

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

May 1, 2009

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 AM on May 1, 2009 at the Lake County Board of County Commissioners' (BOCC) Chambers, 315 West Main Street, Tavares, Florida.

Members Present

Hugh (Dave) Davis II, Chairman
Skip Goerner, Vice Chairman
Keith Farner
Don Nicholson
Jon VanderLey

Members Absent

Rick Powers, P.G., Secretary
Robert Kaiser, P.E.
Richard Royal
Edward M. Schlein, M.D.

1. CALL TO ORDER

Chairman Dave Davis called the meeting to order at 9:05 AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

An Invocation was given by Chairman Davis, followed by the Pledge of Allegiance.

3. ROLL CALL

Chairman Davis called roll. Secretary Rick Powers and Councilmen Bob Kaiser, Richard Royal, and Ed Schlein were absent.

4. APPROVAL OF MINUTES

Chairman Davis called for a discussion of the April 4, 2009 Public Workshop Summary. Patrick Hunter, Recording Secretary of the Council outlined edits to the summary submitted by Barbara Bess, Ex-officio member of the Technical Advisory Group (TAG) to the Council. No further edits or comments were suggested and the April workshop summary was approved with Mrs. Bess' edits by unanimous vote.

Mr. Hunter also noted that Mrs. Bess had submitted an edit for the finalized minutes of the March meeting of the Council. Referring to the bottom of Page 2 of the March minutes, Mrs. Bess noted that the word "not" was missing from Chairman Davis' statement and the statement should read: "Chairman Davis does not believe the Council needs to "set in stone" a new meeting schedule..." A motion was made to un-finalize the minutes and include the word "not"

in Chairman Davis' comment. The revised March minutes were then approved by unanimous vote.

5. PRESENTATIONS / ACTION ITEMS

Council Discussion of Recommendations from the April Public Workshop

Chairman Davis called for a discussion of recommendations made during the April Public Workshop.

Dr. Dan Canfield of the University of Florida / Institute of Food and Agricultural Sciences (UF/IFAS) and Chairman of the TAG discussed the recommendations made at the public workshop. He explained the recommendations appear to involve the legislative statute (Chapter 373.468 F.S.) that allows the Florida Fish and Wildlife Conservation Commission (FWCC) to conduct a demonstration project in cooperation with the Council, which would support the long term restoration goals of the Council.

Dr. Canfield said the short-term goals expressed at the workshop included the success and continuation of the bass stocking program and reconnection of the lakes to the surrounding marshes; particularly reconnecting Lake Griffin to the Emeralda Marsh. It is his understanding the FWCC has provided funding to the St. Johns River Water Management District (SJRWMD) for that reconnection. He noted that in a recent update to the SJRWMD Governing Board (Board); the SJRWMD staff revised substantial construction efforts in 2009 that includes reconnection of the K-cell between Haines Creek and Lake Griffin, which includes approximately 1,000 acres. In addition, Areas 6 and 7 are to be reconnected to Area 2 and Lake Griffin via a large box culvert. Dr. Canfield believes the reconnection discussed at the workshop was to open the marsh to natural flow influenced by changes in lake water levels which would provide access for fish and spawning.

Councilman Keith Farner asked if this type of reconnection would actually create a marsh or just make the lake bigger. Dr. Canfield explained that as has been done with the Rodman Reservoir, lowering the water level in the Fall so the female fish are better able to feed and then raising the level in the Spring, will provide good habitat for spawning. He said this has proven successful at Rodman and could be accomplished with the enhanced fluctuation schedule for Lake Griffin.

Dr. Canfield went on to say that these efforts would not be targeting water quality, but the restoration of fish and wildlife habitat. He also suggested that dredge spoil material could be deposited in the deeper portions of the marsh so they create improved bird and wildlife habitat, and not just expand the open-water portion of the lake.

