

Final

**MINUTES OF THE MEETING
of the
HARRIS CHAIN OF LAKES RESTORATION COUNCIL
March 3, 2017**

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:00 a.m. on March 3, 2017 at the Lake County Board of County Commissioner Chambers, 315 West Main Street, Tavares, Florida.

Council Members Present

Robert Johnson, Chairman
Skip Goerner, Vice-Chairman
Don Nicholson, Secretary
Sid Grow
Keith Truenow
Stephanie Bishop
John Stump

Council Members Absent

Vacant, Attorney
Vacant, Physician

TAG Members Present

Rolland Fulton (St. Johns River Water Management District, SJRWMD)
Dennis Renfro (Florida Fish and Wildlife Conservation Commission, FWC)
Mike Perry (Lake County Water Authority, LCWA)
Mark Hoyer (University of Florida, UF)
Kevin Coyne (Florida Department of Environmental Protection, DEP)

TAG Members Absent

1. CALL TO ORDER

Chairman Johnson called the meeting to order at 9:00 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

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

Chairman Johnson called the roll.

4. REMINDER FOR OTHERS TO SIGN IN & FILL OUT SPEAKER CARDS

5. APPROVAL OF MINUTES

Minutes from February 10, 2017 were approved.

6. PRESENTATIONS / ACTION ITEMS

* Action items requested by council members are in bold.

A. Discussion of LCWA Response to Harris Council Letter Dated August 29, 2016, Mike Perry, Executive Director, LCWA

Mr. Mike Perry, Executive Director, presented an overview of his presentation, a discussion of the twelve questions sent to various agencies by the Harris Chain of Lakes Restoration Council. Prior to beginning the presentation, Mr. Perry discussed proposed legislative revisions to the Lake County Water Authority (LCWA). Mr. Perry noted most revisions were related to obsolete rule language. The legislation also removes power of the governing board and the LCWA to acquire land through eminent domain or condemnation; removing power of the board relating to certain state land; providing for the county or a municipality to acquire private property through eminent domain under certain circumstances; provides powers of the board relating to navigation and blockage of certain waterways in the county; prohibits the board from expending public funds to promote recreation and tourism; provides powers of and restrictions on the LCWA and the board relating to parks; and requires certain documents to be published on the LCWA website

Mr. Perry noted the legislation had not yet been filed but had passed through the local delegation. The legislation must be approved by the legislature but as it is vetted locally, such legislation typically moves through as a consent item.

Mr. Perry discussed question #1 from the Harris letter, pertaining to reconnection of the North Shore Restoration Area (NSRA). Mr. Perry reported Lake Apopka's NSRA has become a premier eco-tourism site through the efforts of the SJRWMD, Lake and Orange counties, and several conservation organizations, with Florida Audubon Society and Friends of Lake Apopka being the most prominent. Mr. Perry noted the efforts of the government agencies and private citizens to establish and keep the NSRA a wildlife refuge for eco-tourism, are most important in economic development in this area. The Harris Chain of Lakes provides many more opportunities for fishing in its system than just Lake Apopka. Mr. Perry reported the current LCWA Board defers to the SJRWMD regarding the reconnection of the NSRA.

Regarding question #2 regarding dredging of the NSRA, MR. Perry noted the property is owned and managed by the SJRWMD and much of the NSRA is in Orange County. Therefore, the current LCWA Board defers to the SJRWMD regarding the configuration of the NSRA.

Question #3 regarded proposals for establishing more aquatic plants. Mr. Perry noted the current LCWA Board agreed with the Council that establishing more aquatic plants on the lake would be beneficial and is a critical indicator of restoration success. MR. Perry also noted the current LCWA Board has no direct experience with using geotubes, as discussed in the question, however staff have observed that the fabric tubes degrade quickly in the sun and birds will peck at the fabric further accelerating the degradation. Mr. Perry remarked LCWA is willing to work with other agencies and entities to enhance aquatic plants in the lake and to explore in-lake methods for sediment disposal.

