

FINAL

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

February 4, 2011

The regular meeting of the Harris Chain of Lakes Restoration Council was held at 9:00am on February 4, 2011 at the Lake County Board of County Commissioner Chambers, 315 West Main Street, Tavares, Florida

Members Present

Skip Goerner, Chairman
Hugh (Dave) Davis II, Vice Chairman
Don Nicholson
Richard Royal
Lloyd Woosley

Members Absent

Richard (Rick) Powers P.G., Secretary
Edward Schlein, M.D
Keith Farner
Jon VanderLey

1. CALL TO ORDER

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Nicholson gave an invocation. The Pledge of Allegiance followed.

3. COUNCIL ROLL CALL; REMINDER FOR OTHERS TO SIGN IN

Chairman Goerner called the roll. Councilman Powers, Councilman Schlein, Councilman Farner and Councilman VanderLey were absent.

4. APPROVAL OF MINUTES

January 7, 2011 meeting minutes were approved by unanimous vote.

5. PRESENTATIONS / ACTION ITEMS

Chairman Goerner called for a presentation by Bruce Jagers, Florida Fish and Wildlife Conservation Commission (FWC), on the Lowrie Brown restoration project.

- Bruce Jagers, FWC, provided updates on the Lowrie Brown Restoration Project. The presentation slides are viewable on the website at <http://sfrc.ifas.ufl.edu/harrischaincouncil/Minutes.htm>. He informed the Council that the Lowrie Brown parcel (also known as Area 4) is part of the Emerald Marsh Conservation Area's (EMCA) long-term management plan. The presentation and discussion by the Council, Mr. Jagers and other members of the Harris Chain of Lakes Restoration Council's Technical Advisory Group (TAG) included: 1) information on the levee breach plan; 2) Baldcypress planting; and 3) a summary on exotic species and the vegetation management plan. Mr. Jagers stated that the restoration of the Lowrie Brown parcel is a cooperative project between St. Johns River Water Management District (SJRWMD), Harris Chain of Lakes Restoration Council, Florida Fish and Wildlife Conservation Commission (FWC), and the Lake County Water Authority (LCWA). He stated that the levee breach plan has been completed and there are two boat channel breaches and a boat ramp available. He informed the Council on the recently completed installation of 19,070 cypress trees with the total cost of \$94,293 and the cost was shared by SJRWMD. Mr. Jagers explained that there is work to be done on controlling various invasive plants in the area, and the FWC is keeping an eye on

some exotic island apple snails that have been found in Lake Griffin, in the Herlong Park area , but he expects the cypress trees to have a good survival rate. They have noticed that coots have been eating the hydrilla, which provides a natural control of the plant. Mr. Jagers updated the Council on problem issues with rapidly growing cattails, which are forming monocultures and crowding out other vegetation in areas of Lowrie Brown. The cattails drop 3-4 tons of dry weight material per year, causing excess sedimentation. He stated the FWC is using herbicides to reduce the cattails, but he believes a prescribed burn or roller chopping could be used as well. He mentioned that having cattle graze in the area would not be a good idea. The cattle would eat the beneficial vegetation, such as maidencane, which harbors a parasite that would cause a health problem in the herd. He commented that eelgrass and other native vegetation began growing where the breaches were made, which is an indication the water clarity is good.

- Councilman Royal suggested temporarily flooding the area where the cypress trees were planted, which could stop the invasive plant problem. Mr. Jagers agreed with the temporary flooding, and mentioned the flooding would also be a good habitat benefit for the fish and wildlife as well.
- Dennis Renfro, FWC, spoke about the long-term monitoring of the fisheries. The FWC Eustis staff will be monitoring Lowrie Brown and this month they will be taking fish samples by electrofishing. Mr. Renfro stated he would find out if Lowrie Brown has had any fish assessments done in the past, and will report back to the Council.
- Walt Godwin, SJRWMD, commented on the water quality in Lowrie Brown and he stated the dissolved oxygen (DO) levels are good. There is a lot of organic suspended particulate matter, which keeps the Total Phosphorous (TP) up - between 40-50 micrograms per liter ($\mu\text{g/L}$). He also mentioned that SJRWMD has done electrofishing in Lowrie Brown, and the samples showed there is a lot of bass and bluegill, but not much crappie. Mr. Godwin commented that it is a good fishery.

