

FINAL

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

June 1, 2007

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on June 1, 2007 at the Lake County Board of County Commissioners' Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Skip Goerner, Chairman
Hugh (Dave) Davis II, Vice Chairman
Keith Farner
Robert Kaiser, P.E.
Don Nicholson
Richard Royal
Edward M. Schlein, M.D.

Members Absent

Rick Powers, P.G., Secretary
Ted Woodrell

1. CALL TO ORDER

Chairman Skip Goerner called the meeting to order at 9:10 AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

An Invocation was given by Councilman Bob Kaiser, followed by the Pledge of Allegiance.

3. ROLL CALL

Chairman Goerner called roll. Secretary Rick Powers and Councilman Ted Woodrell were absent.

4. APPROVAL OF MINUTES

A call was made for discussion of the minutes from the April 6, 2007 meeting. Patrick Hunter, Recording Secretary to the Council, advised that Barbara Bess of the Florida Department of Environmental Protection (FDEP) and Dr. Larry Battoe of the St. Johns River Water Management District (SJRWMD) had submitted edits for the minutes. Mr. Hunter explained the suggested edits. No comments or additional edits were suggested by the Council. A vote to approve the April meeting minutes with the edits provided by Ms. Bess and Dr. Battoe passed unanimously.

A brief discussion of the summary of the tour at the Richloam State Fish Hatchery was held. A tour of the facility was conducted in lieu of the May Council meeting. The Council accepted the summary prepared without any comments or edits. Chairman Goerner thanked Bill Johnson of the Florida Fish and Wildlife Conservation Commission (FWCC) for providing the tour.

The Council then discussed Consensus 2007-1 regarding aquatic plant management practices and herbicide application on the Harris Chain of Lakes (HCOL). The consensus was approved by unanimous vote. A copy of the consensus is provided as Attachment 1.

5. DISCUSSION ITEMS

Quarterly Budget Report, as of March 31, 2007

Chairman Goerner announced that Councilman Ted Woodrell had accepted employment outside the state of Florida and may be resigning his position on the Council. He then asked if anyone on the Council would assume the duties of presenting the Quarterly Budget Report in Councilman Woodrell's absence. Gene Caputo of the SJRWMD presented the budget saying the Council has a balance of \$23,321.27 as of 3/31/07, which may include a surplus at the end of the fiscal year. Mr. Caputo also suggested the Council may want to submit a written request to the Lake County Water Authority (LCWA) for funding in the next fiscal year, due to the current budget review efforts. He assured the Council that the SJRWMD has already approved their contribution to the Council for the next fiscal year. Mr. Caputo then provided a list of items selected by Florida Governor Charlie Crist for possible veto, in order to reduce the State's budget.

Chairman Goerner notified the Council that of the \$3.5 million outlined in their Legislative Funding Request, the Legislature had initially approved \$500,000 which was ultimately vetoed by Governor Crist.

Mike Perry of the LCWA then provided an update on the receipts and expenditures of the Legislative funds, previously received by the Council. He explained that of the 2005-2006 and 2006-2007 funding received from the Legislature, the Council currently has an available balance of \$457,000, which is unencumbered. A copy of the information presented is provided in Attachment 2.

Chairman Goerner requested that \$147,035 of the encumbered funds be transferred to the University of Florida (UF), as payment for their bass stocking efforts.

Dr. Dan Canfield of the UF and member of the Technical Advisory Group (TAG) to the Council explained that their contract with the LCWA requires an evaluation of the stocking efforts. He said the evaluation would not be completed until September, at which time they will submit an invoice for the \$147,035.

Chairman Goerner said the Council must decide how much of their unencumbered fund balance will be allocated to bass stocking on Lake Dora. Dr. Canfield suggested that if the Council were

to decide on an amount for future bass stocking, then it would be best to extend the current UF contract with the LCWA, which expires on 9/30/07.

Councilman Keith Farner expressed his opinion that funds received for cypress tree planting and other projects, should be utilized for those purposes. He said it was his understanding that bass stocking was an intermediate measure to improve the local economy. Councilman Ed Schlein agreed that other projects should be considered.

