

FINAL

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

May 6, 2011

The regular meeting of the Harris Chain of Lakes Restoration Council was held at 9:00am on May 6, 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
Richard Royal
Lloyd Woosley
Jon VanderLey

Members Absent

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

1. CALL TO ORDER

Chairman Goerner called the meeting to order at 9:00am.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

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

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

4. APPROVAL OF MINUTES

March 4, 2011 meeting minutes were approved by unanimous vote.

5. PRESENTATIONS / ACTION ITEMS

Chairman Goerner called for a presentation by Bill Caton, Florida Fish and Wildlife Conservation Commission (FWC).

- Bill Caton, FWC, provided information on FWC's position and guidance on hydrilla management. The presentation slides, which include FWC's Hydrilla Management Position Statement, are viewable on the website at <http://sfrc.ifas.ufl.edu/harrischaincouncil/Minutes>. The presentation and discussion by the Council and Mr. Caton included: 1) information on Chapter 369, Florida Statutes, for aquatic plant control; 2) invasive plant management funding; 3) management priorities for hydrilla; and 4) FWC's Hydrilla Management Position Statement. Mr. Caton informed the Council that in 2008, the staff and the Bureau of Invasive Plant Management (BIPM) in the Department of Environmental Protection (DEP), was transferred to the Fish and Wildlife Conservation Commission. Mr. Caton stated that since 2008 FWC has been the lead agency designated by the Florida Legislature for managing invasive plants, and is responsible for the management of two programs: the aquatic plants in public waterways and upland plants on public conservation lands. He stated the funding for both programs comes from the Invasive Plant Control Trust Fund. The funding for the two programs from past years (2005-2009) was \$39.4 million, the current fiscal year (2010-2011) funding is \$29.8 million, and the proposed funding for the upcoming fiscal year (2011-2012) will be \$23.3 million (if approved by the Legislature). The funds will be divided between the Aquatic Plant Management Program, which will receive \$18.6 million, and the Upland Plant Management Program, which will receive \$4.7 million. Mr. Caton commented that in the past, they have spent as much as \$25 million a year on the Aquatic Plant Management Program and the budget cut will hurt. There are approximately 450 lakes and rivers

in the state of Florida that meet the criteria for being public water bodies, and the FWC has active management programs on about 350 of them. He stated the funding priorities have been established in the Florida Administrative Code (F.A.C.). They are listed in the order of priority: 1) floating plants (hyacinth/lettuce); 2) new hydrilla infestations; 3) plants blocking access & navigation; 4) open areas in dense hydrilla mats; 5) large-scale hydrilla control; 6) control of other noxious plants; and 7) residential canals (which he stated the FWC has not had the money for in several years). Mr. Caton said that they cannot eradicate hydrilla, as it creates tubers in the soil, which sprouts. The tubers cannot be controlled. He spoke about FWC's Hydrilla Management Position Statement (which was recently completed by the Hydrilla Management Issue Team). The team determined that the native aquatic plant communities provide ecological functions that support diverse native fish and wildlife, whereas hydrilla is an invasive plant, and if allowed to grow at high densities, will adversely affect native plant abundance, sportfish growth, recreational use, flood control, and dissolved oxygen. Therefore, FWC opposes the deliberate introduction of hydrilla into waterbodies where it is not currently present. FWC prefers to manage for native aquatic plants, but recognizes that in waterbodies where native submersed aquatic plants are absent or limited, hydrilla at low to moderate densities can be beneficial to fish and wildlife. They will manage hydrilla on a waterbody-by-waterbody basis using a risk-based approach to determine the level of management with input from resource management partners and local stakeholders. He said it is very important for FWC to get input from both the satisfied and the dissatisfied stakeholders at public meetings. He stated staff is developing an advisory group for the Harris Chain of Lakes area, which will include the water management district, the local county agencies, and the fishing community groups.

