

**Myakka River Management Coordinating Council
SWFWMD Sarasota Service Office
6750 Fruitville Road
Sarasota, FL 34240
August 11, 2017
9:35 A. M. – 12:26 P.M.**

MINUTES

The meeting began at 9:35 A. M. with Jono Miller presiding. This meeting was advertised in the Herald Tribune on Friday, July 28, 2017.

MEMBERS IN ATTENDANCE

Jono Miller – Sierra Club
Mike Chouinard – Homeowner
Tara Poulton – SWFWMD
Gillian Carney – City of Venice
Allain Hale – ECOSWF
Mary McNish – City of North Port
Heather Young – TBRPC
Bill Byle – Charlotte County
Lou Kovach - Homeowner
Ann O’Leary – Venice Area Audubon
Steven Schaefer – Friends of Myakka River
Jim Beever – SWFRPC

Corky Pezzati – LWVSC
Marlene Guffey - Homeowner
Rob Wright- Sarasota Audubon
Howard Berna - SCNR
Michelle Keirse - FDEP/FPS
Glenn Compton – ManaSota-88
Greg Blanchard – Manatee County
Lee Amos – CFGC
Eric Strickland - FFS
Juliette Jones – Friends of WMS
Vivianne Cross - FDOT
Paul Thomas – FWC

INTERESTED PARTIES

Chris Oliver – FDEP/FPS
Chris Becker – FDEP/FPS
Arthur Jensen – Sarasota County (SC)
Jennifer Jones – FDEP/FPS
Mike Sosadeeter – SC
Michael Sowinski – FWC
Debbie McDowell – City of North Port
Matt Stevens – FWC
Allison Conner - CHNEP

Nadine Hallenbeck – FDEP/FPS
Dee Allen – Mosaic
Valinda Subic – FDEP/FPS
Jeff Talbott – SC
Jeremy Johnson – FDEP/FPS
Joan San Lwin - Homeowner
Edie Driest – NP Fowl
Linda Wilson – ECOSWF

- **Call to Order and Roll Call was made.**
- **People new to the meeting introduced themselves.**
- **Approval of the Meeting Minutes from February 24, 2017 Council Meeting.**
Lou Kovach moved adoption of the Minutes. Steve Schaefer seconded. The Minutes were adopted.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

Updates:**Howard Berna-Sarasota County:**

On July 11, 2017, the Board of County Commissioners had a public hearing regarding a Myakka River Protection Zone variance and granted approval for a retaining wall along 160 feet of the shoreline, behind the vegetation, in the Lazy River Mobile Home Park to replace an existing rock revetment.

Howard introduced Mike Sosadeeter from Parks and Recreation and Natural Resources to give an update on Senator Bob Johnson's Landing (SBJL), the Myakka River Oyster Bar and the Snook Haven Park (SHP) addition.

Mike talked about the SHP addition where they are relocating the boat ramp to an adjacent site that the county purchased several years ago that has a residential boat ramp and they are upgrading it to a commercial one. It will be the same size but a better boat ramp. They are placing the boat trailer parking under the existing oak trees. They are nearing the commencement of construction. A meeting was held on August 2, 2017 and contractors are working on getting the building permits and construction should begin in August 2017. Construction is scheduled to be completed in December of 2017.

The County is working on final permits for SBJL planning to be done by the end of August 2017. Then it will move into the bidding and construction award which should be completed by December 2017. Hopefully construction will start later that December finishing up in the fall of 2018. There will be an ADA kayak and canoe launch, a parking lot, picnic shelters and a boardwalk through a wetland area with access off U.S. 41. There are no plans to have a formal rowing program or a pilot program at SBJL at this time.

At a budget workshop on March 29, 2017, the county commissioners elected not to purchase the Myakka River Oyster Bar that they were previously considering purchasing.

Jono asked if they are taking the money that would have been used to purchase the oyster bar and using it to extend the Legacy Trail.

Mike was not sure.

Greg Blanchard-Manatee County:

Greg did not have any specific updates.

Jono asked where the money from Mosaic was going to be given to acquire land along the river.

Greg replied that after they approve the mining permit revision, the money will be made available for the conservation plan.

Jono asked if he knew how the money was going to be allocated.

Greg did not know but said he could find out.

Bill Byle-Charlotte County:

Bill mentioned that even though Charlotte County has a fair amount of land along the Myakka River, they are not a part of the Wild and Scenic program. The County still does as much as they can to reduce the impact including efforts to reduce the hydrologic and water quality impacts.