Chairman Goerner explained that the Council has latitude in how the funds are spent and believes the bass stocking program should be expanded into Lake Dora, as the Council had agreed.

Councilman Schlein asked whether Dr. Canfield is getting useful information from the tagged bass that have already been stocked. Dr. Canfield explained that approximately 10% of the bass caught over the first two years of stocking were tagged fish released into Lake Griffin. He added that the fish have also been caught in lakes Eustis and Dora. Dr. Canfield and they are continuing to evaluate their most recent re-stocking efforts, and the 10% catch rate may still be accurate. He suggested the Council may want to reconsider if they would want to stock Lake Dora or continue in Lake Griffin, noting the tagged fish are being caught in other lakes. Dr. Canfield said in his opinion, the restocking program is successful and the UF needs to study the effects on the economic stimuli the efforts have provided in Lake County.

Councilman Schlein suggested that no matter which lake is stocked, the bass will move to the other lakes in the chain and perhaps they should target lakes with the best fisheries habitat and water quality.

Chairman Goerner said that over the past couple of years, there has been increased fishing activity, which has led to more bass tournaments that in turn brought increased economic activity to the area. He believes this is a result of the bass stocking program.

Bill Johnson (FWCC) updated the Council on the recent creel count data, displaying a table and graph. He explained that although they are still evaluating the data, the preliminary results suggest that over the past three years, the success rate of anglers versus the efforts (man hours) of stocking has gone down. A copy of the information displayed by Mr. Johnson is provided in Attachment 3.

Councilman Schlein asked how the lower water temperatures affect the creel counts in the HCOL. Mr. Johnson explained that bass will spawn later in the year with cooler water and are less active or slower, which would increase the number of fish shocked during the electro fishing counts.

Councilman Farner asked if Mr. Johnson could make a recommendation on future bass stocking efforts. Mr. Johnson said they are continuing to examine the data but if 10% of the bass caught are tagged fish, then that represents a 10% increase of the available fish. He cautioned though, there are many variables in the value of the data.

Councilman Farner leaves the meeting at 9:57 am.

Councilman Royal suggested that the Council evaluate proposals from the UF, FWCC and others for projects on the Harris Chain of Lakes (HCOL), prior to making decisions on the use of the unencumbered funds.

Dr. Canfield reminded the Council they had originally agreed to support the Lake Dora stocking program with \$150,000.

After extended discussion on the economic value of fishing and tournaments, Councilman Schlein presented a motion that the Council approve the expenditure of \$150,000 for bass stocking in Lake Dora.

Councilman Royal suggested a modification be made to the motion to include other lakes in the Harris Chain.

After further discussion, the motion to approve the expenditure of \$150,000 to continue with the bass stocking program in the HCOL passed by unanimous vote.

Burrell Lock and Dam/Spillway

Chairman Goerner said that after reviewing the minutes from the August 2006 Council meeting; that no resolution had been reached on the operation of the Burrell Lock and Dam; as it relates to claims by a downstream property owner.

Red Howley, owner of Spillway Park located immediately downstream of the Burrell Lock and Dam, said that after receipt of the letter from the SJRWMD disavowing any damage to his property due to operation of the Burrell structure; he hired Gries Engineering to review the matter. He explained that Mr. Gries visited his property on 5/19/07 and suggested that he contact Universal Engineering to review the matter. Hr. Howley said that he spoke with Universal and they would be able to assist by reviewing the records of the SJRWMD of the channel and discharge.

Chairman Goerner suggested that Mr. Howley provide a list of questions from his engineer for review by the Council and then submission to the SJRWMD, in order to re-open this issue. He asked that Mr. Howley have that list available for the August Council meeting.

Councilman Royal said that the Council would not be liable for the cost to Mr. Howley for the engineer to submit the list of questions.

Chairman Goerner said that information coming from a Professional Engineer to dispute the letter written by the SJRWMD [which denied any liability for damage to Mr. Howley's seawall due to operation of the spillway structure] would have to be received, before this matter could be re-opened. Mr. Howley asked if the Council would be able to help with the cost of obtaining

information from the engineer. Chairman Goerner said that if a resolution dictated, perhaps the Council could request Legislative funding in the future to assist with the costs of dredging the sandbar downstream of the structure, but not the costs of Mr. Howley's engineer.

