

Charlotte Harbor National Estuary Program
Citizens Advisory Committee (CAC)
Approved Minutes of the Wednesday, April 16, 2008 Meeting
Lemon Bay Park ~ Englewood, Florida

Attendance of Voting Members

Joan Bush	Lee FYN Master Gardener
Warren Bush	Lee FYN Master Gardener
Roger DeBruler Jr.	Sea Grant - Charlotte
Gail Giles	Lemon Bay Conservancy
Debra Highsmith	ECOSWF: Environmental Confederation of South West Florida
Rene A Janneman	Sarasota County
Wilma Katz	Coastal Wildlife Club, Inc.
Stefan Katzaras	CF Industries
Ernesto Lasso de la Vega	Lee County Hyacinth Control District
Kayton Nedza	Hardee County Outdoor Classroom
Ellen Peterson	Sierra Club and Estero Bay ABM
Kathi Kader-Gibson	Lemon Bay Park
Bobbi Rodgers	CHEC Cedar Point
Kathleen Rohrer	Lemon Bay Conservancy
George Ruby	Peace River Audubon Society
Jean Srodes	Turtle Talks

Attendance

Brian Armstrong	Southwest Florida Water Management District
Sydney Bacchus	
Terri Behling	Southwest Florida Water Management District
Mike Coates	Peace River/Manasota Regional Water Supply Authority
Kristen Collins	Manatee County EMD
Richard De Gennaro	Lemon Bay Conservancy
Lizanne Garcia	SWFWMD/Mgt member
Merrill Hoswill	Palm Island Environmental
Michael Jones	Sarasota County Government
Randee LaSalle	Sierra Club
Lisann Morris	Southwest Florida Water Management District
Sue Reske	Sierra Club-Charlotte Harbor
Kevyn Schweim	Coastal Wildlife Club
Sam Stone	Peace River/Manasota Regional Water Supply Authority
Maran Hilgendorf	CHNEP
Lisa Beever	CHNEP

Agenda Item 1: Call to Order, Welcome and Introductions

The meeting began at 10:00 with all in attendance introducing themselves. Ms. Highsmith reported that there is a quorum of appointed members.

Ms. Hilgendorf explained that the meeting packet would be displayed on the projector and to let her know if it needed to be displayed differently.

Agenda Item 2: Agenda Review

The agenda was accepted.

Agenda Item 3: Consent Agenda

Mr. Katzaras moved, seconded by Ms. Rader-Gibson, that the consent agenda be approved. The motion carried unanimously. Agenda items approved include:

- a. Approval of the minutes of the February 20, 2008 CAC meeting
- b. Approval of the FY09 Workplan

Director Beever said that there will be minor changes made before the workplan is given to the Management and Policy committees, including boaters guide, micro-grants and workshop

Agenda Item 4: New Business (a) Nomination of members for appointment by the Policy Committee

Chairman Nedza reminded members that the CAC nominates members for the Policy Committee to consider for appointment, which gives members voting rights. He explained that there the CAC meets approximately eight times a year and are held throughout the watershed. Some meetings include field trips.

Ms. Katz nominated Kevyn Schweim.

Ms. Rohrer nominated Richard De Gennaro.

Ms. Giles nominated Merrill Hoswill.

Ms. Rohrer nominated Randee LaSalle.

Ms. Rohrer nominated Christine Collins.

Ms. Highsmith moved, seconded by Ms. Katz, that the five people be nominated as voting members of the CAC. The motion carried unanimously.

(UPDATE: Ms. Collins was not able to accept the nomination and so was not presented to the Policy Committee for their appointment consideration.)

Agenda Item 4: New Business (b) Budget modification of micro-grants

Ms. Hilgendorf explained that the micro-grant applications approved have depleted the funds only six months into the fiscal year. Director Beever said that there are funds available in reserves that can be dedicated to these grants. Ms. Hilgendorf explained that the groups that request the funds are very diverse and about a fourth of the grants are used for events, a fourth for native gardens, a fourth for wading trips and a fourth for miscellaneous projects.

