (SJRWMD) provided the Council members with a copy of Robert's Rules of Order (RRO). Mr. Caputo also pointed out the RRO regarding the Council being required to have a Parliamentarian, as had been discussed at the May meeting. He explained that the language of RRO is very permissive on that requirement and that the final decision of the Chairman would overrule any recommendations of the Parliamentarian. He also explained that the role of the Parliamentarian is strictly an advisory one and that small organizations, such as the Council, are not required to have one.

The consensus of the attending Council members was that they understood that the use of RRO had been approved by the Council during the May Council meeting.

Technical Advisory Group's Sunshine Law Responsibilities

Chairman Davis provided a handout to the Council and discussed his understanding of the possible requirement of the Technical Advisory Group (TAG) to operate under the Sunshine Law. He said that if an advisory committee was established for the purpose of fact finding only, then they do not fall under the Sunshine Law.

Chairman Davis made a motion that he draft a letter to the State Attorney General explaining the duties of the Council and TAG and to obtain their opinion on the matter. The motion was seconded.

Councilman Keith Farner provided information that he recalled from the 11/6/01 Council meeting where Mark Simpson of the State Attorney General's Office said that if the TAG were going to make recommendations to the Council, then they would fall under the Sunshine Law.

Mr. Caputo then explained to the Council that if the Attorney General determines that the TAG does fall under the requirements of the law, that the SJRWMD would handle the requirements for providing public notice, meeting summaries and other duties on behalf of the Council.

After a brief discussion on the Sunshine Law issue, the motion to allow Chairman Davis to write the letter to the Attorney General was voted on and unanimously approved.

7. PRESENTATIONS

Dave Walker (SJRWMD) – Upper Ocklawaha River Basin Program Update

Dave Walker, the SJRWMD Senior Project Manager for the Upper Ocklawaha River Basin (UORB) Surface Water Improvement and Management (SWIM) Program, discussed the approved funding of District projects as listed in the handout he provided to the Council. He explained that a total of \$3.25 million had been approved for the projects and some of the funding may be shifted in order to fully fund the Lake Griffin [Access] Canal Dredging project. Below is a listing of the funded projects:

Lake Griffin Canal Dredging (LCWA)	\$ 684,700
Apopka – Beauclair Canal Dredging (LCWA)	\$ 500,000
Shad Harvesting	\$ 500,000
Harris Bayou Engineering Support Services	\$ 50,000
Dora Canal Improvements	\$1,200,000
PLRG Development for UORB lakes	\$ 163,000
Nutrient Loading Reduction	<u>\$ 150,000</u>
	\$3,250,000

Vice (V.) Chairman Skip Goerner asked if the SJRWMD would be providing additional funding over and above that approved [provided] by the Florida Legislature, for all of the projects especially the Dora Canal Improvement Project. Mr. Walker explained that the amount set aside for that project is just a starting point because the District (SJRWMD) does not know how much that project will ultimately cost.

Councilman Keith Farner expressed his concern on altering the scenic beauty of the Dora Canal. Mr. Walker explained that the SJRWMD is conducting a study on the improvements and that no construction is currently proposed.

Chairman Davis then expressed his concern that he did not want to wait for years to begin fluctuating Lake Harris and the other lakes in the chain. He also asked if all of the studies had been done that are necessary to begin the lake level fluctuation program. Mr. Walker explained that other projects would need to be completed, including the canal dredging and Harris Bayou Project before fluctuations could begin. He told the Council that the Harris Bayou Project is approximately two years from completion. Mr. Walker also reminded the Council that an interim fluctuation schedule for Lake Griffin had been adopted in May 2002. He added that the SJRWMD is also looking at alternatives for storing additional water in Lake Apopka so they can provide long periods of slow release, as opposed to short periods of fast release, to the other lakes in the chain.

