

FINAL

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

January 7, 2005

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on January 7, 2005 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
Thomas A. Cook, MD, Secretary
W. Thomas Brooks
Charles C. Clark
Robert Kaiser, P.E.
Rick Powers, P.G.

Members Absent

Keith Farner
Don Nicholson

1. CALL TO ORDER

Chairman Dave Davis called the meeting to order at 9:03 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. Councilmen Keith Farner and Don Nicholson were absent.

4. APPROVAL OF MINUTES

A call for discussion of the minutes from the 12/3/04 meeting was made. Councilman Charles Clark suggested a couple of minor edits which were agreed upon by the Council. There was also a question about information provided by Dr. Larry Battoe of the St. Johns River Water Management District (SJRWMD) which could not be readily answered because Dr. Battoe was not present at the meeting. Patrick Hunter, Recording Secretary to the Council said that he would contact Dr. Battoe to verify the correct information. A vote to approve the minutes with the edits suggested by Councilman Clark and the information to be provided by Dr. Battoe included in the minutes, passed unanimously.

5. DISCUSSION ITEMS

Legislative Funding/Delegation – Vice Chairman Goerner

Vice (V.) Chairman Goerner discussed the legislative funding requested by the Council saying that the Council has presented two formal budget requests. One is a request for \$2.168 million to assist the Lake County Water Authority (LCWA) with funding for the Lake Griffin Access Canal Dredging project and the other is for \$800,000 which is a funding request that encompasses several of the Harris Chain of Lakes restoration projects. V. Chairman Goerner provided copies of the funding requests to the Council. He went on to say that the requests were received favorably by the Florida Delegation and that Senator Carey Baker and Representative Hugh Gibson will be sponsors of the requests.

He then briefly explained the process of funding being awarded by saying that the delegation takes the requests to committees where they go through the budget review process, before being sent to the congressional houses to be voted on. He added that with the additional funding available, more funding requests are being made.

V. Chairman Goerner offered a motion to open the Council to a discussion of purchasing laptop computers for the Council members. Councilman Thomas Cook seconds the motion. V. Chairman Goerner explained the difficulty he was having with managing the volume of electronic information he has received for the Harris Chain of Lakes Restoration Council and the various other organizations he is involved with. He suggested that if each of the Council members were to have a laptop computer and new email addresses that they used exclusively for Council business, it would be easier for everyone to keep track of the Council information. Councilman Rick Powers made two suggestions; first that the majority of the information could be put on the Council's website where the members could download it, and secondly the SJRWMD may be able to provide email addresses to the Council members to help separate Council business from personal email. Councilman Powers also said that although it may be a good idea, he personally has a laptop computer and would not be interested in having another one. V. Chairman Goerner also suggested that some of the Council members may be interested in bringing the laptops to the meetings so they could quickly reference the information if needed. Councilman Charles Clark offered his opinion that if all of the Council members had a laptop, the Council probably not stop a meeting so that someone could look up information. V. Chairman Goerner said that even if that is the case, it would be beneficial to have the information available at the meetings. Councilman Tom Brooks said that it would be a good idea to have all the Council information available at the meetings but did not believe that everyone needed a separate laptop computer. He suggested that there only be one computer with all of the Council business on it which could be brought to the meetings.

After extensive discussion Councilman Clark amends the motion to say that the laptop computers would only be purchased for the Council members who are interested in having one, but not for everyone. Councilman Kaiser seconds the motion.

Dr. Daniel Canfield, of the University of Florida (UF) and a member of the Technical Advisory Group (TAG) to the Council suggested that the Council may want to consider purchasing computers that have CD writers because receiving a lot of data and other information might use up the available memory on the computers faster than the Council members may realize.

Bill Johnson of the Florida Fish and Wildlife Conservation Commission (FWCC) suggested that the SJRWMD could purchase and maintain the proposed computers because they have an Information Technologies (IT) Department that could assist in repairs and maintenance.

Chairman Davis called for a vote on the amended motion which passed unanimously, however later in the meeting Councilman Clark explained that this issue would need to be posted on an agenda prior to the Council voting on the expenditure of public funds. Councilman Clark suggested that additional information on the matter should be obtained from the SJRWMD for the Council to make a better decision on the issue. The matter was set as an agenda item for the next Council meeting for further discussion and ratification of the vote.

Gene Caputo (SJRWMD) asked how many Council members would be interested in receiving a laptop computer to which Chairman Davis and V. Chairman Goerner responded that they would. Additionally, Recording Secretary Hunter suggested that the Council may want to consider providing him a laptop as he may be best suited to maintain and access information during the Council meetings. Chairman Davis then asked if either the SJRWMD or the LCWA could provide email addresses to the Council so that their business could be kept separate from personal email. Mr. Caputo said that he was not certain about the availability of email address and he would get that information for the Council.