Director Beever suggested that the budget be increased from \$12,000 to \$18,000 using funds in reserve, which leaves a balance in reserves of about \$6,000.

Ms. Rohrer moved the approval, seconded by Ms. Bush, that the micro-grant budget for FY07 be amended by \$6,000 to a total fiscal year budget of \$18,800. The motion carried unanimously.

Agenda Item 4: New Business (c) WCIND General Permit

Ms. Highsmith explained that the WCIND General Permit is a blanket permit for dredging consideration in 48,000 traffic sheds in Lee County in exchange for troll-only zones. There are 36 notices of general permits in Lee County. This one is for mitigation of dredging both for new and maintenance dredging in aquatic preserves. In Florida there are 41 aquatic preserve systems that are designed to protect the environment and must meet higher standards. With dredging in aquatic preserves, must show that it is in the public interest. Both CHNEP staff and Ms. Highsmith have submitted comments regarding the permit. Ms. Highsmith explained that this general permit is a great place for CHNEP to maximize protection but she has concerns that the zones aren't big enough, are already badly scarred by boat propellers, increased turbidity and enforcement. She would like the CHNEP to work to protect larger, less-scarred seagrass beds and to make the monitoring program stronger. The TAC was vigorous in their response to help with the monitoring of the seagrass beds to determine if it is working and if the seagrass beds are recovering. Lucy Blair with DEP reported that a new rule will be required for enforcement. There are a lot of places where seagrass protection zones are already in place. She would like to review their history to understand challenges and successes. DEP can still take comments and guidance. The concern is that this will set precedent in other counties in Florida.

Director Beever said staff commented on the draft general permit. She has also reviewed the maps Lee County has since provided maps of traffic sheds and no motor zones. Channels are normally placed in deeper water and may not need dredging. Lee County is working to adjust channels to avoid seagrass resources. (The PowerPoint presentation shown will be available on the website at www.CHNEP.org.)

Members asked several questions and Ms. Peterson said that we need to think about the purpose of dredging – getting bigger and more boats on the water. Director Beever said that they have set levels of service to accommodate various sizes of boats. Lee County plans on using the general permit to deny HOA additional dredging and level of service. The permit limits them to a depth. Mr. Nedza asked how much is new versus maintenance dredging. Mr. Bush asked where they planned to dispose of the dredging. She explained this is dealt with on a dredging by dredging basis. Ms. Rohrer asked why the county is consolidating these under one permit. Director Beever said that on a case-by-case basis there is no mechanism for public involvement.

Ms. Highsmith said the TAC wants to be involved in the monitoring of the seagrass beds and other concerns. Lee County has committed to working with the TAC.

Ms. Highsmith said she would like the CAC to ask them to maximize protected seagrass areas because she's concerned about what happens when this occurs in other counties.

The permit protects 990 acres with 2 acres of seagrass dredged.

Ms. Rohrer asked that Ms. Highsmith draft a letter for the CAC to consider with TAC input. Mr. Janneman said that if it is requested permit by permit then there might be no protection. The permit is for seven years. Ms. Highsmith said that DEP thought there might be three months to respond but sooner will be better. The TAC would like to see more pole-and-troll areas but don't think the permit is the way to accomplish this.

Ms. Rohrer said this is a blueprint other counties will use so the more specific it is, the better.

Mr. Nedza asked the CAC to review the information for the CAC to consider at their next meeting. Mr. Ruby asked for information on prop scarring.

Ms. Rohrer moved that the CAC review the information presented at the CAC that'll be posted on the website and that Ms. Highsmith draft a letter for the committee to consider, seconded by Mr. Kataras.

The motion was withdrawn because the expectation is that the work in the motion will be done without the motion.

Mr. Lasso de la Vega said the CAC is under sunshine so comments need to be shared with all. This is done by sending email messages to Ms. Hilgendorf who then sends messages to everyone on the committee.

Agenda Item 5: Report from Officers

Mr. Bush said the Management Committee considered the workshop, which was rejected.

Agenda Item 6: Committee Reports

Mr. Lasso de la Vega is chair of the environmental indicators meeting.