Mr. Walker went on to respond to Chairman Davis' comments regarding the completion of the necessary studies on the other lakes in the chain saying that preliminary studies had been completed. He also explained that the fluctuation program is not meant to improve water quality in the lakes but rather to enhance the lakes after they have gone through their restoration efforts. Mr. Walker said that current efforts are to reduce the external loading

of nutrients to the lakes and this was primarily accomplished by purchasing the farms around the lakes that were contributing nutrients in their runoff. He explained that all the projects being discussed are to improve the internal cycling of nutrients in the lakes. One of the projects that appears to produce a significant reduction of phosphorus is the harvesting of gizzard shad. Mr. Walker explained that a literature survey conducted by Dr. Larry Battoe (SJRWMD) indicated that the 1,000,000 pounds of shad harvested from Lake Griffin, may have reduced the internal loading of phosphorus in the lake by 13,000 – 30,000 kilograms (6,000 – 13,600 pounds). He said that this is very significant and that the District is considering moving the shad harvest to the other lakes in the chain.

Councilman Kaiser asked if bass could help control the current shad populations. Mr. Walker said they could and went on to explain that there is evidence of that happening in Lake Griffin currently. He said that in fact, the bass / sport fish populations have increased to a point that they currently do not think it would be a good idea to continue the harvests in that lake.

Councilman Tom Brooks asked when Lake Griffin Canal dredging will begin. Mike Perry of the Lake County Water Authority (LCWA) explained that they anticipate approval of the dredging permit by the Army Corps of Engineers (ACoE) by the end of June. He said that if the permit were approved, canal dredging could begin in early Fall of this year.

Councilman Brooks then asked; after the canal dredging is complete, how long would it be before the fluctuation could begin? Mr. Walker reiterated that the Harris Bayou Project should be completed first and that wouldn't be until mid to late 2006.

V. Chairman Goerner explained that the canal dredging could take about a year; therefore the completion of the Harris Bayou Project would not be far off at that time. He also reminded Mr. Brooks that the fluctuations are more of a plant and habitat improvement measure and currently the plants in Lake Griffin are doing very well.

Councilman Farner asked about the funding for the Harris Bayou project and Mr. Walker assured him that all the necessary funding is in place for that project. Mr. Walker also explained that the District is reconsidering the design of the project and the construction of a bypass canal.

Councilman Farner then asked if another discussion on the Harris Bayou Project and bypass channel could be scheduled. After an extended discussion on the recommendation of the Council not to build a bypass channel that would discharge excess nutrients into Lake Griffin, V. Chairman Goerner agreed that an additional discussion on the matter would be warranted. Chairman Davis also agreed and reminded the Council that Mr. Walker was providing an update on the funding of the UORB Projects, not the specific design criteria.

Mr. Walker then provided additional details on the Harris Bayou Project and on other projects:

Harris Bayou – The SJRWMD is currently in the design phase of this project and they are revisiting the design and considering modifications. The District currently has permits for many of the culverts needed for the project and is working with an adjacent land owner for the easement required for the outfall and channel.

Sunnyhill Project – This project began in 1988 and had recently received a stop-work order issued by the ACoE due to budgetary shortfalls. The District is going to meet with the ACoE in July to determine if they could begin moving forward on certain aspects of the project again including completion of the design and specifications. Mr. Walker felt that the project could be completed in two years and they may start construction in October.

Emeralda Marsh – The key element in Mr. Walker's mind was developing an interim infrastructure that ties the entire system together to improve management of water levels within the marsh. This infrastructure design would allow for alum treatment of any water discharged from the marsh to reduce nutrient loading to Lake Griffin.

Shad Harvesting – Mr. Walker briefly explained that the SJRWMD is currently developing a research program with the assistance of the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida and the Fish and Wildlife Conservation Commission (FWCC). The program will include preliminary research in Lake Dora prior to initiating shad harvesting on that lake. He said their goal is to begin harvesting in March 2005.