Mr. Caputo then mentioned the Council's website saying that it apparently had not received regular updates such as putting the monthly minutes and the other Council business on the site. He also said that to date the SJRWMD had not received an invoice from Marilyn Bach (UF) for her initial efforts of setting up the website. Dr. Canfield defended Ms. Bach efforts by saying that she is willing to put anything the Council would like on the website. He explained the problem is that she has not been receiving any updates of information to put on the website.

V. Chairman Goerner said that he had spoken with Ms. Bach and she would be more than happy to put anything they request on the site and the fact that she has not been reimbursed for the initial website development activities, this has not been a deterrent to her. He said the issue is that she just hasn't been receiving any information from the Council. Councilman Powers suggested that the website should not only contain the minutes and annual reports, but also any electronic presentations given at Council meetings.

Mr. Caputo said that he would speak with Ms. Bachman to get the invoicing issues corrected and he also ensured that she will be on the distribution list for future mailings of Council information.

Medical Association Article – Councilman Thomas Cook

Councilman Cook gave an update saying the process of getting the articles on toxic algae published in the local medical journal is moving along very slowly. He said that his plan is to have four articles published in the journal and the one already written by Councilman Clark only needs an approved title for which he suggested “Awareness, History and Reporting.” He further suggested the other three reports could each be written by Andrew Reich of the Florida Department of Health (FDOH), Dr. JoAnn Burkholder of the University of North Carolina and Mike Perry (LCWA), who have already offered to write the articles.

Councilman Clark asked what it would take to get this project moving. Councilman Cook said it would take the Council’s approval of the title and the article already written, a timeframe for the article to be published, and the Council’s approval for him to contact Mr. Reich and Dr. Burkholder. Councilman Clark said he thought the article had already been approved by the Council and as he recalled it was only awaiting signatures. Councilman Cook said the Council had previously approved the article being endorsed by the local Public Health Department, Mr. Reich and the LCWA. Since those three endorsements have not been provided to date, Councilman Powers suggested that publishing of the article move should forward without their endorsements.

Chairman Davis asked if the other Council members were in agreement with the efforts outlined by Councilman Cook and if he should move forward with having the article published. The Council agreed.

Dr. Canfield suggested that Councilman Cook could go to the Florida LakeWatch website and read an article on toxic algae written by Dr. Ed Phlits and Mary Cichra of the UF, after which he could contact them and request their permission to use that article in the medical journal. Councilman Cook thought that was a good idea and thanked Dr. Canfield for his suggestion.

Mike Perry, Executive Director of the LCWA defended the water authority by saying that when the first article was sent to both himself and Mr. Reich to review, Mr. Reich said that he would prefer to write the article himself as opposed to reviewing the Council’s article. Mr. Perry recalled that he and Councilman Cook agreed to move on with the article with the water authority’s review. Mr. Perry also said that he is prepared to write the article he agreed to and that the review process would be very short. Councilman Cook asked Mr. Perry if the reporting efforts were going to stop with the four articles already proposed for the medical journals or could they continue to make the issues known to the medical community. Mr. Perry believed that the Council should keep the information in front of the medical community through whatever means are available to them.

Mr. Caputo then reminded the Council about the upcoming water conference, “Promoting Public Health through Safe Water” in Orlando on 1/19 – 1/20/05. He strongly urged the Council to attend and said that they have money in their annual budget to reimburse the costs for attending events like that.

Technical Advisory Group / Sunshine Law

Councilman Clark suggested that this discussion be put off until the next meeting because he had not received the requested clarification from the State Attorney’s office. He said that if he did not hear from them in the next couple of weeks, then he will send them a reminder of the Council’s request.

6. PRESENTATIONS

No formal presentations were scheduled to be given during the January 2005 Council meeting.

Agency Updates

Barbara Bess of the Florida Department of Environmental Protection (FDEP) provided an update by answering Councilman Farner’s inquiry as to the funding available through the FDEP which could be used for continued studies of blue green algae in the chain of lakes. She explained that the SJRWMD has proposed a moveable alum treatment system which appears to meet the FDEP requirements to be awarded funding. Ms. Bess went on to say that the Department has also funded various stormwater projects including three stormwater ponds; one each in Eustis, the City of Leesburg and at Lake Griffin State Park, adding that the stormwater ponds are providing treatment of runoff where there previously was none. Additionally she said the projects also included the installation of stormceptor boxes in Tavares.

Ms. Bess also explained that currently the FDEP has approximately \$16,000 – \$17,000 available to fund a small project. She cautioned the Council that the expiration date to present a proposal to use those funds is 6/30/05 and that it may take an additional six months for the FDEP to prepare contracts. She said that if the LCWA is not able to propose a stormwater type project to utilize those funds, she may ask the Florida Legislature for either an extension of the expiration date for the funds or to possibly carry them over to next year.

