

**Myakka River Management Coordinating Council
SWFWMD Sarasota Service Office
6750 Fruitville Road
Sarasota, FL 34240
September 29, 2017
9:30 A. M. – 12:30 P.M.**

MINUTES

The meeting began at 9:30 A. M. with Jono Miller presiding. This meeting was advertised in the Herald Tribune on Friday, September 15, 2017.

MEMBERS IN ATTENDANCE

Jono Miller – Sierra Club	Corky Pezzati – LWVSC
Mike Chouinard – Homeowner	Gerald Boyce – City of Sarasota
Rob Wright- Sarasota Audubon	Dixie Resnick – Crowley Museum
Gillian Carney – City of Venice	Howard Berna - SCNR
Allain Hale – ECOSWF	Barbara Hines - Manasota-88
Greg Blanchard – Manatee County	Lee Amos – CFGC
Lou Kovach - Homeowner	Eric Strickland - FFS
Ann O’Leary – Venice Area Audubon	Elizabeth Wong – City of North Port
Steven Schaefer – Friends of Myakka River	Jennifer Hecker - CHNEP
Jim Beever – SWFRPC	Paul Thomas – FWC
Stephen Giguere – DEP/FPS	

INTERESTED PARTIES

Chris Oliver – FDEP/FPS	Nadine Hallenbeck – FDEP/FPS
Chris Becker – FDEP/FPS	Michael Sowinski – FWC
Joan San Lwin – Homeowner	Diana Donaghy – Sarasota PRNR
Shawn Yeager – Sarasota PRNR	Chuck Johnston – 2J Farms
Jon Robinson – Sarasota County	Wayne Douchkoff – Homeowner
Jonathan Meyer – FDEP/FPS	

- **Call to Order and Roll Call was made.**
- **Public Comments: None**
- **Approval of the Meeting Minutes from August 11, 2017 Council Meeting.**
Lou Kovach moved adoption of the Minutes. Allain Hale seconded. The Minutes were adopted.

OLD BUSINESS:

At the previous meeting, there were three motions that required the Chair to take action. The first motion was to send a letter out in support of the conservation program partners for Tatum Sawgrass. The second was to send a letter asking the Department of Environmental Protection (DEP) to not move forward with the Myakka River State Park (MRSP) Unit Management Plan

Hearing at the Acquisition and Restoration Council (ARC) in October. He also drove to Tallahassee and was prepared to make an argument as to why they needed to delay but Tallahassee already agreed so he spoke at the ARC Meeting and thanked them for the delay. The final motion was a letter to eight different parties concerning the phosphate mining and its effects on the Myakka River watershed. Jono passed around copies of all three letters.

NEW BUSINESS:

Jono gave an overview of how meetings are run for those who have not attended a meeting.

Updates:

Howard Berna-Sarasota County:

Howard is the manager of Environmental Permitting. On September 20, 2017, the first of three workshops for the county's Unified Development Code was held. The county is undertaking the project and hired a consulting firm to put together the county's land development regulations in Chapter 74 in the county's ordinances with the zoning regulations in Appendix A. The purpose of this is to get this information combined and not to rewrite the ordinances and regulations. There are opportunities to look for improvements on clarifying language, however. This is being done over 18 months in three different phases. The first phase has already passed. In this phase, the consultants came in and reviewed the regulations. Phase two is happening right now and the consultants are pulling together working formats of the documents and going to the public for input. There is an online survey to do this. Phase three is going through the discussions and adoptions of the changes. There are a number of things that the consultants have prepared that can be found on www.scgov.net and searching for "unified development code". They took comments from staff, targeted groups in the community, stakeholders and an environmental workshop. There is another upcoming public workshop on October 18, at the Nokomis Civic Center at 6 pm. Howard added that there are currently no plans to change the standards for the Myakka River Protection Zone. The only thing that may change is in the current ordinance there is a reference to the Myakka River Standards Relief Review Committee which is a small body of staff who review certain specific cases. Subsequent to the adoption of these specific rules, the county attorney indicated that needs to be done in a public sunshine forum so they are looking at alternative ways to have rules and responsibilities for making the minor adjustments mentioned in the code. That does not change any protection levels to the Myakka River. The county has other regulatory ordinances in Chapter 54 which are the environmental regulations. Those are not part of this project.