Mary McNish-City of North Port:

The city has a new Operations Manager who has been very proactive. He navigated some of the areas in the Myakkahatchee Creek and found there was a large amount of trash. He organized a clean up to pull all of this out of the creek and plans to keep an eye on it in the future.

Juliette Jones asked about the proposal for a Warm Mineral Springs Park and what types of features the park would have.

Debbie McDowell, North Port Commissioner, replied that the city is considering many options but nothing has been decided yet. There will be a consultant study. They are keeping the garden, possibly making it bigger and potentially relocating it. This is a 60 to 80-acre area. The city is doing the best they can to make sure this area does not affect the springs themselves.

Joan San Lwin asked if there would be any buffer between these park features and the spring, and inquired if there would be an environmental study.

Debbie McDowell responded that those elements should be considered in the consultant study.

Allain Hale stated that he heard Public Works was working on a study on the Desoto East Mine in the Big Slough and asked when this study would be completed.

Mary indicated that she was not sure but could find out.

Allison Conner-Charlotte Harbor National Estuary Program (CHNEP):

There is a conservation lands workshop which will include a climate vulnerability assessment. There will also be holding a habitat restoration project workshop on September 22, 2017 where attendees can identify restoration projects. The CHNEP will be sending an invitation for that through Constant Contact. If you are not on that list, please let her know and she can add you.

Paul Thomas-FWC

Paul introduced the newest member of the fisheries team, Matt Stevens.

Jono asked about the possibility of sturgeon in the Myakka River.

Paul said that there were and they may still be. There are few of them so it can be hard to tell.

Jono asked if there were any programs to move sturgeon around.

Paul replied, FWC is doing research. They were almost wiped out for caviar in the early 1900s.

Tara Poulton-SWFWMD (WMD) Update:

Tara passed around a brochure on aquatic vegetation. She also introduced Mike Sowinski from FWC to talk to the Council about aquatic vegetation. The WMD does not receive federal funds for aquatic management. For the fiscal year 2017-2018, \$61,000 was allocated for maintenance in the Myakka River. This is similar to the amount to past years. It is all based on the needs.

Mike Sowinski added that is a cooperative program. The money comes from FWC's Invasive Plant Management Section budget. The water management district does the work and FWC reimburses them. Water lettuce and hyacinth are the two major plants that they treat in the Myakka River. If the money is not needed for the Myakka, it will be used at other water bodies.

Tara offered to set up a presentation at a future meeting with the aquatic manager.

Jono asked the group and the consensus was to have a presentation in the future.

Jono asked if emergent and floating vegetation were both treated.

Mike responded that in his section only works on navigation issues. If it is a habitat restoration project then a separate section (within FWC) gets involved (The Aquatic Habitat Restoration/Enhancement (AHRE) Subsection).

Jono wanted to know about the emerging research showing water lettuce as a native species and not invasive and how that impacts the treatment plan.

Mike responded that in his opinion, they will continue to treat it.

Rob Wright asked if there were any plans to do any harvesting as opposed to chemical treatment.

Mike replied that there is not.

Bill Byle asked about manatees and any impact that treating with chemicals has on them.

Jono added that manatees get into the UML now where there are water hyacinths. He would like to know, in the presentation, what is known about the effects of treatment one day and the manatees eating it the next.

Discussion continued.

Gillian Carney-City of Venice Update:

The Venice Golf and River Club will be completed by the end of November 2017. The single-family residences are done and there are 3 multi-families under construction. “The Woods” is under review. Gillian provided a link to the city’s website for the current permits. It can be found at http://www.venicegov.com/municipal_links/plann_zoning/land_dev.asp#1. The planning department can be contacted with any questions.

Eric Strickland-Florida Forest Service:

The Forest Service has not filled Tom Mallett’s open position yet. Day use visitors since the last meeting were 14,000, overnight campers were around 3,000. Prescribed fire has not been as high because of the extreme drought and burn restrictions. Now that the restrictions are lifted it has been too wet to get much done. 30 more hogs have been removed. They treated 4.1 acres of cogongrass along with 212 acres of melaleuca. They have done 4 educational tours.

Lee asked what the status of the kayak launch in Square Lake.

Eric replied that they are not going to do anything with it.