Mr. Howley then asked if the Council would assist with obtaining the required information from the SJRWMD, so he wouldn't have to pay the engineer to go to Palatka to obtain the information. Chairman Goerner agreed they would request the information from the SJRWMD.

Mr. Howley thanked the Council.

6. PRESENTATIONS

No formal presentations were scheduled for the June 2007 meeting.

COUNCIL AND PUBLIC – QUESTIONS & ANSWERS

No questions were asked by the public.

Agency Updates

Barbara Bess of the FDEP provided the Council with copies of the Waterfront Property Owners Guide and information on How to Dispose of Unwanted Medications. She said that until a few years ago, she was unaware that medications disposed of by flushing down the drain, were not filter out in the public water supply system.

Ms. Bess also provided a brief update on the Total Maximum Daily Load (TMDL) program and the Impaired Waters List saying they are still working on certain elements of the Basin Management Action Plan (BMAP). She explained that after the recent state government elections, some local municipalities are reviewing their need for resolutions in order to implement the plan. With no further comments, Ms. Bess concluded her update to the Council.

Mr. Perry then updated the Council by saying the LCWA is preparing for their budget workshop and assured the Council that their contribution is in the draft budget.

Mr. Perry also explained that the LCWA has requested an administrative hearing on the Consumptive Use Permit for 5 million gallons per day (mgd) of withdraw from Lake Apopka. He said they are concerned that not all the necessary water conservation measures have been implemented and that Minimum Flows for the HCOL have not been established. He added that reducing flows down the Apopka-Beauclair (A-B) Canal may reduce the effectiveness of the Lake Beauclair Nutrient Reduction Facility (NuRF). Mr. Perry went on to say they are also requesting a presentation by Dave Walker (SJRWMD) and others, on reducing flows through the A-B Canal and Burrell structures.

Councilman Royal asked if the flow were reduced through the A-B Canal, wouldn't that also reduce the discharge of phosphorus into Lake Beauclair. Mr. Perry explained that not enough is

known about Minimum Flows of 10 cubic feet per second (cfs) through the canal or how it will affect the NuRF, which is designed to handle flows up to 300 cfs.

Chairman Goerner said one problem he sees with the situation is that 30 to 32 cfs is required by an Army Corps of Engineers (ACoE) permit, be discharged to the Ocklawaha River, from Lake Griffin. He believes that if the flow into Lake Griffin from downstream lakes is decreased, then the lake would be impacted and the decreasing lake level may occur twice as fast as it is in other lakes.

Councilman Schlein believes the public perception is that any proposed drawdowns would affect their availability of boating on the lake. He suggested that a press release could help the general public understand the situation of drawdowns and how they will affect them.

Chairman Goerner said that drawdowns would occur on the lakes, only if the water levels are high and not low due to drought conditions.

Mr. Perry said that is one reasons for requesting the meeting with Dave Walker and the SJRWMD and then continued with his presentation saying the LCWA has advertised the bid for construction of the NuRF. He explained that the bids are due June 15th and will be presented to the LCWA Board of Trustees (Board) at their July meeting. Mr. Perry added; the FDEP remains committed to funding 50% of the construction costs.

Mr. Perry also briefly mentioned the Lake Griffin canal dredging saying that it remains on schedule to be completed by November of this year. He then provided information on the recent lake levels and the regulatory levels:

<u>Lake</u>	<u>Current Level</u>	<u>Regulatory Level</u>	<u>Minimum Desirable</u>
Apopka	64.45 feet	66.75 feet	66.5 feet
Eustis, Dora, Harris	60.3 feet	62.5 feet	62.0 feet
Griffin	57.2 feet	58.5 feet	58.0 feet

Mr. Perry explained that all of the lakes are below regulatory and Minimum Desirable levels. He said the trend continues downward and it will take substantial rainfall to bring the lake levels up.

