

**Myakka River Management Coordinating Council  
SWFWMD Sarasota Service Office  
6750 Fruitville Road  
Sarasota, FL 34240  
March 30, 2018  
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, March 16<sup>th</sup>, 2018.

**MEMBERS IN ATTENDANCE**

Jono Miller – Sierra Club	Juliette Jones-Friends of WMS
Mike Chouinard – Homeowner	Kathryn Harring – City of Venice
Howard Berna - SCNR	Allain Hale – ECOSWF
Heather Young-TBRPC	Trisha Neasman-SWFWMD
Greg Blanchard – Manatee County	Lee Amos – CFGC
Lou Kovach - Homeowner	Vivianne Cross-FDOT
Bob Clark – Venice Area Audubon	Elizabeth Wong – City of North Port
Liz Donley - CHNEP	Harold Joslin-Friends of Myakka
Jim Beever – SWFRPC	Clint Wardlow-FFS
Stephen Giguere – Myakka River State Park	Bill Byle-Charlotte County

**INTERESTED PARTIES**

Chris Oliver – FDEP/FPS	Nadine Hallenbeck – FDEP/FPS
Chris Becker – FDEP/FPS	Becky Ayech-ECOSWF
Chuck Johnston – 2J Farms LLC	Jon Robinson – Sarasota County
Wayne Douchkoff – ecotour provider	Eric Strickland - FFS

- **Call to Order and Roll Call was made.**
- **Public Comments:** Becky Ayech commented that lights were taken off of the C.R. 780 Bridge with the help of Jono Miller, Paula Benshoff and neighbors calling and requesting the lights be taken off. There is also a concrete wall that is blocking all view of the river. They are working with the county regarding the wall. Sarasota County is updating its Unified Development Code (UDC) which does consider the Myakka Wild and Scenic River (MWSR)” but emphasizes the “Protection Zone” and does not have language protecting the wider watershed. The concept of protection of the watershed is in the adopted MWSR Management Plan (DEP 2011). We would like to see the code amended in Section 5.2.5 B. to include the watershed in Sarasota County.
- **Additions to the Agenda:** Elections for officers needs to be conducted. This is usually done at the end of the meeting to avoid a new officer having to take over the meeting when they are not prepared. Allain Hale motioned that the election of

**officers be moved to the beginning of the business meeting with the new officers not serving until the next meeting. Juliette Jones seconded. Motion passed.**

- **Approval of the Meeting Minutes from September 29, 2017 Council Meeting.**

Lou Kovach made one correction of a typo to the minutes. He moved adoption of the Minutes with the change. Allain seconded. The amended Minutes were adopted.

**OLD BUSINESS:**

Chris Oliver updated everyone on the nominee membership status of the O Bar O Ranch (from February 2017). They are in the process of the final evaluation.

**NEW BUSINESS:**

Elections for Chair and Vice Chair were held. Chris Oliver reviewed the by-laws for everyone. Juliette nominated Jono Miller. Elizabeth Wong seconded. Jono was re-elected Chair of the Council. Allain nominated Jim Beever for Vice Chair. Bob Clark seconded. Jim advised that he is willing to serve as Vice Chair as long as the Regional Planning Council exists. Jim was re-elected as Vice Chair.

**Updates:**

**Howard Berna-Sarasota County:**

The Snook Haven addition is scheduled to be substantially completed by Friday, March 30, 2018 with the final completion being scheduled for the end of April 2018. The “No Wake” sign in the river is being relocated up river from the Snook Haven addition boat ramp per the permit. Howard encouraged everyone to look into the UDC. Sarasota County is pulling together the land development regulations and the zoning codes under one unified development code. That information can be found at [www.scgov.net](http://www.scgov.net) under the A-Z searching. Search for UDC and it is the first link. At the bottom of that page, all of the documents can be found. This is the second draft and the process takes about 18 months. They are about 12 months into it. They anticipate the third working draft in the beginning of April 2018. During April 2018, the consultants will take the working draft to the Board of Zoning appeals, the Development Services Advisory Council and the Development Review Committee for their input. They will follow up in May 2018 with revisions from those advisory councils and in June/July 2018 they will be working with the Planning Commission. In August/September 2018, they will work with the Board of County Commissioners with the goal of having this completed by the end of October 2018. Any comments need to be in through the website portal or through 941-861-5000.