Bill Byle asked if there has been any bear or panther sightings. He wanted to know if coyotes are being monitored. He also asked about black spinytail iguana.

Eric responded that he has not heard of any bear or panther sightings. He was not sure about any monitoring that may be being done. He has not heard anything about the iguanas.

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

The CFGC is currently pursuing a restoration project in Manatee County right above the designated the Wild and Scenic segment of the river. Lee provided an update on the project and ask if the Council would consider writing a letter of support. He noted that the restoration of this area is specifically mentioned as needed in the MWSR Management Plan. The project area is located just upstream from the C.R. 780 Bridge in the Tatum Sawgrass Marsh area which includes parts of the Triangle Ranch (1,143 acres) and Tatum Sawgrass Marsh (2,500 acres). There is an NRCS Wetlands Reserve Program (WRP) easement over part of it. Previous modeling showed that the changes from any restoration of the WRP easement area would impact neighboring properties. The CGFC is partnering with the NRCS to include Murphy Marsh and Triangle Ranch for a comprehensive modeling effort that would result in the restoration of the southern section of Tatum Sawgrass.

Glenn Compton asked who owns the conservation easement.

Lee replied that the SWFWMD does on the Triangle Ranch and on the NRCS property it is the USDA. Lee continued that they are writing a grant proposal to request funding from the National Fish and Wildlife Foundation to fund the model and outreach to the surrounding property owners to build support for it and other landowners on the Myakka River to enroll them in NRCS Conservation Programs.

Jono added that having the Triangle Ranch protected is a big step in extending better conservation management.

Lee added this (marsh) area has been ditched and diked so it does not have the natural hydrology and could support a lot more bird life then it does now.

Allain asked for an update on Orange Hammock.

Lee replied that it is still in negotiation. North Port is in support of its conservation. Sarasota County and the water management district are discussing the pricing with the sellers.

Tara added that an offer was put in a few months ago and it was rejected. Everything is being done to make the purchase happen. There are about 800 acres that are not deemed as environmentally sensitive. The WMD does not want to buy this portion but the landowners will not sell it that way.

Jono asked that the WMD or another appropriate agency could clarify for the Council on the status of those 800 acres in question, is it impacted or native habitat, and noted it would be beneficial to explore options for this portion that would minimize harm to the larger Orange Hammock property.

Discussion continued.

Michelle Keirse-Myakka River State Park (MRSP):

In the fiscal year, the Park burned 3,095 acres. There was 1,337 gross acres of exotic plants and 1,147 acres were treated. There may be some installation of native plantings in the fall of 2017. MRSP removed 328 hogs. There was 2,341 acres of mechanical treatment. Visitation in 2015 was 367,126 and in 2016 it was 387,119. This is up 5.4% despite the low water conditions preventing the airboat tours from being able to operate. The Park is looking at updating the language in the wilderness preserve permits and the impacts to wildlife. They are now enforcing a \$4 fee to launch a motorized boat at the launch in Upper Lake.

Jono asked about people entering the park from the south due to the compromised area east of Down's Dam and if anything is being done to prevent this.

Michelle noted that this will be addressed during the update in the permit language for the wilderness preserve area.

Chris Oliver added that it is a complicated problem. Boaters entering the wilderness area from the south should have a permit obtained from the ranger station. Most likely this is not happening.

Bill asked about invasive island exotic apple snails (IAS).

Michelle stated they are seeing quite a few, especially with the high water and then it receding. The Park is planning a few IAS work days.

Steve Schafer added that there is an increase in the number of limpkins.

Chris confirmed that there is an increase in IAS. The reason for the decline in the native apple snail is unknown. It has been about 3 years since he noted any native egg masses in the river.

Discussion continued.

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

Last October the MWSR Program submitted to the WMD a Cooperative Funding Initiative (CFI) application for study of hydrologic restoration options at the Upper Myakka Lake (UML) bypass and weir area. That CFI application was withdrawn in December. We are continuing to explore other funding options and working with WMD and FWC AHRE to explore ways fund the study to look at the water control structures at the UML and Down's Dam. As it states in the Management Plan these (structures) should be evaluated to see how we can move toward a natural hydrologic regime. Does that mean removing or modifying the structures? That may help with snook and manatee movement, might change the plant and animal communities back to what it was like in the past. This relates to the projects that Lee discussed, if the CFGC get their restorations done it will move the UML back to a more natural condition by holding that excess water back, so we can work on our structures in tandem would be a more ideal, a holistic watershed effort like what was the vision back in 1990 with development of the original MWSR Management Plan.