V. Chairman Goerner asked how large the current connections are between Lake Griffin and the marshes, noting that some of the connections were created by anglers for access. Bill Johnson, Biological Administrator II with the FWCC said that originally the FWCC proposed approximately 1,000 feet of connection between Lowrie Brown and Lake Griffin, but to the best of his recollection; the SJRWMD dug an opening approximately 30 feet across. Mr. Johnson also believes it may be better to not have connections that are too large so that in the future, the marshes could better managed with enhanced fluctuations.

Dr. Canfield said that if the intent of reconnection is to improve fisheries habitat, then perhaps an opening of 100 feet would be sufficient; adding that wooden weirs could be installed so the marshes could be pumped down if necessary. He explained that in the absence of sufficient aquatic plant coverage on the lake for fish habitat, the marshes would provide the necessary spawning habitat. Mr. Johnson noted the shallow marshes at Lowrie Brown and Knights north property have already been reconnected and the deeper marsh at the Lake Griffin flow-way has not because the SJRWMD is working on reducing the amount of hydrilla, before reconnecting that portion of the marsh to the lake.

V. Chairman Goerner asked if perhaps it would be beneficial to widen the connections between the shallower portions of the Emeralda Marsh and Lake Griffin. Dr. Canfield explained that if the intent is to provide near-term restoration benefits, then additional studies may be required to widen the existing connections or connect to deeper portions of the marsh.

V. Chairman Goerner asked if Mr. Johnson could provide estimates on how wide the connections should be to Knights farm and Lowrie Brown, in order to enhance the fisheries in those portions of the marsh. Mr. Johnson said they will be visiting the marsh in June and he could work on those estimates.

Dr. Canfield suggested perhaps the FWCC estimates of widening connections to the marshes may be something the Council could provide in its next annual report to the Legislature, with estimates of costs by the FWCC. He said that would move the process of improving reconnection of the marshes forward.

Chairman Davis asked if there are maps available that show the contours of the marshes, which could be used to determine the size and location of the reconnections. Mr. Johnson explained there are and that Bruce Jagers (FWCC) would be a good person to discuss these issues with.

Councilman Don Nicholson said it would be important to know how deep the marsh areas are and the best locations for creating reconnections. Councilman Farner agreed and asked if Mr. Jagers could make a presentation to the Council. Mr. Johnson said he would talk with Mr. Jagers about making a presentation at the June meeting. V. Chairman Goerner asked that Mr. Johnson also review this information and perhaps provide some recommendations at the next meeting.

Chairman Davis said the Council is in agreement that Mr. Jagers will be included in the June agenda.

Dr. Canfield then discussed artificial fish habitat saying the use of different materials including trees or various sized limerock has been considered. He explained that with the lack of aquatic plant coverage, the artificial habitat within the lakes could provide habitat that would attract sportfish.

Councilman Jon VanderLey said he knew of some broken concrete at a plant in Astatula, explaining the plant manufactures concrete structures and the broken pieces are those that were

not manufactured to specification. He asked if this type of concrete could be used for the artificial habitat. Dr. Canfield said concrete has been used for offshore [marine] reefs and the important point is that it hasn't been used in any sort of building construction.

V. Chairman Goerner said organizations like Ducks Unlimited and other groups have funds available for duck habitat, and perhaps those groups could assist with funding for the artificial rock habitat or possibly the marsh reconnection. Councilman VanderLey suggested that possibly BASSMasters or Crappie Masters would be willing to assist with the artificial habitat project.

V. Chairman Goerner said he had recently seen large piles of broken concrete at Leesburg Concrete Company, which could possibly be used for the artificial habitat. Councilman Farner said he would be cautious about the materials used to create artificial habitat. He would not want to approve something that could become an environmental issue in the future.

Dr. Canfield said one sentiment of the workshop was for projects that can be implemented in the near future. He said it was understood that some projects will take a long time to implement, but it is important to work on projects that can produce benefits in the short term. Dr. Canfield also noted that funding for environmental projects is being cut because they are not showing any immediate benefits. He went on to say it is important to work with the FWCC and other agencies on projects the public can see benefits from and then give their support to the projects.

