

FINAL

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

**November 2, 2007**

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on November 2, 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  
Richard Royal  
Jon VanderLey

**Members Absent**

Robert Kaiser, P.E.  
Don Nicholson  
Rick Powers, P.G., Secretary  
Edward M. Schlein, M.D.

**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 Tom Hofmeister (a private citizen), followed by the Pledge of Allegiance.

**3. ROLL CALL**

Chairman Goerner called roll. Councilmen Bob Kaiser, Don Nicholson, Rick Powers, Richard Royal, and Ed Schlein were absent.

Vice (V.) Chairman Dave Davis suggested that due to the lack of a quorum, the Council should act as a "Committee as a Whole." Chairman Goerner accepted the suggestion.

At 9:20 AM Councilman Royal joined the meeting and the Council conducted business with a quorum.

**4. APPROVAL OF MINUTES**

Chairman Goerner called for a discussion of the October Meeting Minutes. No edits were suggested and the minutes were approved by unanimous vote.

## **5. DISCUSSION ITEMS**

### **Annual Legislative Report, 3<sup>rd</sup> Draft – Patrick Hunter**

Chairman Goerner explained the annual report process to Councilman Jon VanderLey, a new member on the Council. He then called for a discussion of the Annual Report to the Legislature.

Numerous edits were suggested by the Council, and members of the Technical Advisory Group (TAG) to the Council. These edits were made both during the meeting and previously submitted via email. An extended discussion was held and all attending Council members participated. The individual comments and edits are included in these minutes; however they would ultimately be included in the final version of the annual report.

Bill Johnson of the Florida Fish and Wildlife Conservation Commission (FWCC) made minor suggestions to information in the report regarding the Commission. His suggestions were well received.

Charles Clark (a private citizen) made a comment regarding nomenclature of the herbicide 2,4-D discussed in the report. The use of the word “amine” was determined to be acceptable in the context of the report.

With no further comments, Councilman VanderLey made a motion to accept the annual report with the edits and corrections. The final version of the annual report with the suggested edits was approved by unanimous vote.

A discussion was held on the four sample report covers prepared by Patrick Hunter, Recording Secretary to the Council. The Council agreed to approve the cover which included a 1940s photograph of fisherman by unanimous vote.

## **6. PRESENTATIONS / ACTION ITEMS**

### **Local Government Cypress Tree Planting Presentations**

Mr. Johnson explained that the FWCC has had limited involvement in the planting of cypress trees. He said that Dave Douglas (FWCC) has contact information for people who plant cypress trees and Mr. Douglas’ suggestion was to consider utilizing land that was owned by either the Lake County Water Authority (LCWA) or the St. Johns River Water Management District (SJRWMD).

Chairman Goerner said that he had spoken to Mike Perry of the LCWA regarding land owned by the Authority where cypress tree planting may be appropriate. He also said that it is the Council’s intent to create areas of improved [wildlife] habitat with the plantings. Mr. Johnson said he believes the plantings would be most appropriate on public lands. Councilman Keith Farner added that he would like to see more public involvement by municipalities around the lakes in this effort.

Chairman Goerner said that Mr. Perry also provided a price range for cypress trees locally, which included trees in 1-gallon pots for \$1.50 to trees in 15-gallon pots for \$50. Councilman Richard Royal cautioned that many nurseries sell cypress trees which are inferior and believes the Council should invest in higher quality, more vigorous trees. Councilman Farner agreed.

V. Chairman Davis asked Dr. Dan Canfield of the TAG, whether the tannic acid from cypress trees could affect the production of algae. Dr. Canfield said there have been studies which suggested that may be the case; however blue-green algae is very adaptable and can still flourish in dark, tannic waters.

#### FWCC Presentation on Study Areas for Cypress Tree Plantings

Dave Walker (SJRWMD) said 20 acres were available for cypress tree planting in Lowrie Brown/Emeralda Marsh. He also explained that the SJRWMD recommendation is to plant large numbers of trees to ensure survivability. Mr. Walker said that in the past, they have planted trees from 3-gallon pots and the recommended density is 600 trees per acre. He added that funds for cypress tree plantings have been transferred from the SJRWMD to the LCWA.

Councilman Royal suggested that the cypress trees should be planted in clusters like naturally occurring cypress domes, as opposed to distributing them similar to a pine forest. He said this method would allow for better study of fish habitat when the area becomes reflooded.