Councilman Schlein and Mr. Perry then had a brief discussion of the conditions in the Clermont Chain of Lakes, after which Mr. Perry concluded his update to the Council.

Dr. Larry Battoe of the SJRWMD asked if there were any questions on the Water Quality graphs he provided via email as his agency update. Copies of the graphs are provided in Attachment 4.

Chairman Goerner asked why chlorophyll levels are up. Dr. Battoe explained that it may be due to lower rainfall and decreased flow through the lakes.

Chairman Goerner then questioned why chlorophyll levels are up and phosphorus concentrations are down. Dr. Battoe explained that it may be due to increased concentrations of cylindrospermopsis, which is able to take advantage of the phosphorus better than other blue-green algae. He said they are currently sampling the water to better understand the situation.

Councilman Schlein asked if the SJRWMD has data to predict the affects that the current lower water temperatures will have on the lakes. Dr. Battoe explained that average water temperatures change very slowly, so they have not studied that issue.

Chairman Goerner requested that the results of any sampling for cylindrospermopsis be emailed to him when it becomes available. Dr. Battoe said the SJRWMD would collect some samples and send them to GreenWater Lab in Palatka for a fairly fast turnaround, then he would provide the results.

Dr. Battoe continued with his presentation saying they have drawn down (dewatered) two of the four cells in the Lake Apopka Marsh Flow-way (LAMF) for routine maintenance. He explained that their previous testing of flocculated material indicated a seven-fold reduction in the material thickness after drying out.

Councilman Royal asked if the SJRWMD intends to mechanically remove any of the sediments after drying. Dr. Battoe said no because they have calculated that by using this method of reduction, the flow-way should hold 50 years of accumulated sediments.

Councilman Royal also asked if there are any plans for redirecting flow through the Double-Run Swamp. Dr. Battoe said that because of the changes in lake levels and property ownership issues, that project may not be feasible.

Dr. Canfield provided an update to the Council saying the UF recently completed a study of potential bass stocking in the Clermont Chain of Lakes. He explained that after conducting fish counts on the lakes, they determined that the populations were sufficient. Therefore, the UF recommended that stocking should not be conducted on those lakes. Dr. Canfield went on to say that the organic coloring with the Clermont chain has dramatically increased, as have the phosphorus concentrations and Secchi depths.

Dr. Canfield also said that the UF has been monitoring 170 lakes around the state for Microcystin since last summer. He explained that to date, none of the lakes have exceeded the World Health Organization (WHO) standard of 20 micrograms per liter ($\mu\text{g/L}$) for recreational waters. Dr. Canfield further explained that 95% of the 170 lakes have also been below the WHO standard of 1 $\mu\text{g/L}$ for drinking water, however; the nine lakes which exceeded the 1 $\mu\text{g/L}$ are in the HCOL.

Chairman Goerner asked if this information as available in a written report. Dr. Canfield said he would provide the information when it becomes available and advised the Council that the

information will be presented at the North American Lake Management Society (NALMS) meeting in Orlando this November.

Dr. Canfield then continued with his update to the Council and requested the TAG have a meeting to discuss bass stocking on August 8, 2007. He also said that the mechanical harvester is currently in operation with the City of Leesburg at their marina and there is also a request for harvesting in the canal at Little Lake Harris.

Dr. Canfield also said that long-term fish studies are ongoing and advised the Council that funds are needed to conduct studies to determine the economic effect of bass stocking in the HCOL. He reminded the Council that the recent UF stocking efforts were a short-term remedial effort, while restoration of the lakes progresses.

7. OTHER PUBLIC COMMENTS

Charles Clark, a private citizen living on Lake Griffin, expressed his concern with the proposed reconnection of the Harris Bayou to Lake Griffin. He explained that the Harris Bayou has the poorest quality (nutrient rich) water in Lake County and the SJRWMD plans to pump up to 1,000 cfs through the bayou and into Lake Griffin.