Ms. Bess then discussed the FDEP’s position on the low dissolved oxygen (D.O.) in some of the water discharged from the Lake Apopka Marsh Flow-way (LAMF), being below state water quality standards. She explained that there were discussions with Vivian Garfein, the FDEP District Director, Eric Livingston (FDEP), other experts on Total Maximum Daily Loads (TMDLs) within the Department, and people within the FDEP Permitting Department. Director Garfein said it was anticipated by the FDEP when they issued the operating permit to the SJRWMD for the flow-way that low D.O. may be an issue. Additionally, Mr. Livingston had told her that they are currently unsure what if any effects the low D.O. is having on the downstream bodies of water. She said at this point

the FDEP had decided not to take any action on the matter. Ms. Bess also said that if Dr. Canfield would like to discuss the matter further, Ms. Garfein would be available to do so.

Dr. Canfield updated the Council on the UF / Institute of Food and Agricultural Services (IFAS) bass restocking efforts in Lake Griffin saying they had released 450 – 14” or larger and 100 – 10” to 13” bass into the lake. He explained that the program is running a little behind because the university was closed for two weeks over the holidays and due to the warmer weather, alligators have become an issue. He said by February they should be able to meet the contract goal of 4,000 bass being released into the lake. He also informed the Council that the majority of fish they’ve released thus far have been obtained from the ponds at Orlando International Airport, through a directive by the Orange County Board of County Commissioners.

Dr. Canfield also notified the Council about a hydrilla management meeting that was sponsored by the UF in the past month and was attended by plant professionals from around the state. He said that Dr. Mike Allen, one of the co-contributors at the meeting had offered to speak at the next Council meeting. He also said that Dr. Allen has also been contracted to conduct the upcoming shad study in Lake Dora and if the Council would like, he can address that topic with them, in addition to the presentation on hydrilla. Chairman Davis asked if the Council were interested in having Dr. Allen speak at a future meeting to which there was a general consensus.

Mr. Johnson provided a brief update to the Council of the recent activities of the FWCC saying that their electrofishing efforts will resume on 1/17/05. He also invited the Council to observe the electrofishing if they desired. Mr. Johnson suggested that a Friday afternoon after a Council meeting may be a good time. Chairman Davis and Councilman Brooks expressed an interest in attending.

Mr. Perry updated the Council on the Lake Griffin Access Canal Dredging project saying he was expecting to receive the signed contract from the dredging contractor later that day, at which time they will begin to mobilize and setup at the site. It is anticipated that the setup will take two or three months. He said that the LCWA took the steps to ensure that the project will be fully funded with \$5 million for this fiscal year, in the event the dredging contractor completes the project earlier than the two years they had estimated.

Mr. Perry also discussed other LCWA projects saying the LCWA Board of Trustees will hear a presentation of the Lake Beauclair Nutrient Reduction Facility (NuRF) at their January meeting. He said that the Board will decide whether to move forward with that project and if they do, it would be up to two years before it’s constructed. He added that the project has an estimated cost of \$3 to \$4 million. Mr. Perry said they are still working on the Lake Beauclair restoration project to remove the built up sediments where the Apopka-Beauclair (A-B) Canal discharges into Lake Beauclair. He explained that due to the recent hurricanes, it is estimated that 1.2 million cubic yards of sediments have built up at the discharge point of the canal. To put that in perspective he said, the Lake Griffin access canal dredging is estimated to remove 400,000 cubic yards of sediments. He said

the LCWA is working with the SJRWMD on a disposal site for the sediments, which was originally proposed to be deposited just south of the A-B control structure. The District is considering paying the additional cost to have the sediments transported to the north shore of Lake Apopka, to be used to “cap” areas which have had heavy pesticide applications.

Councilman Clark provided comments about the future fluctuation program in Lake Apopka and how it may allow for large volumes of phosphorus to be discharged into Lake Beauclair. By his calculations, lowering Lake Apopka by three feet would discharge approximately 10,300 kilograms (11.35 tons) of phosphorus, if the concentration of phosphorus were 100 parts per billion (ppb). He also calculated that in order to achieve this fluctuation, the flow to the A-B Canal would be 480 cubic feet per second (cfs) for a period of three months. The NuRF is designed to process flows of up to 300 cfs and by Councilman Clark’s estimate; 3,900 kilograms (4.3 tons) of phosphorus could potentially bypass the NuRF. He did not make the calculation for the volume of suspended solids that would also be discharged into Lake Beauclair and the downstream lakes. Councilman Clark supports the NuRF project and wanted to be assured that there is good coordination between the LCWA and the SJRWMD.

Mr. Perry explained that there is good coordination and communication between the Water Authority and the District. He explained that the NuRF was originally designed to accommodate the peak flows and the District would utilize additional storage capacity to better manage the flows. Ultimately the SJRWMD believed that they could maintain flows at 300 cfs or less but understand that there may be emergency situations where increased discharges will occur.