Becky asked what is the deadline for comments.

Howard recommends getting comments in by the end of April, so they can be worked in before it goes to the advisory councils.

Becky asked if there is a way to view other public comments.

Howard replied that (William) Bill Spaeth would be the point of contact for that information.

Jono asked if it was a blending of two existing documents or is it to add new information that is not in either document already.

Howard replied that it is a blending of two existing documents with additional clarifications.

Discussion continued regarding the UDC.

**Motion:**

**Allain motioned to have the wording in Sarasota County's revised UDC to insert the word watershed specifically in Section 5.2.5 B. Bob Clark seconded.**

**Motion was discussed.**

Jono asked what ramifications would there be if this word was added.

Becky stated that there should be consistency between the MWSR MP and the County's Rules, so she recommended that since the MWSR MP recommends that there be protection to the watershed, then the County Code should mention these too.

Jono asked what would the additional considerations be.

Becky noted that it would give the County an opportunity to step-in in advance of a project to consider any potential impacts rather than trying to retrofit later for impacts.

Howard clarified that this would be for a pre-application meeting, this happens now if it is in the official MRPZ or if it is a large development (but not on all developments).

Discussion continued.

**Motion passed. Elizabeth Wong, Howard Berna, Trisha Neasman and Mike Chouinard abstained.**

**Greg Blanchard-Manatee County:**

Greg updated the Council with an answer to Jono's question from the previous meeting regarding if Mosaic gets their permits, what amount of money will be directed towards improvements in the Myakka River Watershed. It will be \$2.5 million dollars given to Manatee Community Foundation for the purchase or ecological enhancement of a second environmentally significant parcel within the Upper Myakka River in Manatee County to offset potential detrimental effects of mining.

**Bill Byle-Charlotte County**

Bill reminded everyone that he handles the environmental review on the West half of Charlotte County which includes the Myakka River. The portion of the river that is in Charlotte County is not part of the Wild and Scenic designation. All the areas that are likely to be developed that may affect the river, have already been developed. Areas that would be hard to develop, such as

the mangroves, are not likely to be changed. The area of the river that is in Charlotte County is critical to habitat for 90% of all the species that live in the harbor.

**Elizabeth Wong-City of North Port:**

The City of North Port does not have much development in the Myakka River Protection Zone. The city has started the process of selecting a consultant to revise their Land Development Code. She invited everyone to send her any input they may have, and she would forward them. On April 14, 2018, they are having a paddle-a-thon for kayaks and paddleboats in their Cocoplum Waterway. They have been having great success putting in pervious pavement and working with developers to do the same. They worked with the county and put in a lot of parking spots all with pervious pavement at the North Port Library. They have also put in the very first Flexi-Pave. It is a pervious path made from recycled tires. It is also good on your joints when walking and provides a bit of cushion.

Becky asked if there was any leaching from the tires.

Elizabeth replied that there has been numerous research done and nothing detrimental to the environment has been found.

Becky asked if there are water collection samples done in this park.

Elizabeth said no. This is in a small park and water samples are taken from the creeks and canals.

FEMA has updated the tidal portion of their risk map which is part of their flood mapping revision. This will affect a lot of people including those in North Port.

Bill Byle asked if the city has been in discussion with any mining companies about making their pits available for city water supply.

Elizabeth advised that many years ago that was discussed with Mosaic.

Bill advised that once the mining companies are done with a piece of land, they are not required to return the grade of the land to what it was naturally. This can cause runoff to collect in these pits and possibly divert water from rivers and streams.

Discussion continued.

**Kathryn Harring-City of Venice Update:**

Kathryn is now in Gillian Carney's position. The Woods and other Neal Developments are moving through the approval process. She encouraged people to stay updated on [www.venicegov.com](http://www.venicegov.com) and the process should be listed under "City Council" or "Planning Commission".

Bob asked if they are still revising their UDC.

Kathryn was not sure.

**Liz Donley-Charlotte Harbor National Estuary Program (CHNEP):**

The CHNEP is currently revising their Comprehensive Conservation Management Plan (CCMP). They are doing a major rewrite/revision and they welcome comments. The initial draft for the water quality element is done. Hydrologic restoration is the next section they will be working on. Fish and Wildlife Habitat will be after that and then Public Engagement. Agendas for committee meetings can be found on their website.