Mr. Clark said that calculations from the SJRWMD indicate that 415 pounds of phosphorus per year would be discharged into Lake Griffin from the bayou, due to this reconnection. He requested the Council monitor this issue because if they reduce the flows into Lake Griffin from the Burrell Lock and Dam, the additional nutrients will cause further damage to water quality in the lake. Mr. Clark added that if the proposed flow reduction occurs, Lake Griffin will receive more water from Lake Harris, which has the poorest water quality in the HCOL. He believes this issue coupled with discharges from the Harris Bayou will seriously impact Lake Griffin.

Councilman Royal asked why discharges from Lake Eustis, which has better water quality, would be reduced while discharges from Lake Harris which has poorer water quality, be increased into Lake Griffin. Mr. Clark referred the question to Dr. Battoe.

Councilman Schlein also expressed concern about discharging water from the Harris Bayou, which is a former muck farm, into Lake Griffin. He added that it was discharges from muck farms that destroyed Lake Apopka.

Chairman Goerner said that the Council has opposed this plan from the beginning. He explained that originally water would only be discharged into Lake Griffin after large rain events and now the plan has changed where additional water will be discharged after alum treatment.

Councilman Royal asked Mr. Clark why water couldn't be stored in the Harris Bayou and used for irrigation or other purposes, instead of being discharged into Lake Griffin. Mr. Clark said as he understands, the water level in the bayou is at the same level as in Lake Griffin.

Chairman Goerner asked if there is a rule that would not allow water of poorer quality to be discharged into other water bodies with better water quality. Dr. Battoe explained that those issues were debated by the South Florida Water Management District with flows from Taylor Creek and Nubbin Slough into Lake Okeechobee, but he does not know the outcome.

Councilman Royal said that this matter would not be resolved today, then put forth a motion that the Council request the Florida LAKEWATCH organization monitor the quality of water flowing out of the Harris Bayou, prior to discharge into Lake Griffin.

Councilman Schlein seconds the motion, which is then passed by unanimous vote.

Dr. Battoe added that the water quality in the Harris Bayou is routinely monitored and that data are available to the Council. He also explained that water flows into the bayou from Lake Harris through a gated structure; it is not pumped.

Chairman Goerner said he believes the whole situation needs further review by the Council. He requested Ms. Bess to research the rules for discharging water of poor quality in water of better quality. Ms. Bess agreed.

Dr. Battoe suggested that the Council request an updated presentation from Dave Walker (SJRWMD) on the Harris Bayou project. The Council agreed.

8. COUNCIL MEMBER COMMENTS

Council Member Comments

No additional Council member comments were made.

Discussion of August 3, 2007 Meeting

The Council agreed to cancel the July meeting due to the July 4th holiday. The next meeting will be convened on August 3, 2007.

Mr. Caputo then outlined the agenda items for the next scheduled meeting of the Council:

Presentation by Dave Walker (SJRWMD) on the Harris Bayou projects, and

Red Howley's engineering report as a discussion item

Chairman Goerner also requested that Mr. Perry provide an update of annual Florida Lake Management Society (FLMS) meeting in Naples. Mr. Perry agreed.

9. ADJOURNMENT

The meeting was adjourned at 11:25 AM.

Respectfully submitted by:

Chairman Skip Goerner

Vice Chairman Dave Davis II

Attachment 1

**CONSENSUS No. 2007-1
of the
HARRIS CHAIN OF LAKES RESTORATION COUNCIL**

April 6, 2007

CONSENSUS No. 2007-1
of the
HARRIS CHAIN OF LAKES RESTORATION COUNCIL

April 6, 2007

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on April 6, 2007 at the Lake County Board of County Commissioners' Chambers, 315 West Main Street, Tavares, Florida.

At the request of Lake County Water Authority, Board of Trustees, the Council conducted a review of the aquatic plant management practices and herbicide application on the Harris Chain of Lakes. During the period of January through April 2007, the Council reviewed presentations made and technical reports given by experts in the field of aquatic sciences including personnel from the Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, St. Johns River Water Management District, University of Florida, Lake County Water Authority, and Lake County Environmental Services Department.