Chris Oliver asked if the short online survey for this process was still available.

Howard replied he thinks it is. If not, comments can be sent to planner@scgov.net.

Jono asked how many times the relief committee has met.

Howard replied that since 2003, they have met 3 times.

Jono asked what the current composition was.

Howard noted that it is the manager of Environmental Permitting, the Zoning Administrator and a planning manager.

Jono asked about the timeline for the adoption hearings.

Howard replied that would be approximately October 2018.

Shawn Yeager-PRNR

Shawn stated some exotic removal was done on the restaurant side at Snook Haven Park (SHP) along the river. This was part of a plan to remove exotics including wedelia and American evergreen from the river's edge. There was a plan to replant that area but there have been some delays in getting the plants and Hurricane Irma and high-water events. The replanting plan has been moved to the first and second weeks in October. They will be putting in wild coffee, beauty berry and saw palmetto along that area. It will be about 65 plants.

Mike Chouinard asked if there is erosion in that area now.

Shawn replied that there is.

Mike asked about the old, broken up dock that was there as well.

Shawn replied that the concrete slabs there were permitted to be removed as well as rip rap and construction debris.

Notice to proceed for the contractor was set on September 25, 2017 at the SHP addition. Some silt screens should be set up first and the oak trees will be protected. Trailer parking, ADA parking and access to the enhanced dock and boat ramp will be added. A picnic area, mulch trails and an entrance area will be developed.

At the site, it was approved to demolish the existing (Decker) house.

Jono asked for verification that the purpose of relocating the boat launch from the restaurant to a separate area was because of its problematic location.

Shawn replied that is was.

Mike stated the project would increase human impact on the river, not decrease it.

Shawn continued that the house is being demolished and an ADA canoe/kayak launch will be installed and two pole picnic shelters. The concept plan will show additional native landscaping and existing open lawn areas around the existing residential structure. Only exotic vegetation will be removed around the river. Phase 2 will have some plantings but they will be minimal in order to accommodate the budget of \$500,000, which was recently reduced. They are maintaining the existing viewsheds, not planting any tall vegetation, getting rid of the residence and the embankment which will all improve the appearance in that area.

Mike reiterated that this will bring in more traffic on the river.

Shawn indicated there may be higher usage.

Jono inquired about any installation of sod in the protection zone.

Shawn stated that he believed that the existing areas with sod may remain but he would look in to it.

Discussion continued.

Greg Blanchard-Manatee County:

Greg gave an update about the mining operations in the county. There are several administrative processes underway. No estimate has been provided of when approval will be reached or when the next board action would be. Money for a grant is contingent upon several administrative approvals including an Army Corp permit being completed. There is no timeframe for when all these processes will occur.

Jono asked if any money was moving until the permits are secured.

Greg replied that no money will be moved until they are secured.

Jono asked if for the next meeting Greg could provide information on who is administering the money, who is eligible to receive the money and what kinds of projects are eligible.

Greg replied that he would find out.

Elizabeth Wong-City of North Port:

Elizabeth noted the city was also in the process of revising their land development code. There will be a lot of opportunities for the public to comment. They will be combining the Land Environment code with the North Port code. The last few weeks have been busy preparing for and cleaning up from Hurricane Irma. There was no house flooding but a lot of street flooding and debris down. The city is in the middle of a flood reduction study. The hurricane gave them the chance to collect some good data. They are in the bottom of the Big Slough Watershed which causes a lot of flooding. Their flooding did not peak until a few days after the hurricane. There is a consultant working on that and it is coordinating a project with SWFWMD. They have also retained a consultant on the potential effects of the phosphate mining in the north of the Big Slough Watershed.

Jono asked if North Port has been involved in the minimum flows and levels (MFL) regarding Warm Mineral Springs (WMS).