Question #4 regarded water quality improvements that have stagnated due to the lack of rainfall and flushing of the lake. Mr. Perry noted since the majority of Lake Apopka and its drainage basin are located in Orange County, the current LCWA Board has focused its efforts on improving the water exiting Lake Apopka.

The efficacy of gizzard shad harvesting was the focus of question #5. Mr. Perry noted the LCWA has funded rough fish harvesting in the past and has collaborated with the SJRWMD to harvest rough fish from lakes the Harris Chain. From the LCWA perspective, harvesting has removed many fish, however it was determined that the harvesting was not intensive enough, there were conflicts with recreational fishers and boaters and the potential for by-catch of gamefish may be a problem. In addition, funding priorities for the Water Authority changed when the Nutrient Reduction Facility (NuRF) was proposed so funding support for fish harvesting was re-directed. Regarding the continuation of rough fish harvesting in Lake Apopka, LCWA defers to the SJRWMD.

Question #6 regarded attracting anglers to the Harris Chain of Lakes, in which Mr. Perry noted FWC is the lead on this issue, but the LCWA is willing to collaborate where able.

Hydrilla was the focus of question #7, and while the FWC is responsible for control of the invasive exotic plant hydrilla, Mr. Perry noted the LCWA has reviewed this topic several times and has received considerable public comment as well. The current LCWA's Board's position on hydrilla is to support the current state approach to managing hydrilla and defers to the Lake County Mosquito and Aquatic Plant Management, the Florida Department of Environmental Protection, the SJRWMD and FWC to implement a surveillance-based, early detection/rapid response management program for hydrilla in the Upper Ocklawaha River basin.

In response to a question by vice-chairman Goerner regarding a LCWA advisory role with hydrilla control programs, Mr. Perry noted LCWA coordinates with FWC on treatment programs.

The issue of phosphorus (P), question #8, was an important issue for LCWA, as the Nutrient Reduction Facility (NuRF) on the Apopka Beauclair Canal is designed to removed P. Mr. Perry reported that for the foreseeable future, the LCWA will continue to operate the NuRF. Mr. Perry noted the NuRF is an integral part of the Florida Department of Environmental Protection's Basin Management Plan (BMP) for the Harris Chain to achieve and maintain the State's Class III designation. The NuRF is, however, only able to treat water that is being released from Lake Apopka, no mechanism for returning water back to lake. Under the current regulatory approach, flows are restricted or abated until the lake level is at or above the regulatory schedule.

Mr. Perry discussed a graph of NuRF inlet vs. outlet total phosphorus (TP), showing reduced TP in the outflow that was close to meeting or exceeding the Total Maximum Daily Load (TMDL) allocations established for the lake. A second graph showed total mass of P removed from Lake Apopka. The graph showed NuRF only operating for three separate several month periods. Councilman Stump queried Mr. Perry about system degradation due to disuse. Mr. Perry reported NuRF systems are exercised monthly to maintain equipment.

Mr. Perry discussed the current regulatory approach with restricted flow. LCWA would prefer a minimum continuous discharge as it is difficult to manage the NuRF in a start and stop environment. The LCWA is closely monitoring the minimum flows and levels (MFL) process and any future changes to the regulatory schedules being proposed for the Harris Chain.

Mr. Perry noted in relation to MFLs is a possible change to the regulatory schedule. A possible future scenario is to simplify those schedules and allow more free flow. LCWA would like to see some minimum discharge. Mr. Perry reported the current LCWA Board feels that this is one of the most

significant issues that would affect the lakes downstream and feels that the Council needs to pay close attention to this issue as well.

Regarding toxicology, question #9, Mr. Perry reported LCWA has no role in this issue and defers to the Florida Department of Health in assessing organochlorines threshold levels, health advisories and bans on the human ingestion of fish and wildlife captured or killed on the NSRA.