Mr. Walker explained that the areas selected really have no major topographic differences, making it difficult to choose a location to cluster trees. He said the SJRWMD identified areas that were formerly forested flood plains and they plan to plant in those areas. Mr. Walker added that the Florida Department of Transportation (FDOT) has provided funds for this project and they are moving forward as planned.

Dr. Canfield suggested the Council utilize the Florida Yards and Neighborhoods (FYN) organization, 4-H Club, and other volunteer groups to conduct the plantings. He explained that these groups already host Arbor Day events and have access to many young volunteers. Dr. Canfield said this would not only allow for more money for the purchase of the trees, it would also be a good public relations effort. Councilman Farner agreed.

Councilman Royal made a motion that the Council provide \$5,000 through the LCWA to the FYN organization, 4-H Club, the Fishing for Success program, and others as a pilot project for cypress tree plantings.

Dr. Canfield suggested the Council consider a multi-year funding program that would allow science teachers in area schools to work the plantings and monitoring of the trees into their curriculum. Chairman Goerner asked if the Council approved funding for an initial pilot project, would the schools still be agreeable to participating in the program. Dr. Canfield said he believes so.

Councilman Farner said he is in favor of monitoring and asked if Dr. Canfield could manage the planting project through the Extension Service and the other volunteer groups. Dr. Canfield agreed.

Mr. Walker reminded the Council that they have \$164,000 available for either the planting of cypress trees or aquatic vegetation.

After further discussion, Councilman Royal's motion passed by unanimous vote.

Lake Crest Cypress Tree Program – Tom Hofmeister

Tom Hofmeister of the Lake Crest subdivision made a presentation to the Council for cypress tree planting. He explained that the subdivision is currently under construction and includes property along lakes Frances and Juniata. Mr. Hofmeister said there is land along the lakes that could benefit from cypress trees. He then provided an aerial photograph and drawing of the subdivision, which is included as Attachment 1 of these minutes.

Councilman Royal said that although Mr. Hofmeister is a personal friend of his, the objective of the cypress tree plantings is to provide fish [and wildlife] habitat on public land. He believes the Council should be cautious of becoming involved with private projects.

V. Chairman Davis said he agreed with Councilman Royal, that public funds should not be spent on private enterprise.

Chairman Goerner explained that one of the criteria for receiving funds for cypress trees would be that there is public access to the areas where the trees are planted. He said this does not appear to be the case with the two lakes in question.

Councilman Farner said that he could not support spending taxpayers' money on a private development with no public access.

Councilman Royal added that Mr. Hofmeister's subdivision is exactly the type of project that the FYN program has been targeting for years and suggested that he speak with them. Mr. Hofmeister said that he had spoken with them.

Chairman Goerner said he thought there was public access to the lakes in question and the Council could not support providing cypress trees for a private subdivision.

Mr. Hofmeister thanked the Council for their time.

Review and Action Regarding the Engineering Report for Red Howley with respect to Conditions at the Burrell Lock and Dam

Chairman Goerner said that Red Howley informed him that he is receiving information requested from the SJRWMD [on operation and maintenance of the Burrell Lock and Dam]. He also said the Council will take no action until they hear from Mr. Howley's engineer.

COUNCIL AND PUBLIC – QUESTIONS & ANSWERS

Councilman Royal asked Mr. Walker if the proposed reservoir in the Lake Apopka North Shore Restoration Area (NSRA) were constructed, would that be a good location to plant cypress trees. Mr. Walker explained that if the reservoir were to be built, it would possibly be a good location for cypress trees. He added, there is a lot of remedial work to be conducted on contaminated soils in the proposed area.

No other Council or Public questions were asked at that time.

Agency Updates

Mr. Johnson (FWCC) indicated that he had no further updates for the Council.

Mr. Walker provided an update on gizzard shad harvesting saying that after the discussion during the October Council meeting, the LCWA voted to end funding for the program and he is currently seeking other sources of funding. He also said they began harvesting in Lake Apopka on October 1<sup>st</sup> and the fishermen had removed 500,000 pounds of shad by the end of the month. Mr. Walker explained at this pace, Walt Godwin (SJRWMD) estimated that 2 to 3 million pounds could be harvested from the lake this season. He reminded the Council that after Lake Griffin had a successful shad harvest in 2002, the lake saw significant water quality improvements. Mr. Walker also said the Florida Department of Environmental Protection (FDEP) has provided their long-term water quality trends for the Harris Chain of Lakes (HCOL), which indicated that all the lakes are improving.

Chairman Goerner explained that the decision by the Council to not support future shad harvesting was based on the information presented to them from the study on Lake Dora.