Elizabeth replied that SWFWMD is paying for USGS to put a gage in WMS. Northport has been involved in the location of the gage. It will measure the flow coming out of the springs and a few water quality criteria.

Jono added that SWFWMD puts a priority on bigger springs that have a higher flow. He explained that if you have a big spring, like Crystal River, and get a decrease in flow of 10 cubic feet per second, it would not be noticeable. If the flow decreased the same amount at WMS, it may be noticeable. WMS is also very important ecologically and archeologically. He noted that he and others have tried to persuade SWFWMD to put WMS on their MFL study schedule but that has not happened yet. Jono believes that SWFWMD is accepting comments on MFLs until sometime this October and then they will make a recommendation to their board on what to add to the work schedule, so he encouraged members to participate if interested.

Discussion continued.

Gillian Carney-City of Venice Update:

Gillian stated that “The Woods” is waiting for a response to comments from the city from June 2017. She will report on the development in the entire watershed at the next meeting. The city updated their Planned Housing Construction Permitting information on the city’s website. Their comprehensive plan ordinance was approved for transmittal to the state on September 19, 2017. This week they had an amendment to the 2010 comp plan. Information on the draft comp plan is on the city’s website. The Venice Myakka River Park will be reopening on September 30, 2017. From the low-pressure system and Hurricane Irma there was a lot of flooding. The maximum elevation of the Myakka River was at 9.9 feet and the maximum precipitation was 9 inches.

Jono asked if the city went to the areas adjacent to the river and try to document the amount of flooding.

Gillian does not think they did. She knows the stormwater department did not.

The Community Rating Systems Committee meeting is November 7, 2017, which is open to the public. This committee oversees the floodplain management plan.

Jennifer Hecker-Charlotte Harbor National Estuary Program (CHNEP):

Jennifer advised that the CHNEP is looking for interested parties to serve on their Citizens Advisory Committee. If anyone is involved with an environmental organization or community group and you would like to be involved in the program, they have some vacancies. Information is on their website at www.chnep.org. On December 13, there will be a meeting at the Circle B Ranch in Lakeland. The annual nature festival in Charlotte County is coming up. There are people from Lee and Sarasota Counties coming to that festival as well. It is free of charge and there will be exhibitors and booths.

The CHNEP got a request from the Calusa WaterKeeper (CWK) to evaluate the status of impairments in Outstanding Florida waters (OFW) in their study area. The CWK wanted to see which OFWs were listed as impaired, not meeting the state’s water quality standards, and did not have a total maximum daily load (TMDL) pollutant limit established. The Technical Advisory Committee (TAC) to the CHNEP undertook the issue. They did a GIS analysis and came up with 88 different water body ID units which are currently OFWs that have become impaired. The issue is that none of them are ranked high for development of a TMDL pollutant limit. The DEP is taking comment on this issue and asking if there are regional priorities for TMDL. The

CHNEP will be commenting to them. They identified five priority areas that they wanted DEP to focus on. Four of them are in Sarasota; Lemon Bay, Dona Bay, Roberts Bay and Blackburn Bay. They will draft a letter to be submitted on CHNEP's behalf to the DEP recommending that those be prioritized for TMDL development.

The CHNEP is doing some microplastic sampling in Southwest Florida. This is an emerging pollutant issue. There is data from other parts of the Gulf of Mexico. Currently, there is a data gap in Southwest Florida where they do not have information about this. Some preliminary samples do show microplastics in the water. This is a concern because the particles are so fine that they can be taken up through the food chain and could be in foods humans consume.

The CHNEP is working with some consultants on new studies to look at climate change in the form of a climate change vulnerability assessment to look at how climate change could impact the ability to reach their objectives outlined in the comprehensive conservation management plan. The plan is put together by the state, federal and counties that are involved in the program. It covers water quality, hydrology, fish and wildlife. This will be a very broad study to look at how climate change can impact them achieving those objectives. They are doing a habitat needs restoration study which looks at the face of sea level rise, where do they need to plan for habitat migration corridors and think to the future of how they need to go about land acquisition and protection. They also have a position open as an administrative assistant. The conservation lands workshop was postponed due to Hurricane Irma. It will now be held on March 2, 2018 in Punta Gorda on the Peace River.