Mr. Perry noted the FWC and the SJRWMD are involved with the monitoring and mapping of existing vegetation in downstream lakes, the issue addressed in question #10. The current LCWA Board agrees that both submergent and emergent vegetation are critical to the long-term health of the lake and its fish and wildlife.

Mr. Perry suggested the effort must be focused on encouraging and managing for desirable native species and not to encourage exotic invasive species to become established and to flourish, not on using hydrilla. The current LCWA Board supports and defers to the FWC, SJRWMD and Lake County Mosquito & Aquatic Plant Management Division's efforts to manage hydrilla at the lowest feasible level in lakes in the Upper Ocklawaha River Basin. As water transparency increases, hydrilla infestation is increasingly likely. Control of hydrilla lessens competition with native and non-invasive submersed plants.

Chairman Johnson noted FWC has no funds for vegetation, yet all agencies seem to agree more vegetation is needed.

Fisheries in Downstream Lakes, question #11, is an FWC responsibility to which LCWA defers.

The final question (#12) regarded dredging in downstream lakes. Per Mr. Perry, the current LCWA Board has no current plans for dredging projects in other lakes in the Upper Ocklawaha River Basin.

Councilman Truenow asked about Trout Lake dredging. Mr. Perry noted LCWA is looking at Yale and Trout Lake for nutrient loading but no plans for dredging have been proposed.

Mr. Perry presented an overview of the LCWA Annual Report and Five-Year Plan, noted the largest budget item is for alum purchases, at \$2 million. Some funds are provided for an Apopka Beauclair Canal nutrient evaluation, and LCWA also provides \$900,000 for stormwater retrofit grants.

Mr. Perry reported legislative funding in the amount of \$10,000 is remaining in the LCWA for the Harris Council. **Chairman Johnson requested Denis Frazel provide Council with full-size copies of the LCWA legislative funding expenditures.**

In summary, Mr. Perry reported for the foreseeable future, the Water Authority will continue to operate the NuRF on the Apopka Beauclair Canal. Water quality issues in Lake Yale, Trout Lake, Lake Denham and the Apopka Beauclair Canal downstream of the NuRF are being evaluated for future projects. Mr. Perry concluded by noting the Water Authority is willing to work with other agencies and entities to enhance aquatic vegetation and attract anglers if it remains within the stated legislative purposes.

Councilman Truenow queried Mr. Perry about P concentrations in Lake Denham, and whether there was a TMDL. Mr. Perry did not think there was a specific TMDL for Lake Denham. **Chairman**

Johnson requested information on P concentrations in Lake Denham as an action item. Dr. Fulton noted SJRWMD monitors water quality in Lake Denham, and a TMDL is under development for Lake Denham.

COUNCIL & AGENCY QUESTIONS & ANSWERS

A. Agency Updates

Dr. Rolland Fulton, SJRWMD had no updates for the month, however Chairman Johnson queried Dr. Fulton on the handling of harvested gizzard shad. Dr. Fulton noted SJRWMD provides some funding to Raffield fisheries for the removal of shad and that they are permitted to sell the fish to offset costs as part of a public/private partnership. SJRWMD constructed boat landing facilities but had not constructed any buildings for Raffield Fisheries. Councilman Nicholson queried Dr. Fulton about whether harvested fish are used as bait in the Gulf Coast blue crab fishery. Dr. Fulton noted to the best of his knowledge most fish are transported to Louisiana for use in the crawfish fishery, though some could be going elsewhere.

In response to a question by Chairman Johnson regarding bubble curtains, Dr. Fulton noted there would be non-bubbled area controls, and monitoring was to be provided by UF.

Mark Hoyer, UF, had no comments.

Kevin Coyne, FDEP had no updates for the month, however he reported would discuss FDPE project management spreadsheets at the April meeting.

Mr. Dennis Renfro, FWC, reported on the Fishing League Worldwide (FLW) bass tournament was scheduled for Wednesday March 8th, in which he would be participating. The tournament was scheduled to run for March 9 to March 12.