There is still money available for micro grants. These are small grants from \$250 to \$1,000. Out of \$10,000 about half is left for these grants. There are also sponsorship dollars available for events and workshops. It used to be combined with the micro grants but now it is a separate category. They made \$4,500 available for that and there is still some money left.

There are also positions on their Citizens Advisory Committee and she encouraged anyone who may be interested to contact her or go to the website.

Jono asked if there is draft language on the Hydrological Restoration.

Liz advised that the draft language has been released to staff only at this point. It will be included in the Technical Advisory Committee which will be released the first week of April 2018.

Jono requested that be forwarded to Council members.

Liz advised she will forward that to Chris Oliver when it becomes available.

Jono asked if there was any language about hydrological restoration specific to the Myakka River.

Discussion continued.

**Trisha Neasman-SFWMD(WMD)**

Trisha is the alternate and Tara Poulton's replacement should be at the next meeting. A consultant and well driller have been hired for the Flatford Swamp project. Drilling for the test well should be started by the end of 2018 or beginning of 2019. The CFI process is ongoing. The first meeting for the southern part of the District was held February 14, 2018 and the next meeting will be April 11, 2018. The projects will be sent to the board where it will become part of the District's budget project. The management agreement with the park service is being renewed on the Myakka Prairie Property.

Jono asked if the Myakka Prairie management agreement is getting renewed as it was or are there any changes or adjustments. He also asked if WMD will contribute any money to the management of the property.

Steve Giguere advised that WMD has not given any money yet.

Jon Robinson added that it did in early years. No money was every transferred, but they paid for some roller chopping and exotic removal early on.

**Eric Strickland & Clint Wardlow-Florida Forest Service (FFS):**

Eric introduced Clint Wardlow. He will be the new FFS representative on the Council. Clint advised that they have not done much prescribed burning since December 2017. Their goal is about 2,000 acres a year. During the busy season, day use is about 2,000 visitors a month and primitive campers are about 600 a month. The non-native invasive species strike team has been focusing on Melaleuca while it is dry.

Jono asked what the biggest invasive plants are.

Clint advised it would be Brazilian pepper, Melaleuca, and Cogon grass.

Allain asked about the kayak launch at Quarry Lake and why he was not allowed to launch there anymore.

Clint and Eric advised that there was no reason he should not be able to launch there. They were not aware of any rules preventing launching in that spot.

Bill asked if the invasive exotic program could be expanded to include animals. He cited coyotes and spiny-tailed iguanas as examples. He also asked if any pythons have been sighted.

Eric replied that they take care of any exotic animals as they become a problem. Right now, they do not see a problem with coyotes or the spiny-tailed iguanas. No pythons have been sighted.

Discussion continued.

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

The CFGC is continuing to work in the Upper Myakka River Watershed focusing on the Tatum Sawgrass Marsh. They have entered under contract to do some modeling of the upper river watershed and look at potential restoration actions they could take on the Tatum Sawgrass Marsh. They are also reaching out to other landowners in the upper watershed area from the state park up through Flatford Swamp to see if they are interested in entering into conservation easements to protect their land.

Jono asked if there was minimum size parcel before they consider conservation easements.

Lee replied that there was not a minimum. Smaller parcels might not be pursued because the costs would outweigh the benefits. Sometimes monitoring a smaller parcel takes more effort than a larger one. They have a limited amount of resources and want to spend them to have the most beneficial impact.

### **Juliette Jones-Friends of Warm Mineral Springs**

Juliette thanked Elizabeth Wong for her efforts in getting a flow meter installed in the springs. The measurement for the month of February, taken from the USGS website, was about 5.3 million gallons per day flowing out of the springs. This is contrary to what is widely advertised as 9 million gallons per day. The name of Warm Mineral Springs has been changed to Warm Mineral Springs Park. A management plan is being put together for about 80 acres. She stated she remains concerned about future management, the low flow rates, reduced amounts of sulfur which is part of the health benefits of the springs and a decline in wildlife at the springs.