Paul Thomas-FWC

Paul said that FWC Staff have taken the last few weeks to check their resources for damage due to Hurricane Irma. The DO levels are down in many bodies of water but that should go back to normal soon as the excess water flows through.

Eric Strickland-Florida Forest Service:

Eric stated that the state forest had a lot of flooding from Hurricane Irma but not much damage.

Allain Hale-ECOSWF

Allain mentioned that ECOSWF sent a letter to various entities about the impacts of the DeSoto East and DeSoto West mines. They received a response from DEP stating there is no application for the DeSoto East and West mines. The DEP did receive an application for a DeSoto mine in December 2014. The DEP is aware that the city of North Port utilizes Big Slough as a potable water source and reassured that the state's critical water resource protections will also be addressed during any such review.

Elizabeth pointed out that the East mine is out of the Big Slough Watershed boundary. The West DeSoto mine is within the Big Slough Watershed. There is a permit already issued for the East mine which DEP calls the Desoto mine.

Lee Amos-Conservation Foundation of the Gulf Coast (CFGC):

Lee thanked the Council for the letter of support for the grant of the restoration of Tatum Sawgrass Marsh. Lee said they were on the river above C.R. 780 with FWC and FWRI to do

electro-sampling for fish. The Myakka River has previously been surveyed from the C.R. 780 Bridge to Charlotte Harbor but never in Manatee County. They found a large snook and were surprised at this. The Snook hit the low DO in MRSP and usually do not seem to make it any further north. There was great diversity and healthy fish.

Steven Schaeffer asked how many Tilapia they saw.

Lee replied only two. This may be because they were sampling in a deeper section of the river that may not be a good habitat for them.

Steve Giguere-Myakka River State Park (MRSP):

Steve mentioned that MRSP reopened on September 25th. Before the storm the park closed on a project where they were replacing nine culverts along the park drive. Several were impacted or collapsing due to age. They were replaced like for like. The park suffered very little damage.

Chris Oliver-Myakka Wild & Scenic River (MWSR):

Chris added a comment about that the 88 impairments in the CHNEP study area that were discussed earlier. He stated including in that number are several impairments on the Myakka River that are currently not priorities for TMDLs, most notably the entire area of the Upper Myakka Lake (UML) down through Big Flats to Lower Myakka Lake (LML) which are impaired for nutrients.

Chris said that the C.R.780 Bridge should be finished soon. The FPS continues to explore other funding options and work with SWFWMD and FWC to explore paths to restoring the UML area. An application for Cooperative Funding Initiative is in process for a feasibility study of that area.

The spring was a relatively dry season where many large areas of the river were exposed for an extended time. After that, the river rose and generally hovered between 6.5 – 8.5' (7= flood stage) before the last meeting. Then there were two periods of water right at 10' – one from August 28th to September 5th and waters dropped for 8 days before the second 10' event from Irma that began on September 11th and lasted until September 19th. The levels would have probably been higher if Hurricane Irma had taken a different path or if there was more rain as predicted instead of the ~5 inches received. The river area surveyed was largely un-impacted by Irma. The river area south of S.R.72 had very few trees down and no obstacles to paddling down river. Starting near River Palms there was an increasing amount of trash to the Rambler's Rest.

For the sixth consecutive year manatee observations in MRSP has occurred for an extended period, this year 4 months so far. On August 30, we got another observation of a group not far south of the C.R.780 Bridge.

Mike Chouinard asked if they go so far up into MRSP because there is less vegetation for them to eat down river.

Chris responded that there is little food for manatees between Myakka State Forest through Sleeping Turtles or even above Laurel Road. He thinks they go into MRSP because there is

fresh water and there are many acres of floating vegetation and deep floodplain marshes that serve as abundant food sources relative to other areas down river.