- Chairman Goerner questioned Mr. Caton on how long it would take for FWC to decide on how to manage the hydrilla on the Harris Chain of Lakes (HCOL). Mr. Caton stated the HCOL is already being managed.
 - Councilman Royal questioned Mr. Caton if FWC has considered letting hydrilla grow in Lake Apopka. Mr. Caton stated the FWC staff will be putting together stakeholder groups to provide input, and they will decide, based on the risks, if it would be beneficial to let hydrilla (at low to moderate densities) grow in Lake Apopka. He also explained that because Lake Apopka's bottom sediment is very flocculent, a windstorm could uproot the hydrilla, and he suggests the best way to restore Lake Apopka is to remove the bottom sediments.
 - Phil Kelly, citizen, questioned Mr. Caton and Nathalie Visscher (FWC) on who determines where in the HCOL the chemical treatment is applied and if the control policy on hydrilla has changed. Mr. Caton said the staff from FWC and Lake County work together to identify where the treatment should occur, and Lake County is the contractor who applies the chemicals. Mr. Caton commented that by keeping on top of hydrilla, the native plants are allowed to grow, which is the goal of FWC.
 - Nathalie Visscher stated how she, along with the Lake County Aquatic Plant Management staff, surveys the HCOL. She explained that they map the areas where they find hydrilla and then decide on the best way to control it. They use the same methods as when she was with FDEP. Ms. Visscher said that this year they have noticed more hydrilla growing, but that could be due to "Mother Nature", because nothing has changed in the way they treat it.
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- Eric Cotsenmoyer, Lake County Mosquito and Aquatic Plant Management, spoke about how well the HCOL look. He spoke with the Council on the successful expansion of native plants with the treatment of hydrilla. He said their goal is to have the native plants propagate and sustain themselves. Mr. Cotsenmoyer stated the program funding for sovereign waters is from FWC, and the Lake County Board of County Commissioners funds the canal work.

6. COUNCIL & AGENCY QUESTIONS & ANSWERS

- Dennis Renfro, FWC, informed the Council that: 1) the data for the survival rate of the largemouth bass fingerlings that were stocked in 2009-2010 in Lake Griffin and Lake Carlton would be available in another month. A genetic testing from a piece of their fin is being analyzed, and he is still waiting for the data to be processed. He explained that the genetically-marked hatchery fish allows them to identify the fish as originating from the hatchery. He stated that for marking high numbers of fish, it is a faster process to use genetic testing rather than using the coded micro-wire tags; 2) he spoke about the boat trip on the HCOL he recently completed, and he commented that most of the lakes are looking good with plant life and fish life especially for anglers in Lake Griffin. Mr. Renfro commented that although Lake Apopka has a lot of vegetation growing on the southern side, there is not much growing on the northern side; 3) the FWC is putting together an internal working team for the Harris Chain of Lakes area. It will also include a technical assistant group made up of stakeholders and others, and should be together in the next couple of months; 4) the Black Bass Management Plan will also include the Hydrilla Management Position Statement, and will be put online next week at <http://myfwc.com>. It will also be presented at the FWC commission meeting on June 8 or 9, 2011 in St. Augustine; and 5) he will provide the data from the creel counts from Lake Dora and Lake Griffin for the next meeting.
- Nancy Christman, St. Johns River Water Management District (SJRWMD), informed the Council that the handout they received regarding SJRWMD public meetings, scheduled on May 17 and May 26, 2011, on the minimum flows and levels (MFLs) is for those water bodies within the District that already have MFLs that are not being met or are projected not to be met within 20 years. The HCOL is not on the list of water bodies to be discussed since those MFLs have not been established yet. She reminded the Council that if two or more members attend the meetings a public notice would need to be published in the newspaper, and she would need to know as soon as possible to meet the noticing timeframe.
 - Chairman Goerner instructed Ms. Christman to notify everyone on the Council by e-mail of the need to know if they plan to attend the meetings.
- David Walker, SJRWMD, informed the Council that: 1) the reports for his monthly updates for Lake Apopka and the Upper Oklawaha River Basin were sent with the agenda; 2) he checked on the possibility of a wildlife refuge being established on the north shore of Lake Apopka, which Dan Canfield mentioned at the last meeting. He said that at this point it is only an idea, based on other funding that will be needed for the long-term management of the north shore. If plans become more definite, Mr. Walker will have someone from the district's Department of Operations and Land Resources, come to speak with the Council; 3) the beginning of this week minimum discharges have been resumed at the Apopka, Burrell, and Moss Bluff Lock and Dams. He commented that since the temporary discharge reductions at the Locks and Dams, and the higher than predicted rainfall between December 15, 2010 and April 30, 2011, the water levels in the HCOL are higher; and 4) the 2012 budget has not been prepared yet, but with the budget cuts, there will be a reduction of funds for restoration projects. He commented that fortunately for the HCOL, some major construction projects have been completed and some additional construction should be completed in the next couple of years, such as reconnecting Emerald Marsh and other marshes, and re-plumbing of the North Shore Restoration Area (NSRA) at Lake Apopka.
- Mike Perry, Lake County Water Authority (LCWA), gave his updates on: 1) the current lake levels as of May 5th, at Lake Apopka is 65.5 feet (ft.) and the minimum desirable is 65.45ft. The Superpond is at 61.5 ft. and the minimum desirable is 61ft. Lake Griffin is at 56.95 ft., and the minimum desirable is 57ft. 2) he informed the Council that the Nutrient Reduction Facility (NuRF) is running again since the Apopka and Burrell Lock and Dams are flowing now. The current phosphorous levels coming in from