After careful consideration and discussion of the information provided, the Council approved the following *Consensus Items* by unanimous vote:

Item 1 - Herbicide Application

The current herbicide treatment and application program being performed on the Harris Chain of Lakes is conducted in accordance with the Florida Department of Environmental Protection and United States Environmental Protection Agency guidelines.

Item 2 - Recommendations

The Council agrees that until new or emerging technologies prove to be successful in improved aquatic plant management; they recommend that no changes be made to the current aquatic plant management program being conducted on the Harris Chain of Lakes. The Council encourages further investigation and research by the Florida Department of Environmental Protection to improve methods of control for nuisance and exotic species of aquatic plants.

By Consensus Agreed:

Chairman Skip Goerner

Secretary Rick Powers, P.G.

Attachment 2

LCWA Summary of Council Legislative Funding

Mike Perry

June 1, 2007

Harris Council Funding

FY	Paid	Paid To	Description	Amount Expended	Amount Rec'd from SJRWMD	Balance
05/06			Revenue Rec'd		300,000.00	300,000.00
05/06	10/6/2006	University of Florida	Harvester	25,000.00		275,000.00
05/06	10/20/2006	University of Florida	Griffin Bass Stocking	40,465.00		234,535.00
06/07					369,500.00	604,035.00
06/07	5/30 NOT PAID	University of Florida	Griffin Bass Stocking	147,035.00		457,000.00
insert above this row				212,500.00	669,500.00	457,000.00

	Revenue Budgeted	Revenue Rec'd
FY 05-06	300,000	300,000
FY 06-07	369,500	369,500
insert above this row	669,500	669,500
		deposited 3/12/2007