Dr. Canfield then explained the concept of dredging and water quality versus navigation. He said whole-lake dredging does not immediately produce clean water, as was evidenced in Lakeland when after dredging a lake; the water was still green. When it comes to water quality, the benefit comes from removing the muck along the near shore areas to allow aquatic plants to take root.

Dr. Canfield also discussed the issue of what to do with the dredge spoil material saying it could be used to elevate the (former) muck farms on the northshore of Lake Apopka, and may allow better reconnection of the marshes to the lake. He said dredging portions of the lakes, especially in areas where boating access is limited; will become an issue during periods of low water levels. Dr. Canfield also said there are technologies available that can de-water the sediments which can then be used for other purposes. From the workshop discussions, Dr. Canfield said as part of a demonstration project for dredging; possibly some limited dredging could be conducted and the dewatered sediments be pumped into the northshore at Lake Apopka

Councilman Farner said he would like to see a demonstration project where a portion of the spoil material is deposited on the northshore for the purpose of reconnection, but an agreement would have to be worked out with the Natural Resources Conservation Service (NRCS). He also said it may be beneficial for the Council to meet with representatives from the NRCS to discuss the northshore.

V. Chairman Goerner agreed saying that meeting with the NRCS would be very beneficial to discuss the issue of the northshore. Councilman Farner believes the NRCS is interested in creating wetlands, but their agreement with the SJRWMD does not allow for total reconnection

of Lake Apopka to the marshes of the northshore. He said it may be beneficial for the NRCS to hear different perspectives from the Council regarding reconnection of the marshes.

Dr. Canfield explained the NRCS originally gave the SJRWMD, \$50 million of the \$100 million that was required to purchase land on the northshore. He said it now appears the SJRWMD is negotiating easements with the NRCS, in order to modify their agreement.

Councilman Farnier believes the NRCS looks for state agencies to perform the wetlands restoration and they provide the funding; but the NRCS needs a level of comfort that the agencies will do the job right.

Dr. Canfield said it is his understanding the NRCS was sold on the idea that the northshore would become a kidney for Lake Apopka, but now there are other restrictions that don't allow for reconnection. He said the agreement between the SJRWMD and NRCS contains a clause that won't allow that reconnection for the next 25 years, but added he has not seen the actual agreement. Dr. Canfield said if the Council wanted to speak with someone at the NRCS, possibly they should contact either [Representative] Cliff Stearns (R-6th District) or [Rep.] Ginny Brown-Waite (R-5th District) for information on who to speak with. V. Chairman Goerner said he would contact the legislative representatives and possibly the NRCS, to invite the NRCS to attend a Council meeting.

Councilman VanderLey made a motion that V. Chairman Goerner be empowered to represent the Council as a whole, in his discussions with the Legislators and NRCS. The motion passed by unanimous vote.

Dr. Canfield then discussed the issue of dewatering dredged muck, so the leftover spoils can be trucked away from the site and used in some manner. He reminded the Council of the Genesis dewatering system which is portable and can be setup at the end of a canal. He suggested a demonstration of the system could be conducted during the Lake Beauclair dredging project and the water collected from the muck could be processed through the Lake Beauclair Nutrient Reduction Facility (NuRF) to remove phosphorus.

V. Chairman Goerner said was contacted by the Lake County Water Authority (LCWA) who had heard a presentation by Robert Hendrick of Clean to Green, a company that works with the Genesis system in the process of dewatering dredged material. He suggested that Councilman Bob Kaiser could review the information of Clean to Green to make his recommendation.

Dr. Canfield said that BCI Engineers & Scientists (BCI) did a study of dewatering technologies for the SJRWMD and they determined the Genesis system was the better, more cost efficient method reviewed. As reported by BCI, the Genesis system has a small footprint, only requires a small return channel for the water, it was quiet, and produces no odors. He went on to say if the system proves to be beneficial, it could be coupled with a Menzi muck remover to clean out the residential canals in an effort to improve access and navigation for boaters. He said these efforts would also fall under the issues discussed at the workshop because they could provide more immediate benefits.