Mr. Renfro also reported FWC was continuing the removal of tussocks and spraying hydrilla in Emeraldalda Area 3. Councilman Grow inquired about motor size limitations in Emeraldalda. Mr. Renfro noted all Emeraldalda Marsh is subject to a 40hp motor limit. Boaters must lift motors over 40hp and use trolling motors only. Mr. Renfro also noted no airboats were allowed.

Mr. Renfro discussed fish attractors, noting Lake Dora was the next lake slated for installation of attractors. FWC tracked trophy (8 lb.) fish for study purposes to help identify preferred location of the attractors. In addition, FWC starting to light up docks as an attractant for bait fish.

Mr. Renfro was supportive of the spreadsheet of projects being developed by Council and noted he was developing of similar spreadsheet of activities in the Harris Chain of Lakes.

Chairman Johnson requested Mr. Renfro provide a presentation of responses from FWC to the Harris Council letter at the April Harris Council meeting.

7. PUBLIC COMMENTS

There were no public comments.

8. COUNCIL MEMBER COMMENTS

Chairman Johnson discussed varying reports about percent of aquatic vegetation and shad harvest in Lake Apopka, as his motivation to hear about issues from an historical perspective. Vice-chairman Goerner shared a similar concern regarding removal of water from Lake Apopka for irrigation. Vice-chairman Goerner did not agree with comments provided by Dr. Erich Marzolf, and **reiterated his request to have Dr. Shortelle (SJRWMD Executive Director) address the Council.** Councilman Grow noted a similar issue regarding the installation of gates in NSRA that he heard about at a Friends of Lake Apopka meeting.

Susan Davis, SJRWMD, commented on the draft project list provided by Councilwoman Bishop. Councilman Stump requested to be informed when Requests for Proposals (RFPs) are released, as they should be tracked in the project list, and it would give Council an opportunity to review projects before they are funded.

Councilwoman Bishop reviewed the draft project spreadsheet she developed to track or have agencies projects monitored. Councilwoman Bishop requested Council review the spreadsheet a recommend additions. Councilman Stump suggested adding an award date for funded projects. Councilwoman Bishop suggested tracking projects before RFPs are issued, if possible. Mr. Coyne reiterated his plan to discuss how FDEP tracks projects next month. Ms. Davis suggested adding additional tab to list projects under planning, to be added to proposed and underway projects. Ms. Davis also suggested add the project list and supporting documentation on projects to the Harris Council website.

Councilman Grow suggested differentiating between legislative and SJRWMD dollars and spending. Mr. Renfro noted FWC has multiple funding sources. Chairman Johnson suggested using number footnotes for funding. Mr. Coyne noted he can address funding in the FDEP tracking next month. **Denis Frazel was requested to incorporate comments and information provided by TAG into the spreadsheet.**

Chairman Johnson provided a copy of a Memorandum of Understanding from SJRWMD from 2002-2003, and requested copy be provided to Council by Denis Frazel.

Councilman Nicholson noted he received occasional questions from homeowners on vegetation removal on lakefront properties and requested clarification on clearing. Mr. Renfro, referred Councilman Grow to the myfwc.com website for permits and information for chemical treatment. Mr. Renfro noted muck removal falls under FDEP responsibility.

9. REQUESTS FOR ACTION

- *Chairman Johnson requested Denis Frazel provide Council with full-size copies of the LCWA legislative funding expenditures.*
- *Chairman Johnson requested information on P concentrations in Lake Denham as an action item.*
- *Chairman Johnson requested Mr. Renfro provide a presentation of responses from FWC to the Harris Council letter at the April Harris Council meeting.*
- *Vice-chairman Goerner reiterated his request to have Dr. Shortelle (SJRWMD Executive Director) address the Council.*

- *Denis Frazel was requested to incorporate comments and information provided by TAG into the spreadsheet.*
- *Chairman Johnson provided a copy of a Memorandum of Understanding from SJRWMD from 2002-2003, and requested copy be provided to Council by Denis Frazel.*

10. ADJOURNMENT

The meeting adjourned at 11:13 AM.