Mr. Johnson added that the premise for the fluctuation schedules of the lakes is to moderate the discharge in order to minimize peak flows. During rainy periods the intent is to not increase discharges to the maximum but to maintain moderate flows from the lakes. Conversely, he explained that during dry periods minimum flows will be maintained and maximum flows would only be experienced during emergency situations.

Councilman Clark also expressed his concerns for sending excess flows through the Double Run Swamp project saying the water discharged to Lake Harris would not receive sufficient phosphorus treatment in the swamp. V. Chairman Goerner reminded Councilman Clark that the water would benefit from a reduction of suspended solids. Mr. Perry explained that their original plan was to use the Double Run Swamp as a treatment method before the NuRF project was designed.

Mr. Caputo provided a brief update on SJRWMD activities in Dr. Larry Battoe’s (SJRWMD) absence saying the most recent shad harvesting efforts have removed 200,000 pounds of fish since the first week in December.

No further agency updates were provided.

7. COUNCIL MEMBER COMMENTS

General Discussion / Comments

Mr. Caputo notified the Council of upcoming site visits to several locations of future SJRWMD projects saying that the Governing Board and the Projects and Lands Committee will be meeting at the Mission Inn (at Howie in the Hills) on Thursday evening 2/3/05, then touring several of the proposed project sites on Friday morning 2/4/05. He said they are currently planning to visit Duda Farms, the shad harvesting project and others. Mr. Caputo encouraged the Council to attend both functions saying that it would not only be a good opportunity to get technical information on upcoming projects, but also for them to meet with the Governing Board members.

Chairman Davis put forth a motion that the Council members attend the SJRWMD site visits as their February meeting. A vote to approve the motion passed unanimously. Mr. Caputo offered to provide the Council with the details of scheduled times and locations for both of the meetings.

V. Chairman Goerner expressed his displeasure for not being kept up to date with operational data from the LAMF and the Lake Griffin Flow-way. Councilman Clark said that the Council was only receiving data for the D.O. content in the water discharging from the LAMF and not the other water quality parameters, like they had previously received. V. Chairman Goerner asked Mr. Caputo to discuss this issue with Dr. Battoe, and Mr. Caputo agreed.

Councilman Clark asked if anyone knew the purpose of white boxes with antennas on them floating on Lake Griffin in the vicinity of Haynes Creek, which he had recently seen. Mr. Johnson explained that they are most likely marking the 100 acre area in the lake that was recently treated with herbicide by Eric Cotsenmoyer (Lake County Aquatic Plant Control) to manage hydrilla. He was not certain if there were antennas on the boxes or what they would be used for.

There were no additional comments made by the Council.

Discussion of March 4, 2005 Meeting

Mr. Caputo provided a summary of scheduled agenda items for the March 4th meeting including:

- Presentation on hydrilla management by Dr. Mike Allen
- Continuation of the discussion of the Sunshine Law clarification request
- Councilman Clark's presentation of Lake Beauclair phosphorus levels
- Discussion of information regarding the purchase of laptop computers
- Update on the status of the Council's website

8. PUBLIC COMMENTS

Ann Griffin (speaking as a private citizen) told the Council that she had recently observed algae blooms in both Lake Griffin and Lake Harris. She collected samples and sent them to the LCWA where it was determined to be *Microcystis* algae. Ms. Griffin did not say whether the alga was determined to be toxic. Councilman Clark said that he had seen the algae bloom also. Ms. Griffin expressed her concern of it being a public health issue for both the Venetian Gardens and Singletary Park areas of the lake. She provided pictures of the recent bloom for the Council to view. Councilman Clark asked Ms. Griffin if she had collected any other data such as water temperature, rainfall or phosphorus concentrations in the lake to help correlate the occurrences of blooms. Ms. Griffin said she hadn't but recalled that *Microcystis* blooms occurred last year on several occasions between October and March. She also said that she would be interested in obtaining that other data and pointed out that Dr. Burkholder had suggested that when the blooms are present, they should be tested for toxin production.

Mr. Perry then said the LCWA are having discussions regarding their monitoring efforts where they are deciding whether to increase the amount of monitoring, decrease it, or maintain it as the same level. He went on to say that they are considering the use of a field test kit that would identify the presence of toxins in a bloom which is effective, but provides much less overall data. He said the water authority is also considering the use of a red-yellow-green stoplight type system to alert the public to toxic, bloom-like conditions. Mr. Perry reminded the Council that the sampling data collected by the LCWA is available for anyone who would like to review it.

9. ADJOURNMENT

The meeting was adjourned at 11:10 AM.

Respectfully submitted by:

Chairman Dave Davis

Secretary Thomas A. Cook, MD