Councilman Nicholson said that now the Council is narrowing down to supporting specific projects, the next main issue will be to find funding for these projects. He asked if the approved consumptive users were to draw water from Lake Apopka, perhaps they could assist with the funding to dredge the lake. Dr. Canfield said there would be a lot of politics involved in trying to get funding from consumptive users and in his opinion; the lakes should not be used as a source for withdrawal.

Councilman Farner said it is his understanding the lakes are shallow and are not proving to be a reliable source of water for withdrawal.

Councilman Farner asked about the status of the Council's funding previously received from the Legislature. V. Chairman Goerner explained that although there have been issues with the SJRWMD, the previously allocated money will become available to the Council after the current legislative sessions ends. He reminded Councilman Farner that a portion of the money has already been dedicated to fish stocking and the FWCC Telemetry Project, and there are other projects the Council can help fund this year.

Dr. Canfield said another issue discussed at the workshop was for the Council to have better communication with the SJRWMD and their Governing Board. He suggested it would also be important for the Council to have better communication with its Legislative Delegation. Dr. Canfield said the Council's annual report is delivered to the President of the Senate and Speaker of the House each November, but that information needs to be addressed locally. He added; the Council should continue to maintain the good communication with the FWCC and LCWA.

V. Chairman Goerner said he maintains good communication with the Delegation, but believes the Council needs to establish communication with the SJRWMD Governing Board. He reminded the Council that the Governing Board oversees activities in over 18 counties, which is difficult to do with one meeting a month. He said that possibly the Board is solely relying on the recommendations of SJRWMD staff, without understanding every issue because there is so much information that has to be processed.

Councilman VanderLey suggested that perhaps the Council could produce a monthly newsletter to send out to those agencies / entities who it wants to maintain good communication with; such as the SJRWMD Board, LCWA, FWCC, and local agencies. V. Chairman Goerner said that is a good idea but the Council has very little administrative help to get that done. Councilman VanderLey offered to produce a draft of the newsletter and provide it to the rest of the Council for their comments. He said it could be sent out via email.

V. Chairman Goerner also noted that many people are inundated with emails and things to read each day and perhaps it would be better for the Council to meet with people face to face. Councilman Farner agreed and suggested that Council members could attend meetings of different cities that are on the lakes and receive economic benefits from the Harris Chain of Lakes (HCOL).

Dr. Canfield said there is a possibility that not all the members of the SJRWMD Board may have read the Council's annual report and suggested the Council should consider sending letters to the individual Board members and include a copy of the Executive Summary from the annual report.

V. Chairman Goerner said that in the past, hard copies of the annual report were delivered by himself and Chairman Davis to key individuals, but they were no longer doing that. He thought it is a good idea to continue that practice in the future. Dr. Canfield suggested the Council may consider mailing copies of the Executive Summary from the 2008 Annual Report along with cover letters, to SJRWMD Board members and others. V. Chairman Goerner and Councilman Farner both agreed with Dr. Canfield's suggestion.

Councilman Nicholson believes there are many members of the general public who would also like to know about the accomplishments of the Council and suggested producing a 20-minute video about the Council's accomplishments and making a DVD available to the public. Dr. Canfield said it would be difficult to produce such a DVD and the Council may want to consider just making a copy of the letter outlining their accomplishments and the Executive Summary available to the citizens.

V. Chairman Goerner said good community relations are important and the Council members should start attending local Home Owners Associations (HOAs) and civic group meetings, to tell them what the Council is doing. He also believes it would be a good idea to hand out copies of the Executive Summary at those meetings, so the attendees have the opportunity to read about the conclusions and recommendations of the Council. Dr. Canfield said this type of effort would fulfill the suggestion from the public workshop for better communication with the public.