Attachment 3

Creel Count Data

FWCC Bill Johnson

June 2007

Attachment 4

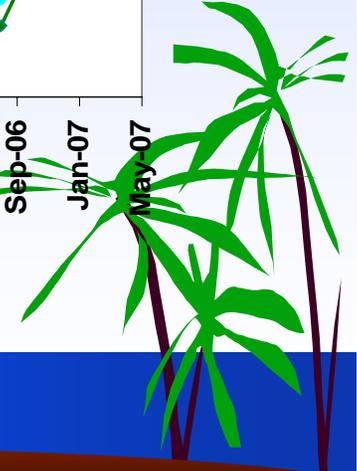
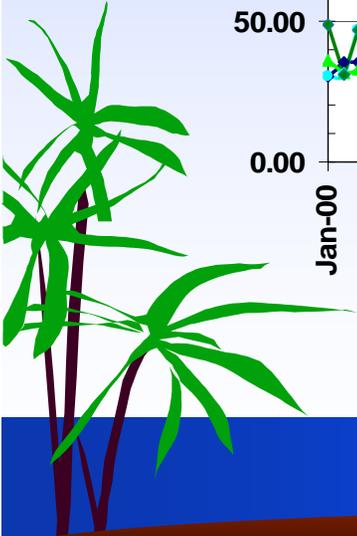
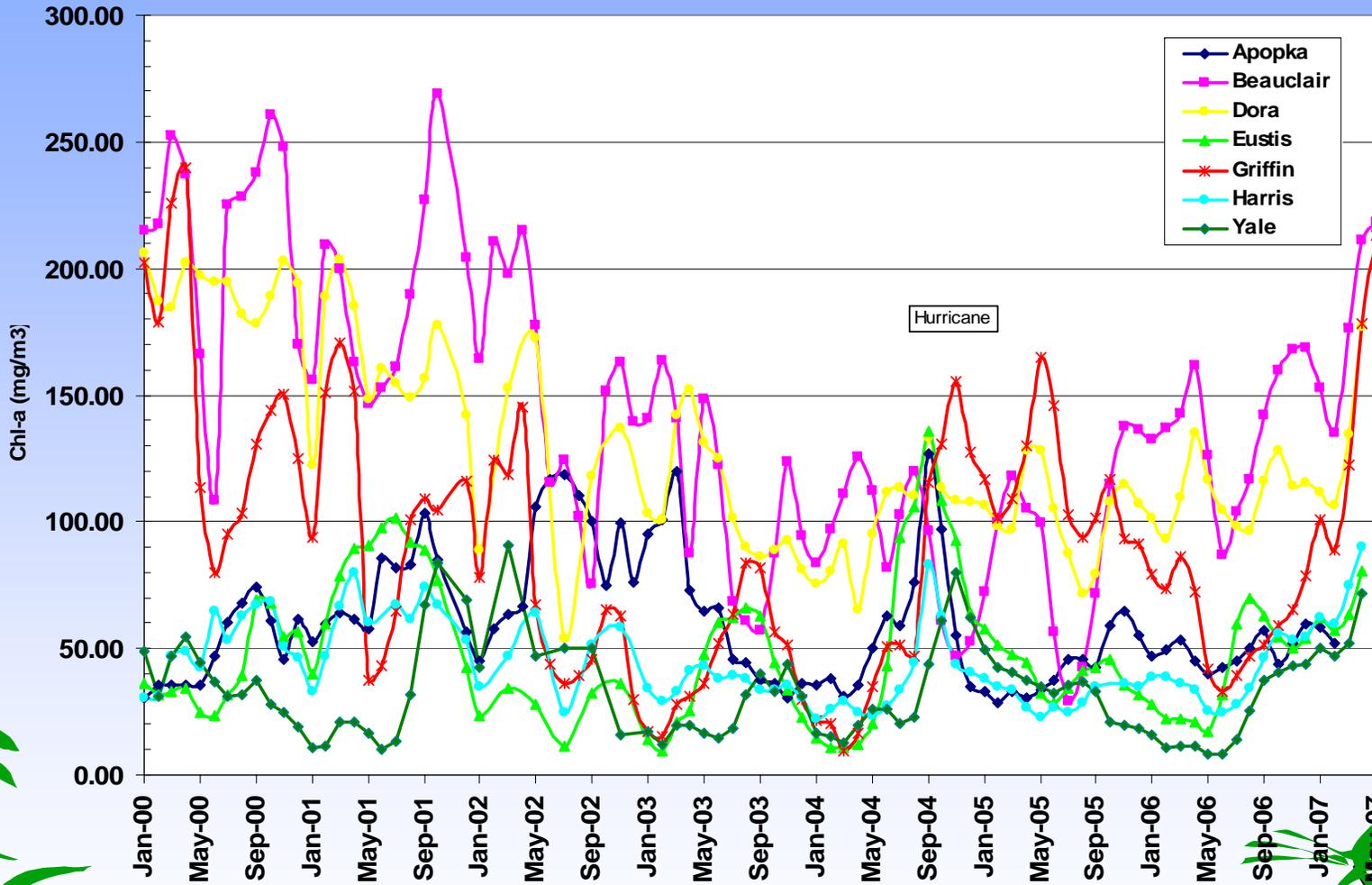
Dr. Larry Battoe – SJRWMD