Break 10:49 a.m. - 11:00 a.m.

Brian Nelson- SWFWMD

Brian gave an overview of the long history of aquatic plant management. Aquatic plants are important because they help maintain water quality, stabilize the shoreline and provide a habitat for animals. They must be actively managed because it helps to control the invasive, exotic species that have been introduced to Florida. Hydrilla was introduced by the aquarium plant industry back in the late 1950s. It started showing up in lakes and rivers in the early 1960s. Water hyacinth were introduced back in the late 1880s or 1890s as an ornamental curiosity. Water lettuce does not have a consensus as to its status as native or non-native but it is very problematic.

Invasive plants can impact water quality, the dissolved oxygen (DO) levels, fish and wildlife habitats, the natural systems, navigation, recreation, the cost of operation and maintenance costs on flood control systems and, potentially, property values of houses on choked systems.

FWC is the lead agency that oversees aquatic plant management. They are given money by the legislature to manage eligible public water. These are waters that have public access and public boat ramps which is usually larger rivers and lakes. The district has to submit an annual work plan to FWC. This gets coordinated with the fisheries program, the threatened and endangered species programs, park staff, such as Myakka River State Park, water treatment plant operators and other users and stakeholders. Florida has a unique, well-coordinated program that is used as a model throughout the world. Most of the work is done on the non-native plants and the emphasis is on maintenance programs rather than eradication spray programs. FWC and the other agencies involved in the aquatic plant management control are actively looking for ways to manage these plants spending 30 million dollars on research in the last few decades up to 2014. They continue to work with the universities and other groups to find better, more selective ways to manage aquatic plants. The effort is ongoing.

Some of the things considered before deciding which method of control to use is the size of the area needing treatment, the usage of the water, since some methods come with usage restrictions, the water quality, access and distance to loading and disposal sites, how predictable the results will be and the level of control that is desired. It is hard to make everyone happy. Every effort is made to make the water usable to as many different types of activities as possible.

Discussion continued related to cost of these programs and the availability of research related to potential impacts from herbicide application on nitrogen concentrations and sedimentation.

Mike Sowinski-FWC

Mike gave an overview of a restoration project. In November 2015, a section of paragrass and West Indian marsh grass was treated by helicopter at Big Flats Marsh. This was done in November because the water was low and it was before a lot of people came back into the park.

In 2016, another 130 acres was done. There were also areas of native bulrush and smartweed that were not treated. After the treatment, MRSP staff burned the paragrass areas (on the eastside). Fire flag came back as a result of these treatments and many wading birds were seen in the now more open areas. FWC is planning further efforts October. If this treatment process works the plans may extend down to LML.

Chris Becker asked if there were any areas with healthy, submerged aquatic vegetation.

Mike said not in this system.

Discussion continued.

Draft Myakka River State Park (MRSP) Unit Management Plan (UMP) Review

Jono discussed the letter he wrote at the direction of the Council to the DEP asking for a delay in the hearing that would adopt the MRSP UMP and including the points that the members had identified from the last meeting. He received a response from DEP indicating that the hearing was postponed to a later time.

Jono reviewed the four major points of concern given to the DEP. First, was the lack of clarity regarding the applicable governing language from the (Myakka Wild and Scenic River) Act, the Management Plan and the Rule. The draft UMP does state the river is a wild and scenic river in several places but does not indicate what actions the park is taking to be consistent with MWSR rules. Giving an example he read from the draft UMP, "There are no legislative or executive directives that constrain the use of this property". This is not true, the Act, Rule, Plan apply within MRSP. They don't acknowledge that. He asked if the Office of Park Planning (OPP) revise the draft UMP to include these aspects.

The second point was related to protected areas noting there were three designations that need to be addressed the protection zone, River Area and Myakka River Protection Zone. Jono noted that UMP maps a "protection zone" and the text includes all wetlands and floodplain specifying that most development will be kept out of this zone. He asked if OPP will be clearly mapping this zone and will this effort be incorporating the statutory defined "River Area" and Myakka River Protection Zone within the park.