Council and Public Questions & Answers

Robert Hendrick of Clean to Green said he had recently made a presentation at a LCWA Board meeting that discussed the results of a feasibility study conducted by BCI, for work which Clean to Green could do with the Lake Beauclair dredging project; in cooperation with the Genesis group and others. He asked if he could make a similar presentation to the Council.

V. Chairman Goerner said he understands the LCWA will be contracting out the work for the Lake Beauclair dredging and Clean to Green will submit a plan to assist with that project. He explained that he is familiar with the dewatering process for the dredged spoils and that dewatering will greatly reduce the amount of land that would be required to deposit the spoils. He also expressed concern that the water removed from the sediments, will be discharged back into the lake will have high concentrations of dissolved phosphorus. V. Chairman Goerner said that Clean to Green would have to produce a plan to manage the dissolved phosphorus.

After extended discussion among the Council members on various aspects of dredging, Chairman Davis asked if the Council would like to include Clean to Green in the June agenda. The Council agreed. It was also agreed that it would be important for all Council and TAG members to attend the presentation.

Mr. Hendrick thanked the Council.

Agency Updates

Mr. Johnson provided the following updates to the Council:

- There were 19 out of 72 tags returned from crappies with \$200 reward tags. Overall, 32% to 36% of the catchable crappies were caught in the past season and a report will be written over the next couple of months.
- Stocking in Lake Carlton will begin on May 13th and will include some fish outfitted with micro-transmitters. It appears the bass fingerlings are doing well with the transmitters.

Dr. Canfield provided the following updates to the Council:

- Bass relocation into Lake Dora has ended for the year due to the higher temperatures. Over 1,000 bass 12 inches or greater were stocked.
- Approximately 4% of the bass produced during recent electro-shocking in the Lake Griffin canals had been stocked/relocated by the UF. The bass fishery in Lake Griffin is good.
- The Mechanical Harvester has been idle but with the plants starting to grow again; there are more requests for cleaning, especially to improve [boating] access.
- US Environmental Protection Agency (EPA) is mandating the states to issue numerical values for Nutrient Criteria. The FWCC will be involved in this process, as will the Florida Department of Environmental Protection (FDEP) and its Total Maximum Daily Load (TMDL) program.

6. OTHER PUBLIC COMMENTS

No additional public comments were made.

7. COUNCIL MEMBER COMMENTS

Chairman Davis made a call for Council member comments.

Chairman Davis suggested the Council provide \$150 to the Lake Square Presbyterian Church for the use of their facility for the April Public Workshop. V. Chairman Goerner made a motion for the Council to provide \$150 to the church, which was approved by unanimous vote.

Chairman Davis also noted the contract for Recording Secretary services is expiring on November 30th and the Council should coordinate with the SJRWMD for the next contract. He asked if Mr. Hunter could provide his previous proposal, the current contract, and the original bid documents for the Council's review, in an effort to structure a contract which would better furnish the needs of the Council for its Recording Secretary. Mr. Hunter agreed to send that information.

V. Chairman Goerner noted that the SJRWMD had refused to pay Mr. Hunter for Recording Secretary Services for February. He suggested the LCWA could pay Mr. Hunter's February

invoice, as they provide the majority of the funding for the Council's administrative costs. The Council members agreed.

Mr. Hunter explained that Dr. Marilyn Bachman had completed the updates to the Council's website, as they were previously discussed. He said Dr. Bachman did a great job and suggested the Council may want to visit the site to determine if any further edits are necessary.

No further Council member comments were made.

Summary of June 5, 2009 Meeting

- Presentation by Bruce Jagers of the FWCC on marsh reconnection.
- Presentation by Robert Hendrick of Clean to Green on dredge spoil dewatering and the Lake Beauclair Dredging Project.

8. ADJOURNMENT

The meeting was adjourned at 11:46 AM.

Respectfully submitted by:

Chairman Dave Davis

Secretary Rick Powers, P.G.