Councilman Don Nicholson asked how catastrophic rain events, possibly on the order of 12 inches in four hours, would be managed with the Chain of Lakes, through the use of District structures and projects. Mr. Walker explained the dynamics of the flood control system saying that Lake Apopka is a key component in flood control, but the Dora Canal has always been a "bottle neck" in the release of water. He said that the District is considering options to relieve this situation; however he is not certain of a solution. Mr. Walker went on to explain that the Harris Bayou is also a flood control project that helps to move water out of the basin from Lakes Harris, Eustis, Dora, and Little Lake Harris. He said that Moss Bluff Control Structure has a capacity of 3,000 cubic feet per second (cfs) and that the Burrell Control Structure has a capacity of 1,200 cfs. He also said that the Harris Bayou is being built to handle a volume of 1,000 cfs. Therefore there is a huge safety factor for managing large flows, Mr. Walker said.

Councilman Farner then asked if Mr. Walker knew of any flood modeling efforts completed by the ACoE. Mr. Walker said that the District works closely with the ACoE and that they basically control what the District does at Moss Bluff and that the other dams in the area are related to what is discharged at Moss bluff. He said that once the Harris Bayou Project is complete, the district will work with the ACoE to revise their data.

V. Chairman Goerner also asked about large discharges from the Burrell Canal, spillway and structure that have caused erosion at that structure. Mr. Walker explained that the District has budgeted the analysis of the structure / spillway during 2005. V. Chairman Goerner also asked about scouring and erosion at the Moss Bluff dam / structure. Mr. Walker said that erosion is not the issue at that dam, but that sediment accumulation was. He said that in 1992 the SJRWMD had a dragline (a piece of heavy equipment used in excavation) remove the sediments that had built up downstream of the dam and piled the sediments adjacent to the structure. Mr. Walker explained the issues at Moss Bluff are more of a maintenance issue and said that it may require sediment removal on the order of once every ten years.

Councilman Farner again expressed his concerns with the modifications to the Dora Canal including those at the railroad trestle would affect the natural beauty of the canal. Mr. Walker explained that the District is currently in the process of modeling [flows] through the canal and performing an analysis on the data. He told Councilman Farner that he will keep the Council informed as to any design or improvements to the canal.

Councilman Nicholson suggested that since the existing railroad trestle is an impediment to navigation that perhaps a letter should be written to the LCWA suggesting that it be removed to improve navigation.

Agency Updates

No further agency updates were provided.

8. COUNCIL MEMBER COMMENTS

Discussion of July 9, 2004 Meeting

Mr. Caputo provided a summary of scheduled agenda items for the July meeting including:

- Continuation of Dr. Cook's update on the resolutions
- Continuation of the presentation by Lance Lombard (LCWA) on the alum treatment in the Apopka-Beauclair Canal
- A presentation by Dr. Andrew Reich on blue-green algae
- Finalizing the May Meeting Minutes, and
- A presentation of a contract renewal by Berryman & Henigar, Inc. for performing duties as Recording Secretary

Comments

V. Chairman Goerner mentioned that in recent discussions with Congresswoman Virginia Brown-Waite and Congressman Clifford Stearns, they indicated that the ACoE would be approving the permit for canal dredging on Lake Griffin, possibly by the end of June. He suggested that a letter of appreciation for their efforts with the permit be written to them. A motion was made and seconded for V. Chairman Goerner to write the letter on behalf of the Council. The motion passed unanimously.

Chairman Davis then requested a detailed discussion on the restoration plans for the other lakes in the Harris Chain, other than Lake Griffin, from the TAG and supporting agencies. Mr. Caputo said that it will be put on the August meeting agenda.

No additional Council member comments were made.

9. PUBLIC COMMENTS

Ann Griffin (speaking as a private citizen) mentioned a public meeting regarding the possible renovation of the Pixiola Bridge on June 15th. Councilman Nicholson explained that there are navigational issues associated with the bridge and there have been several accidents both on the bridge and under it.

10. ADJOURNMENT

Chairman Davis called for meeting adjournment. A motion to adjourn was made, seconded, and passed. The meeting was adjourned at 10:20 AM.

Respectfully submitted by:

Hugh “Dave” Davis II, Chairman

Dr. Thomas Cook, Secretary