Jono suggested that the establishment of a minimum flow is important and continues to ask the WMD to work on this, noting a downward trend over the recent period.

Bill noted the potential for radioactivity in the springs and that the springs have never been tested for it, to his knowledge.

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

The C.R.780 Bridge has been finished. Some plantings will be done in this area to improve the view of the river.

In October 2017, an application was submitted to request funding through the WMD Cooperative Funding Initiative (CFI) to conduct modeling to identify the best solution for the restoration of the Upper Myakka Lake Bypass & Weir area. Currently, the idea is to consider at least three options; 1) replace existing structures (to pre-failure condition), 2) modify structures to improve hydrology and wildlife movement, 3) reducing or eliminating structures to re-wild the area.

The non-tidal portion of the Myakka River is moving in to a relatively dry season where large areas of the river, like last year, are again nearly dry or exposed or will be soon, which is beneficial.

Installation of the buffer signage at the Myakka Critical Wildlife Area (CWA), also known as the Myakka Rookery, occurred in early February 2018, before wood stork were actively nesting. Ideally, FWC law enforcement will be doing regular patrols during the closure period of January 1 to August 31. The overall trend with this site, according to FPS data, is trending slowly downward with the average for the last five years at 58 nests. Hopefully, the new signage will give the birds a small buffer and help to improve nesting at the site. There is a potential for additional educational signage at Marina Park and neighboring private boat launches, that could offer BMPs for limiting impacts.

Bob asked which group of law enforcement is in charge of monitoring the CWA area.

Chris advised that technically any law enforcement official has the authority but FWC has the primary law enforcement role on a CWA.

Howard asked how many times Chris has seen law enforcement on the river.

Chris replied as far as patrols on the water that he observed during surveys, it has been about twice in five years and that was the area around U.S. 41.

Liz asked about possible changes to Florida Administrative Code 18-20 and 18-21 (which relate to designated state aquatic preserves and submerged sovereign lands management, respectively).

Chris advised that they will be keeping an eye on that to make sure it stays in line with the Wild and Scenic Rules.

Bill asked about the scrub-jay population at Oscar Scherer State Park.

Chris advised that there has been a steady decline but there are new family members in two of the groups, including fledglings which are getting banded.

### **Break 11:20 a.m. - 11:30 a.m.**

#### **Chris Becker-Florida Department of Environmental Protection**

Chris gave an update on the Myakka River State Park Unit Management Plan (UMP) since the March 2017 public meeting. Office of Park Planning (OPP) and the District Office have been working closely with key stakeholders. Changes to the Resource Management section of the plan include, revenue generation from secondary uses such as stumping, palm fronds and timber, except for timber management as part of restoration, has been removed. The section on potential harvest of North Florida slash pines has been removed. They will be cut before they are mature enough to harvest. Fire return intervals were adjusted for natural communities. The invasive exotic plant table was updated, treatment goals were adjusted, and the percent of coverage was reduced for the desired conditions in the natural community description. Experts were consulted on desired conditions for dry prairie and mesic flatwoods, mechanical treatment and restoration. The timber assessment was updated as well as the cultural resource section/accomplishments. New objectives were added to develop an improved carrying capacity for the portion of the Myakka Wild and Scenic River (MWSR) within MRSP. The Land Use portion of the plan was also updated. This included adding text acknowledging the need to assess new visual impacts to the MWSR and minimize existing intrusions. The reference to a new visitor center at UML Day Use Area has been removed, as well as, the use of the Stop Camp area for an Eco-lodge. A series of public workshops will be scheduled as part of the effort to develop a new park master plan based on the potential facility improvements, operational and safety needs identified in the draft UMP. The dumpster located near the boat ramp will be relocated.

Becky asked if the new visitor center came from Tallahassee or from public request.

Chris replied that a lot of requests from the public are for visitor centers at the parks but ultimately it is up to Tallahassee.

Mike asked is the goal is to bring more people in to the Park?

Chris stated that no that is not the goal. We want to improve the experience one has at the park.



Chris continued that the language regarding the MWSR rule was strengthened and a link to the rule was added. Additions were made to the optimum boundary map, dark skies goals and wilderness preserve. The MWSR Protection Zone was added to the conceptual land use plan map. The park creation date was fixed.