Mr. Walker said the Council only heard from one component of the study by the University of Florida (UF) and additional research was conducted by Virginia-Wesleyan College. Chairman Goerner said the Council routinely requests updates on the various projects and the shad study presented during the October meeting and previous meetings was the basis for their recommendation. He added, the Council was never presented information from Virginia-Wesleyan College. Mr. Walker explained that Dr. Mike Allen's (UF) study only focused on the removal of gizzard shad while Virginia-Wesleyan College studied the effects of shad removal on nutrient recycling.

Councilman Royal said that he appreciates the experimental efforts of the shad harvesting; however the Council understands the benefits of dredging on water quality. He noted that is why they made the recommendations they did in the annual report.

Dr. Canfield added his clarification to the discussion saying; water quality improvements were observed in the lakes prior to shad harvesting and according to Dr. Allen's research, 80 to 85% of the shad had to be removed before there would be significant water quality improvements. He went on to say that increasing the harvesting effort would greatly impact the sport fish populations.

Chairman Goerner asked if Mr. Walker could provide any data on the Lake Denham shad harvest. Mr. Walker said he would see what he could find.

Dr. Canfield asked Mr. Walker if haul seine netting was being conducted on Lake Griffin. Mr. Walker said he knew a permit had been issued for the haul seine netting, but was not sure when it was due to expire.

Mr. Johnson said that a permit was issued for three successful pulls (netting attempts) or up to six total pulls, but was not sure if this had been completed at this time. Chairman Goerner requested that he be contacted prior to the next haul seine netting event, so that he and other Council members could attend. During the meeting Mr. Johnson contacted Mr. Godwin who explained that the haul seine permit expires at the end of December and the Council could attend a netting event.

Chairman Goerner said that whenever a time can be scheduled, the Council would like to attend a netting event so they can observe the operation and bycatch. Linda Girardin (SJRWMD) explained that at least 10 days notice would be needed to advertise the meeting and she will contact Mr. Godwin to make the arrangements.

In his agency update to the Council, Dr. Canfield said he had recently attended the North American Lake Management Society (NALMS) meeting in Orlando and there are a couple of issues that may interest the Council. Below is a summary of the technologies presented:

- Menzi Muck Remover
  - Only requires a canal maintenance permit
  - Effective in up to five feet of water
  - Places dredged muck along the banks
  - Currently used by the City of Winter Haven who have offered a demonstration
  
- Phosphorus Treatment in Lakes
  - Minnesota is using ferrous sulfate to reduce phosphorus in lakes
  - Ferrous sulfate is a byproduct of water supply treatment
  - Phosphorus binds to the iron
  - Florida lakes are low in iron
  - An effective alternative to alum
  
- Genesis [Rapid Dewatering] System
  - Dewateres dredged sediments on-site
  - Replaces the need for pumping dredged sediments to a spoil disposal area
  - Genesis does not perform dredging, only dewatering and sorting of sediments by size
  - The system is currently used in Tampa

Chairman Goerner requested presentations on these technologies. Councilman Farner said that dredging projects are going to be required before they can move forward with aquatic

revegetation. Dr. Canfield said he would work on obtaining more information and scheduling presentations.

Councilman Farner asked when bass stocking will begin. Dr. Canfield said it would begin again sometime after December 1<sup>st</sup>, once the water temperatures remain below the level required by their FWCC permit. He added that they will be stocking bass in Lake Dora.

## **7. OTHER PUBLIC COMMENTS**

David Howse, speaking for the Restore Our Waterways (ROW) organization, thanked the Council for the direction and support they have provided.

Carolyn Dillon, a homeowner on a canal off of the Apopka-Beauclair (A-B) Canal and member of ROW expressed her concern about an email she received regarding discharges from Forest Brook Subdivision Phase II. Councilman Royal suggested the email appears to indicate possible discharges from a retention pond and into Lake Apopka. Chairman Goerner suggested that Ms. Dillon may want to have an attorney review the email and there is nothing the Council can do.

Ms. Dillon also expressed her concerns that vines growing along the A-B and Dora Canals appear to be killing trees in those areas. Councilman Royal suggested that Ms. Dillon take a sample of the vines to the LCWA for their opinion.

No additional public comments were made.