Water Quality Data

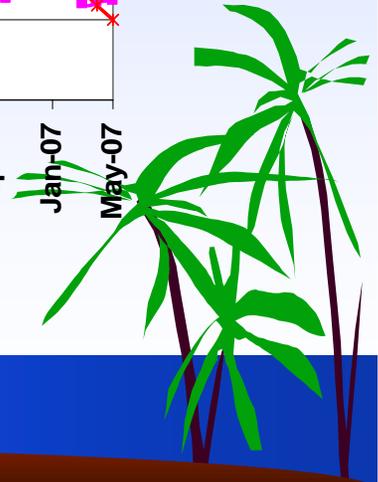
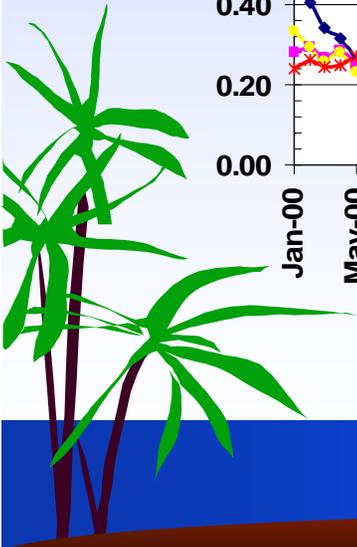
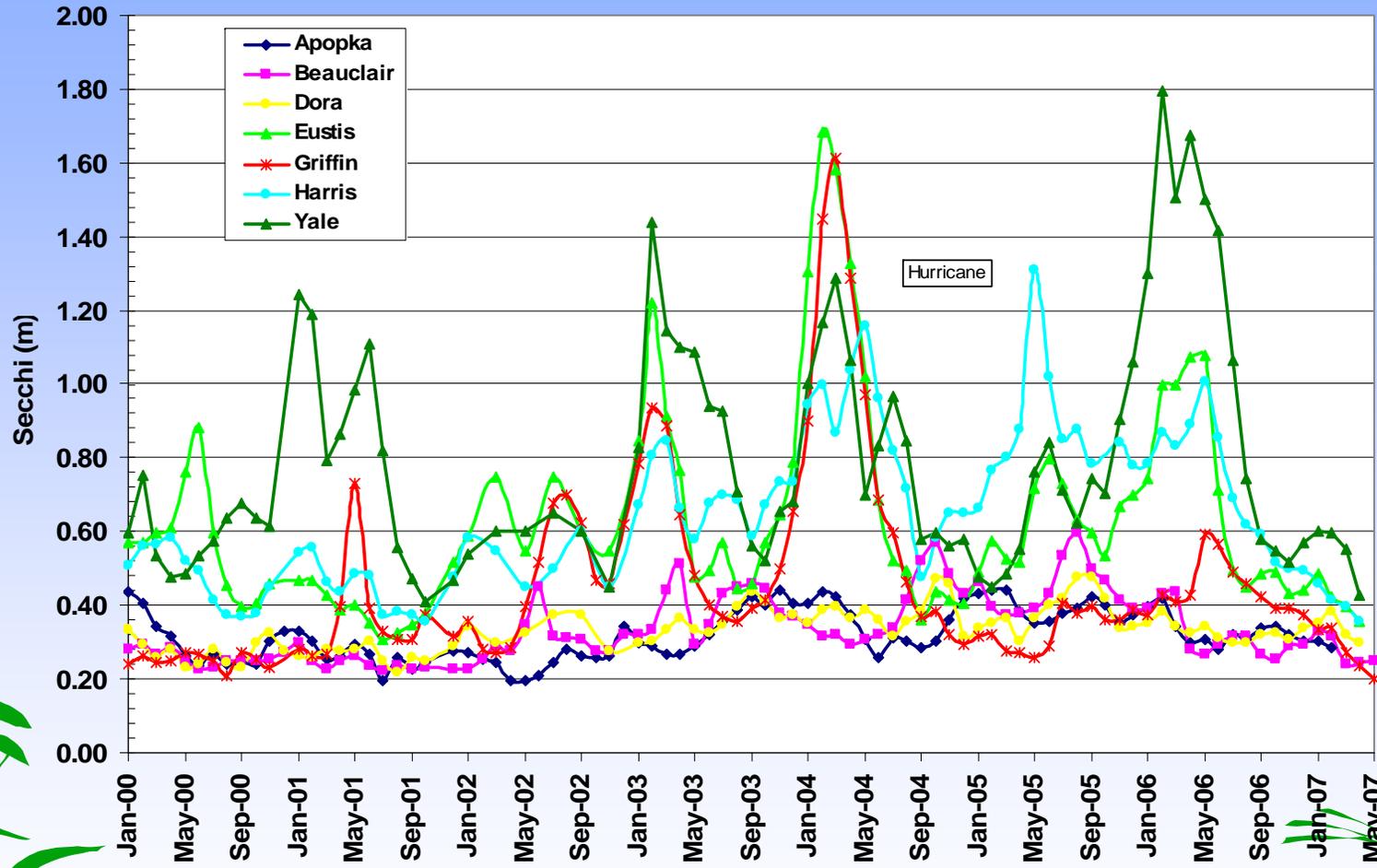
Provided as Agency Update

June 2007

Harris Chain of Lakes Chlorophyll



Harris Chain of Lakes Secchi Depth



Harris Chain of Lakes Total Phosphorus