Ms. Highsmith presented Ms. Giles with a padfolio. Members receive padfolios when they are appointed as voting members.

Agenda Item 7: Program Reports

Director Beever reported that Mr. Iglehart, chair of the CHNEP Policy Committee and director of the FDEP Southwest Region, gave a presentation on North Spreader Waterway System. The system came about as a result that Cape Coral canals were dredged before permitting was required to handle both stormwater and boats. The city and DEP, now with Lee County, have created some compromises to alleviate problems encountered.

At the TAC, Mike Gurr & Associates presented draft report on historic hydrologic subbasins project funded by CHNEP. FDEP presented report on volunteer water quality and seagrass data.

Ms. Hilgendorf provided updates on the Watershed Summit, the children's book, 2009 calendar, national Estuaries Days and the Charlotte Harbor Nature Festival.

Agenda Item 8: Presentations (a) Sarasota County Overview

Mike Jones presented Sarasota County's Dona Bay and Lemon Bay Watershed Management Plans and oyster monitoring. With weir closed, oysters and seagrasses appeared in better shape and scallops were found. Sediment in Lemon Bay isn't a big problem but most comes from Alligator Creek. They are creating a watershed report card.

Mr. De Gennaro asked why scallops have appeared this year. Mr. Jones thought that the reduced stormwater, due to the drought, have changed the salinity level to favor scallops.

Mr. Jones said that we need to work hard to manage water. Mr. Janneman said that Sarasota County started scallop monitoring in March.

Agenda Item 8: Presentations (b) Reservoirs

Ms. Garcia explained that she is the person on the Management Committee who asked that the CAC receive more information on reservoirs before spending \$20,000 on a workshop as a lot of the concerns are addressed during the planning process. The plans are a public, open process. (The PowerPoint presentations will be available on the website at www.CHNEP.org.)

Lisann Morris provided an overview of the SWFWMD Regional Water Supply Plan that was updated in 2006. The plan is an assessment of project water demands and potential sources of water to meet demands for at least a 20 year planning period for future and beneficial uses. The next plan will be done in 2010 and will be initiated in 2008. It takes a year or more to follow statutes, which include outreach and education.

Ms. Rohrer, as a voting member, ceded her time to Sydney Bacchus who then asked about minimum flows and levels. Ms. Garcia suggested she visit the website www.watermatters.org for details.

Mr. Lasso de la Vega asked about the status of Minimum Flows and Levels (MFL). Based on the response she said there are several that are critical in the NEP study area.

Mr. Nedza asked about the map of reservoirs indicated in the agenda packet. She believes those are only options and many do not exist. The map was created by NEP and the sources aren't known. Ms. Garcia said that the reservoirs proposed will not be built. The watershed management plans are designed to restore the environment and are not to provide water supply.

Ms. Highsmith said it is hard to keep track of all the plans. WRAP is the funding package to allow projects to occur. Ms. Bielen explained that the projects are packaged for a regional approach with \$1.8 billion requested for next 17 years. Requests from water supply authorities are included in the water supply plan.

Ms. Giles asked about reservoirs, specifically Lake Lanier in Georgia. Ms. Garcia explained that the hydrologic divide in Florida around Ocala so things occurring in Georgia won't affect water supply south of Ocala in Florida.

Ms. Rohrer said that Florida Forever may not continue with the legislature and asked what the WMD can do to ensure this program will continue. Ms. Behling said every water management district is fighting for the program to continue.

Mr. Bush said that he thought the reservoirs would be good for the public. Ms. Hilgendorf said that there is funding dedicated for a public workshop.

Mr. Stone said he'd provide his presentation notes for posting on the website.

Mr. Stone said the Peace River/Manasota Regional Water Supply Authority is concerned with the Peace River basin, the largest in the NEP study area, and that the groundwater has been overpumped. Today river water is going underground so we're losing water instead of gaining water. The SWFWMD has established minimum flows and levels (MFL) for the upper and middle Peace River and are working on lower and Shell Creek. There's a recovery strategy for MFLs that have been reviewed and approved. One strategy is Lake Hancock with land purchased and water levels will be raised. Peace Creek will include wetland restoration so the system won't be so flashy but can bleed out water as it naturally did.