6. COUNCIL & AGENCY QUESTIONS & ANSWERS

- Dave Herbster, Florida Department of Environmental Protection (FDEP) informed the Council that he is replacing Christianne Ferraro, FDEP, as TAG member for the Harris Chain of Lakes Restoration Council. Mr. Herbster updated the Council Members on FDEP's test results of the treated discharged water for the proposed permit for the Lake Apopka demonstration dredging project and removal of the muck by Clean to Green. Mr. Herbster stated that FDEP would not authorize the permit for the proposed method of discharged water as it contains acutely toxic conditions of un-ionized ammonia even at high levels of dilution. He explained that anaerobic bacteria break down muck and produce ammonia as part of their metabolic waste. The ammonia (a form of nitrogen) would typically remain in the muck, but the proposed process would release it into the water column. He commented that modification treatment processes do exist which would reduce or remove the ammonia. The treatment would have to occur between the polymer process and the water being returned to the lake, but the applicant would need to propose the changes. The test results also showed there were no measurable sulfides found in the water after the polymer treatment. He believes that high wind events and mechanical dredging would not create a danger with the un-ionized ammonia; the problem is that the proposed treatment would be pulling up highly concentrated (nutrient rich) cubic yards of muck and then return millions of gallons of toxic water to Lake Apopka. Mr. Herbster stated that further discussion (with Florida LAKEWATCH and Clean to Green, Inc.) on modifying the dredging process would be needed for FDEP to consider authorizing.
 - Chairman Goerner questioned Mr. Herbster on the background lake levels of un-ionized ammonia, and if Lake Apopka is degraded. Mr. Herbster will find that data and report back to the Council.

- Dan Canfield, University of Florida (UF), gave his update, which included: 1) that more discussion with FDEP is needed on the toxicity test of the muck and dewatering process for the demonstration dredging at Lake Apopka. Mr. Canfield explained that the tests FDEP ran on the muck from Lake Apopka were run at laboratory temperatures and warm temperatures convert ammonia to un-ionized. He suggested if the dredging were done in the winter, the ammonia released into the lake would not be un-ionized. He commented that about 15 million gallons of water will need to be treated or disposed of, but they are trying to keep the cost down. He said he would return the state funds that were given for the test project if no approved modification to the procedure is proposed. Mr. Canfield mentioned that each new solution could create another problem with regulations; 2) The United States Environmental Protection Agency's (EPA) proposed numeric nutrient criteria would require every lake in Florida to have a TP concentration of 30µ/L or a Chlorophyll level of no more than 20µ/L. Under this new rule, Florida's natural, nutrient rich lakes would be in violation, and he suggested the EPA should issue a special exemption for Florida lakes. He also stated that currently the ruling is being challenged by the State of Florida; and, 3) Mr. Canfield suggested that the Council should recommend to the legislature that FWC should be in charge of Lake Apopka's restoration and SJRWMD can remain in charge of the Marsh Flow-Way. In addition, he believes DEP should permit SJRWMD for the lake water pumped in the Marsh Flow-Way, as the pumps are a point source and essentially a wastewater treatment. He commented that the North Shore Restoration Area (NSRA) has the largest source of nutrients coming into Lake Apopka and he believes this is a fishery problem and if they want success, it needs to go to FWC.
- Walt Godwin, SJRWMD, stated the monthly SJRWMD reports on the Upper Oklawaha River Basin and Lake Apopka update were sent to the Council with the February agenda. These reports are viewable on the website at <http://sfrc.ifas.ufl.edu/harrischaincouncil/Agenda.htm>. He informed the Council that SJRWMD would be having a Projects and Land Committee (Palcom) meeting on Monday February 7, 2011, and a Governing Board meeting on February 8, 2011, with a discussion on the temporarily reduced minimum discharge at Moss Bluff. In response to discussion by the Council that there is no overall restoration plan among the agencies, Mr. Godwin spoke about the Surface Water Improvement and Management Plan (SWIM) which was developed in the 1980's, and ended because of cuts in funding. He commented that it involved all the agencies and was a very good plan.
- Dennis Renfro, FWC, informed the Council about the hydrilla management draft plan prepared by the FWC hydrilla management team. One of the scientists who is on the team will present the final draft of the hydrilla management plan to the Council at the May meeting. Mr. Renfro's updates included: 1) the statewide black bass management plan will be presented to the commissioners on either June 8 or 9, 2011 in St. Augustine. Currently the FWC has 47 action items that will benefit all species of large mouth bass ; 2) a creel sampling of the lakes will take place this month; and 3) currently a bass tagging program is being done. Mr. Renfro commented that he would try to have someone from his agency attend SJRWMD's Palcom meeting on Monday, February 7th, and he will try to attend the SJRWMD Governing Board meeting on Tuesday, February 8th.
- Mike Perry, LCWA, updated the Council on: 1) rebidding of the Lake Beauclair dredging project. Mr. Perry stated the way it is currently permitted, the dredged sediments will be deposited under controlled conditions on land owned by SJRWMD in cells F&G located adjacent to the Apopka-Beauclair (A-B) Canal, but for an alternative disposal area, it would have to get a revised permit. He expects that within 3 months the LCWA Board should have a contract awarded; 2) he also wanted to let the Council Members know that Councilman Farner's absence is due to a shift change at his job. He is working nights now, which is the reason he has not been able to attend any meetings lately; 3) the LCWA is going to be streaming their meetings live. It might be available for viewing on the internet soon; and, 4) He also informed the Council that Lance Lombard will be leaving the LCWA,