Lake Apopka into the NuRF is in excess of 200 parts per billion (ppb), and at the outfall levels are about 90 ppb; and 3) the bid for the Lake Beauclair dredging project was awarded to Jahna Dredging, Inc., and they were not the lowest bidder. He stated the lowest bidder was non-responsive to the Fish Kill Response Plan (which was required in the bid), along with other issues that caused them not to be recommended. The LCWA has received a 'Notice of Intent to Protest' from the low bidder. Mr. Perry will keep the Council updated.

- Chairman Goerner asked Mr. Perry for information on the phosphorous levels and secchi depth of Lake Griffin and the Superpond. Mr. Perry stated he would get the information for all the lakes in the HCOL, and e-mail the data to the Council.
- Dave Herbster, FDEP, informed the Council that no new methods have been proposed for the Lake Apopka demonstration dredging project. He mentioned that he heard the Genesis Fluid Solutions company is no longer with the project, and the United States Army Corps of Engineers (USACE) has currently inactivated their application because of inactivity. Mr. Herbster stated the funds by the legislature would be available for this project through June 2012.

7. **PUBLIC COMMENTS**

No public comments

8. **COUNCIL MEMBER COMMENTS**

A. Comments

- Councilman Woosley commented that he would like to have a structured coordination committee of all the agencies involved in aquatic plant management and the other stakeholders as well, so that everyone involved will know what each other is doing.
- Councilman VanderLey commented that the Lake County Board of County Commissioners has made economic development one of their key issues and they have decided that fishing, tourism and the lakes are a key part of the economic plan. Councilman VanderLey suggested that the Harris Chain of Lakes Restoration Council should have a representative at the future meetings to provide input and keep up to date with the commission's direction. He will send Chairman Goerner the link from the e-mails he receives from the Lake County Board of County Commissioners regarding their future meetings.
 - Chairman Goerner agreed with Councilman VanderLey.

B. Discussion of Next Scheduled Meeting: June 3, 2011

Chairman Goerner called on Nancy Christman, SJRWMD, to include on the June agenda a presentation by Dan Canfield, University of Florida, on the status of the Environmental Protection Agency's numeric nutrient criteria for Florida, and what it means to the HCOL. The chairman would like input from FDEP and SJRWMD also.

9. **ADJOURNMENT**

The meeting was adjourned at 10:51 am