## **8. COUNCIL MEMBER COMMENTS**

### Council Member Comments

Newly appointed Councilman Jon VanderLey gave a brief summary of his experience to the Council:

- He and his wife have lived in Florida for 40 years
- He served as Mayor of the Town of Oakland near Orlando for six years
- He served on the Lake Apopka Basin Commission
- Appointed by Governor Jeb Bush to the Wekiva River Basin Commission
- Moved to Leesburg two years ago
- His wife recently achieved the Master Gardener designation by the FYN organization

Chairman Goerner notified the Council that he had presented their \$6 million Community Issue Budget Request (CIBR) before the Florida Delegation meeting and it generated interest. He said they discussed the problems caused to downstream lakes by discharges from Lake Apopka after large storm events. Chairman Goerner said he explained that the Lake Beauclair Nutrient Reduction Facility (NuRF) currently under construction, will be able to treat 300 cubic feet per second (cfs) coming down the A-B Canal; however twice that amount can be discharged after big storms. He suggested that holding stormwater in the planned reservoir in the NSRA might help manage that issue. Chairman Goerner also explained that the accumulated delta in Lake

Beauclair, where the A-B Canals discharges into the lake, is estimated to contain 1.5 million cubic yards of muck discharged from Lake Apopka. He said that in comparison, the entire Lake Griffin Access Canal Dredging project is targeting 300,000 cubic yards of muck.

Chairman Goerner also noted that as reported by the SJRWMD; since the Lake Apopka Marsh Flow-way (LAMF) began operation in November 2003, it has removed 15.8 million pounds of suspended solids which contained 431,700 pounds of nitrogen and 2,940 pounds of phosphorus. He went on to say that after one large storm event a couple of years ago; 20 acre-feet of sediments were discharged down the A-B Canal. Chairman Goerner said 20 acre-feet is equal to 300 million pounds or approximately 19 times the total amount removed by the LAMF in four years of operation. He added that it would take the flow-way 76 years to remove the amount of sediments discharged from that single event. Chairman Goerner explained this is one of the reasons the NuRF is such an important project. He believes the LCWA should be applauded for their efforts on the NuRF project.

Chairman Goerner also said that he spoke to the Delegation on the importance of their funding requests for bass stocking. During that discussion he pointed out that during an October 20<sup>th</sup> speech by President George Bush, he said: “It is important to recognize that sport fishing is an important industry. A lot of people make a living because of the fishing industry and millions of Americans are spending \$40 billion per year on sport fishing. State designation of game fish has helped the recovery of species such as trout, large mouth bass, tarpon, and snook. People need to look at this tool and ensure the fisheries are robust. Strong fisheries mean local sales, and local sales mean a better local economy.”

Chairman Goerner said he also presented information from an October 30<sup>th</sup> article in the Orlando Sentinel which said Osceola County officials are spending almost \$500,000 promoting bass fishing in the Kissimmee Chain of Lakes, to people in Spain.

Chairman Goerner went on to say that the information presented to the Delegation should provide some funding, so the Council can move forward with the major projects to continue restoration of the HCOL.

V. Chairman Davis suggested that the Council hear presentations from the TAG on new and current technologies to fulfill their charge to restore the HCOL. Chairman Goerner agreed and asked if Dr. Canfield could coordinate something by January or February. Dr. Canfield suggested the TAG meet in a brainstorming session to discuss various technologies and may possibly have something to present by the February meeting.

#### Discussion of December 7, 2007 Meeting

A discussion was held on the necessity of a December Council meeting. Chairman Goerner said that unless there is some issue with the annual report or another activity arises, there would be no need for another meeting in November or a December meeting.

Councilman Farner made a motion to cancel the December meeting, which was approved by the Council.

A brief discussion was then held on the logistics for delivery of the annual report, with all parties agreeing on the scheduling and details.

**9. ADJOURNMENT**

The meeting was adjourned at 11:42 AM.

Respectfully submitted by:

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Chairman Skip Goerner

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Vice Chairman Dave Davis II

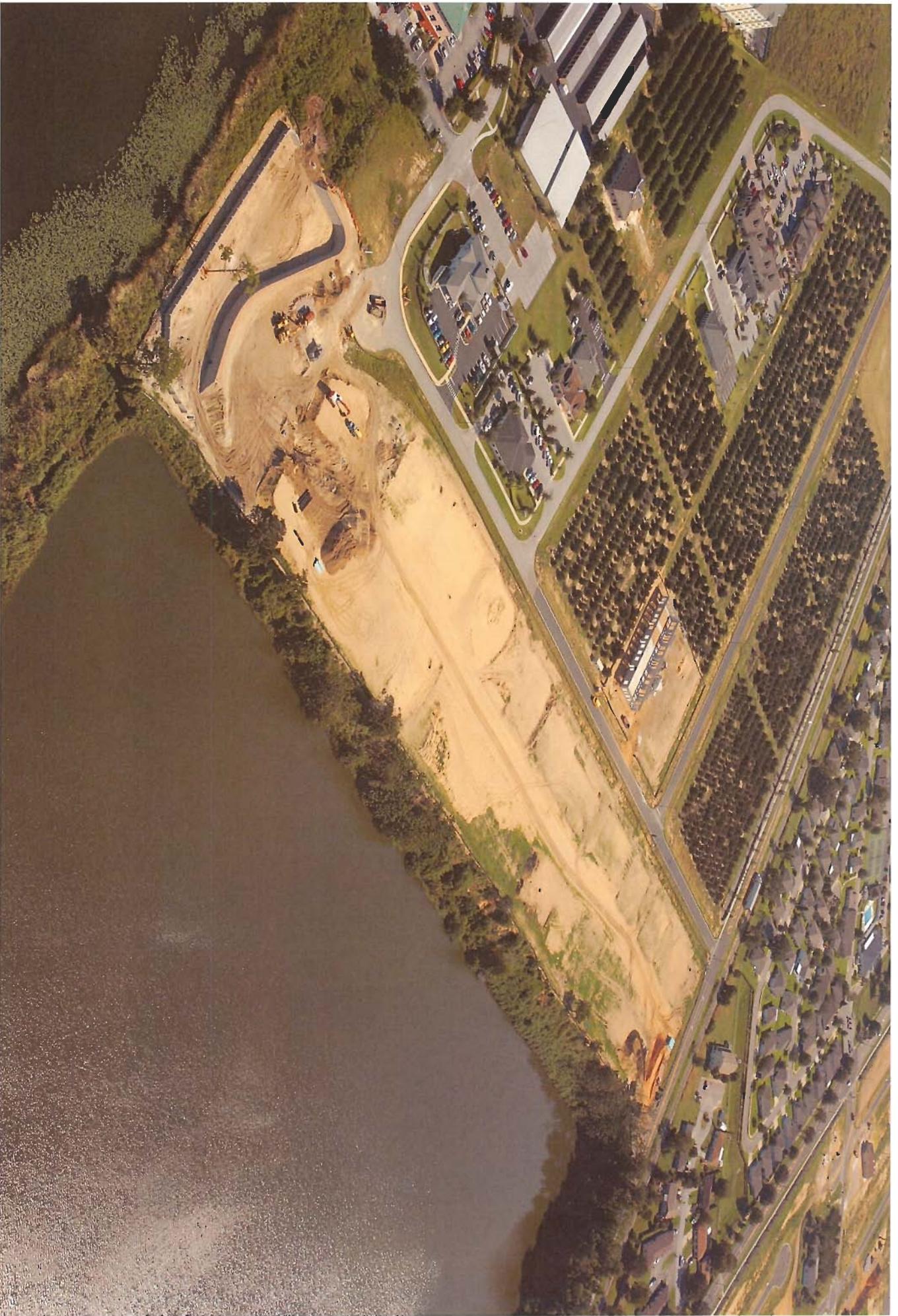
**Attachment 1**

**Lake Crest Subdivision**

**Tom Hofmeister**

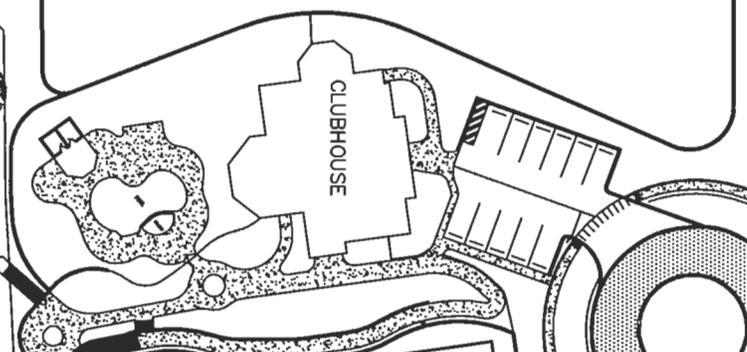
**November 2007**

*Lakeview Crest on Lake Juniata and Lake Frances in Tavares*



LAKE JUNIATA

LAKE FRANCES



BLDG. 1

BLDG 2

BLDG 3

BLDG 4

BLDG 5

BLDG 6

PHASE 1

SAL