What is proposed is a list or a menu of possible reservoirs. The Authority probably won't do anything in upper basin because it's too far from customers. Another public authority or WMD may take option to supplement river and improve water levels. Ms. Garcia said WMD is working on reservoirs or wetlands to improve environment and restoring historic flows.

Mr. Stone provided overview of reservoirs, those used by Authority and how they are constructed. In this region groundwater has been overpumped so alternatives, such as surface water with reservoirs for storage, are necessary to provide the public with water.

Surface waters – streams and rivers – are inconsistent in the amount of flow in the river. Demand for water is highest in January to March when less rain is available. Reservoirs allow water to be stored so available. Two types of reservoirs: instream such as used in North Port and Punta Gorda and below- and above-ground offstream such as used by PRMRWSA. When reservoir stratified, greater nutrients at bottom and dissolved oxygen is lost. Aerators solved this problem. First reservoir below grade and not lined and reservoir two is above grade and lined. 235,000 people and is 60 day and year supply.

Reservoirs are on RV Griffin Reserve, which is owned by WMD. This saved \$25 million in cost because land didn't need to be purchased but is instead under easement.

Construction permits take 2-3 years with construction 12-18 months. Consultants test soil to be sure okay for use in berm, that no sinkholes exist and that a clay layer is present.

Engineers then prepare design that's reviewed by DEP and others. The environmental resource permit (ERP) looks at footprint of reservoir to identify soil types and wildlife. Had 33 wetlands totally 165 acres so mitigated onsite by restoring 64 wetlands totally 1,055 acres. Set aside 51 acres as gopher tortoise recipient area, which becomes conservation easement managed by DEP.

The authority can use water from different sources, providing more reliability of continuing to provide water.

Water is drawn from river but not when river flow at Arcadia is 130 cfs or less, up to 10% when above 130 cfs if reservoir is not full. In a typical year, no water is withdrawn from river for 120 days. In 2000, this happened on 250 days. Have to watch for industrial spills, waterwater discharge, algae taste and odor for water flowing downstream. Also during certain times of the year because of low river flow, high tides and wind, salt water travels to intake so no water can be taken.

For water supply, reservoirs often placed to take advantage of as much of the watershed as possible but so don't have to worry about salt-water intrusion.

Reservoirs provide reliability, protect estuary when less sensitive to withdrawals, provide safety factor whenever issue with water in the river and improves water quality.

After discussion, several members thought there is still a need for a workshop for the public. If it a full day workshop, scientists, including those from outside the region, can be invited to speak. If it's a half day workshop then funds for food would be reduced. Mr. Janneman asked if this is the priority for workshops. Mrs. Bush said she wants something to help the public understand the water supply. Ms. Highsmith said when she originally made the motion it was in regards to the science and the environmental impacts, including aquifer recharge and evapotranspiration.

Ms. Peterson moved, seconded by Ms. Rohrer, for a day-long conference on reservoirs created for the public. Ms. Rohrer asked Ms. Peterson to make a friendly amendment to the motion to allow a committee be created to, by the next CAC meeting, to consider the best way to present reservoir information to the public. There needs to be a minimum of three people to be designated by Chair Nedza. Ms. Rohrer, Mr. Ruby, Ms. Highsmith, Ms. Peterson and Ms. Giles volunteered to serve on the committee. The motion carried unanimously.

Agenda Item 9: Partners Report

No reports were made.

Agenda Item 10: Member Comments

Ms. Rodgers announced that CHEC made a Lemon Bay Watershed DVD has been created. On May 10 CHEC will be a Florida-friendly yardscape tour of two homes.

Ms. Hilgendorf reminded members that the newly printed publication brochure and CCMP Summary are available for members to distribute.

Agenda Item 11: Public Comments

Ms. Bacchus said she'd submit her comments in writing but that several similar workshops have been done.

Ms. Hoswill thanked CHNEP supporting Palm Island Estates new residents' package.

Ms. LaSalle reported that Rotonda Lakes has created an environmental committee.

The meeting adjourned at 1:35.