Chris advised that statewide \$15 million is available for resource management. This is a large increase from past years.

Some of that money will be used to do a feasibility study and possibly remove Down's Dam if it will not impact the hydrology elsewhere and negatively affect property owners. A feasibility study will also be done within the park flood plain improvements to possibly add larger culverts to the park drive.

Becky asked how closely the timber assessment will be followed.

Chris replied that some things will be followed, and others will not. Certain suggestions do not make sense and the UMP will take precedence over the timber assessment.

Discussion on the timber assessment continued.

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

Jono recapped by reminding the Council of the four main concerns they had with the management plan based on the language of the plan at the last meeting. Jono presented the suggestions the Council came up with to Sine Murray (of OPP).

The first suggestion that the Council had was to include all applicable governing language from the Act, Management Plan and Rule. The newest plan now does include this language and includes a link to the current management plan. It is further recommended that in addition to references to the designation, plan and rule, include a section outlining what decisions at the park are subject to the rule and how, in general, it is to be applied.

The second suggestion from the Council was to include an analysis of the visual impacts on a recreational river user, minimize new impacts, and approaches to remove or ameliorate some existing visual intrusions such as the dumpster and visual impacts at the Upper Myakka Lake Day Use Area. The current plan calls for the development of a new conceptual master plan to carefully consider programming, recreational activities, park operations, circulation, accessibility and critical viewsheds. No site improvements or additions will be made until public workshops are held and a new conceptual master plan is developed. The master plan will work within the limits of existing developed or disturbed areas. This is a much better consideration of the visual impacts, but there is still no analysis of the current status of visual impacts and no mention of avoidance and no clear definition of how existing developed areas are to be determined.

The third suggestion was to accurately map the Protection Zone, Floodplain, River Area and Myakka River Protection Zone (MRPZ) within the park. This has still not been properly addressed. The potential visitors center and boat ramp upgrade have been removed but the protection area is still not mapped properly. There needs to be some consensus on what would

constitute a protection area. Some rule or guideline that would be established to determine a protection zone. All hydric hammock should be mapped as a protection zone, as well.

The fourth suggestion was to add a Recreational Carrying Capacity Study. There is a need to establish an accurate recreational carrying capacity that includes greater consideration for the appropriate social and ecological values for the wild and scenic segment of the Myakka River. The plan allows for 132 powerboats at Upper Myakka Lake but the parking area could not accommodate this many vehicles and trailers at the same time. The powerboat usage should be revised to match the boat trailer parking. There is also no indication of how 132 powerboats were arrived at. The standards used for boat spacing should be added to the plan. Adding additional picnic shelters at the Upper Myakka Lake is not a good idea due to the amount of flooding in that area at certain times of the year. There is no funding listed for this type of study, it should be added in to Table 7.

Jon Robinson suggested that language be added that includes the enforcement of the carrying capacity study.

Becky added that language be added to make sure there is funding for the enforcement.

Discussion continued.

#### **Motion:**

**Harold Joslin motioned that the Council recommends the continuation of improvements that are in line with suggestions offered by the Myakka River Management Coordinating Council Chairman and that there should be a hierarchical review of any potential intrusions, first looking for avoidance and, if avoidance is not practical, minimization. Allain Hale seconded. Steve Giguere abstained. Motion passed.**

Jono opened up the floor to suggestions for new organizations to approach for membership in the Council.

Discussion followed.

Allain motioned for the Greater Charlotte Harbor Sierra Club to be approached for membership. Juliette seconded. Motion passed.

Juliette motioned for Victor Dobrin, as representative for West Villages, to be approached for membership. Lou Kovach seconded. Motion passed.

Allain motioned for the Old Miakka Community Club to be approached for membership. Lee seconded. Motion passed.

Lee motioned for the Manasota Fossil Club to be approached for membership. Liz seconded. Motion passed.

## **Future Agenda Items:**

### **Management Plan**

**Jim Beever will give an update on climate change and the rates of sea level rise at the Summer/Fall meeting.**

**Becky Ayech added that on July 27, 28 and 29, 2018, ECOSWF will be going to court over Amendment 1. This was the funding that was supposed to be given to them for land purchasing.**

**Allain Hale motioned to adjourn the meeting. Lou Kovach seconded.**

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