The third point is to include analysis of visual impacts in the UMP on recreational river user. The UMP should include discussion on minimizing new impacts and approaches to remove or ameliorate some existing visual intrusions.

The fourth point was a request to have a Recreational Carrying Capacity (RCC) study be conducted. Jono also requested clarification from OPP on how the public was supposed to submit their input. Prior to this meeting, Jono has not received a response. He asked Chris Becker if he has heard anything from Tallahassee.

Chris Becker replied that Sine Murray (OPP) is supposed to be coming to the park in late October 2017, so she can meet with stakeholders, visit some of the sites in the draft plan where development may take place and park staff on needs for this UMP.

Jono explained the OPP staff submits a draft UMP to the Acquisition and Restoration Council (ARC) a minimum of 90 days ahead of when the Council is going to vote on it. The Council members have 60 days to write back to OPP with any concerns. Then the OPP has 30 days to make amendments or suggestions to address the concerns of the ARC prior to that vote. Jono requested that same 90 days but has not received a response yet.

Jono asked the members what should be the Council's next step.

Jim suggested a letter from the Council requesting response on these four issues.

Discussion on contents of the letter followed.

Motion:

Lou Kovach proposed a motion to direct the chair of the Myakka River Management Coordinating Council to write a letter to the Department of Environmental Protection seeking a response to the following questions: 1) Quote/include all applicable governing language from the Act, the Management Plan and the Rule. 2) Accurately map the Protection Zone Floodplain, River Area and, Myakka River Protection Zone within the Park. 3) Include analysis of visual impacts on recreational river user-minimize new impacts, and approaches to remove or ameliorate some existing visual intrusions (Relocate dumpster and remove proposals for additional visual impacts at the Upper Myakka Lake Day Use Area). 4) Add Recreational Carrying Capacity Study. Allain Hale seconded. Steve Giguere abstained. Motion passed.

Chris Oliver gave an overview of where the Council left off in the review of the MWSR Management Plan review, last year.

Jono advised that the next meeting, the Council to review was Objective 6, which states, "provide for the regulation, control and distribution of public access to the Myakka River where necessary to protect and enhance the resource values of the river area."

"Action 6.1 states DRP, DEP, DOF and Sarasota County should limit uncontrolled public access to the Myakka River on public lands to the extent allowed by the river's carrying capacity, and include toilets, designated campfire areas, and refuse containers with a suitable vegetated buffer from the river area."

Jono continued reading from the prior Council minutes "the MWSR Management Plan adds some context to this action item," "... southern area of the river there are several residential communities and extensive private access to the river. Limiting the recreational carrying capacity for this area of the river should also be based on existing access for recreational use. Additional facilities for access to the Myakka River should be discouraged by the various river management agencies" (Page 94). Jono added that Sarasota County has been investigating increasing recreational use county-wide, including the Myakka River. However, there was supposed to be a carrying capacity study to help establish, for different parts of the river, how much recreational

boat use was appropriate. There has never been the funding for this type of study. The impact on the recreation and the resource needs to be studied, as well as the impact to the residents along the river. Jono suggested that the Council form a subcommittee and come up with what the carrying capacity study would look like and that the CHNEP and Sarasota County could assist with funding of such a project that could determine any unmet recreational potential there is or if that is already being exceeded.

Mike Chouinard asked what the status of an RCC Study was?

Jono replied that this will be expensive to do.

Chris Oliver estimated that just in the state park it would cost around \$125,000 minimum. If the entire MWSR was to be done, it would cost around \$250,000.

Jono explained that there are many sides to a study like this. One is the user experience and the other is the impact on the resource.

Discussion continued on components of any desired RCC study.

Motion:

Barbara Hines proposed a motion to establish an exploratory subcommittee to examine the development of a Recreational Carrying Capacity Study on the entire Myakka River. Allain Hale seconded. Steve Giguere abstained. Motion passed.

Lou Kovach motioned to adjourn the meeting. Lee Amos seconded.

The Meeting was adjourned at 12:30 p.m.