and his position of water resources project manager will be available for anyone who wants to apply for the position.

7. PUBLIC COMMENTS

- Charles Clark, member of the LCWA, discussed with the Council the ratio of the surface area of the superpond (Lake Dora, Lake Harris, Lake Eustis, Little Lake Harris and Lake Beauclair) vs. Lake Griffin and the water levels. Mr. Clark stated the superpond is a much larger area than Lake Griffin, and to keep Lake Griffin's water level from dropping five-inches, the superpond only needs to discharge enough water to lower the water level in the superpond by one inch. He wanted the Council to know that the lower the water level is in Lake Griffin the more the internal loading will be subject to resuspension.

8. COUNCIL MEMBER COMMENTS

A. Comments

- Councilman Woosley commented that the Council should suggest to the Legislature that a coordinated lake strategy statute be developed that requires the agencies to work together and each hydrologic unit would have a lead agency. He prefers it not to be politically based but hydrologically based. He would like to see a legislative mandate for a lake management Council that coordinates each designated chain in the state to ensure that one hand of the organization in the government knows what the other side is doing. He wants a coordinated lake management plan, lake restoration plan with specific objectives, accountability, and at least a 2-year reporting cycle for adjustments. He asked if the SJRWMD Governing Board meetings and Palcom could be streamed live like the LCWA is going to do.
- Chairman Goerner stated: 1) all the agencies involved with the Harris Chain of Lakes Restoration Council must be at the table together on big decisions, so everyone knows what is going on and input can be made. In addition, He does not want short notice on important meetings (such as the SJRWMD Palcom item on the Moss Bluff discharges) that the Council should attend; and 2) he added the simplest way to objectives that Councilman Woosley suggested is to set up other Councils (similar to this Council) in every major water management district, for reviewing matters occurring in their areas.
- Councilman Royal commented that he believes Dan Canfield's suggestion should be followed, and SJRWMD can continue working with the Marsh Flow-Way, but SJRWMD should not discharge sub-quality water into Lake Apopka. In addition, he suggested focusing the entire restoration of Lake Apopka on habitat for fish and turning it over to FWC to accomplish that. Councilman Royal left the meeting at 11:00am.

B. Discussion of Next Scheduled Meeting: March 4, 2011

- Chairman Goerner called on Nancy Christman, SJRWMD, to include on the agenda for March: 1) the presentation by Dennis Renfro, FWC, on the goals, projects and programs of FWC; and 2) current laws and procedures on changing the regulation schedule and discharges at the locks by SJRWMD.

9. ADJOURNMENT

The meeting was adjourned at 11:30 am