After one of the driest seasons, large areas of the river were exposed in May. Large areas of exposed mussels, areas of sands, and area of muck were present for about a month before the rains began. It was up to about 8' (the flood gage is at 7'). Currently the river is hovering between 6.5' and 7.5' since the rainy season started.

For the sixth consecutive year manatee observations have occurred for an extended period well into MRSP generally starting as soon as those summer rains bring up the water level.

Nesting is mostly over for the year at the Myakka CWA/Rookery. There were two onsite visits with FWC since the last meeting, one with Office on Waterways Management and LE, and second with the CWA Coordinator. The placement and installation of the buffer signage was the purpose of the visits. The period of January 1st and October 1st will be the time the buffer will be in effect. Wood stork nests appears to have peaked in Early March at the CWA, with numbers starting to decline in May, as fledglings are able to leave.

Steve mentioned a photographer was arrested at Alafia River for harassing birds at the rookery.

Jim added that there are federal harassment laws that if you damage the birds it will be citable under federal law for the federally listed species.

Jono mentioned the clearing at Snook Haven Park on the river bank. He asked if Howard could pass that along to park staff. He added that there is a vacant house there that could be turned into an interpretive center for the Myakka.

Rob asked if there would be a phone number to call on the sign at the CWA.
A discussion of CWA signage, law enforcement, and boater education occurred.

Chris emphasized that the CWA buffer signs and hopefully some educational kiosk at boat ramps could assist to inform the general public on how to be good boaters and how to minimize any impact to manatee or birds at the CWA.

Break 10:55 a.m. - 11:06 a.m.

Motions:

Lee Amos motioned that the Myakka River Management Coordinating Council write a letter in support of the Conservation Foundation's proposal to the National Fish and Wildlife Foundation for hydrologic modeling of the Tatum Sawgrass and outreach to Myakka River landowners. Allain Hale seconded.

Howard Berna asked if this was to obtain funding for project, what percentage of it they would fund and what the dollar amount is.

Lee replied that it was to obtain all of the \$250,000 in funding. The Motion passed.

Allain Hale motioned that the Myakka River Management Coordinating Council send a letter recommending that, before approving any mines, the Department of Environmental Protection, the Army Corps of Engineers, Manatee County Board of Commissioners, Southwest Florida Water Management District, Governor Rick Scott, and other appropriate agencies, consider the consequences of mining adjacent to, and within the Big Slough Watershed, of the environmental impacts on the Myakka River and the impacts on the water supplies of adjacent communities and counties. Marlene Guffey seconded. Michelle Keirse, Howard Berna, Greg Blanchard & Tara Poulton abstained. Motion passed.

Marlene Guffey added that it has more of an impact if individual members, as well as the council, send a personal letter to the above agencies.

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

Jono gave a PowerPoint presentation with an overview of the process and his concerns regarding the update of the MRSP UMP. He noted that the draft became available only 15 days before the Council's February meeting so there was not a lot of time to review it. During the February meeting a motion was made, "The Myakka River Management Coordinating Council directs Jono Miller to advocate for no harvesting activities as an additional revenue source for the park".

The timeline was as follows: February 24, 2017, was the Council's last meeting. March 2, 2017, there was a hearing and 260 people showed up, 12 of which offered testimony. March 3, 2017, the advisory group met. March 17, 2017, the comments were due. July 5, 2017, the advisory group transcript was made accurate. July 18, 2017, a draft was sent to Acquisition and Restoration Council (ARC).

There has to be a 90-day period between when the draft is sent to ARC and when they can consider it. The draft UMP was sent July 18th so it could be considered October 20th. If ARC members have any concerns about the draft, they have to send their comments back to the Office of Park Planning (OPP) by September 20. At the advisory group meeting, Sine Murray (OPP) stated, “the only other additional for public thoughts and public input will be at the ARC meeting. The ARC meeting is held in Tallahassee, it is a public meeting and will be an opportunity for the public to comment. If there is still concerns after we have, you know, revised the plan and submitted it to ARC, at that point, the public comment is directed to the ARC members. Ok. Then that will be the next opportunity for the public to comment on the draft plan.” All the Council’s comments should be going to ARC and not the DEP, according to this quote.

Jono attended the advisory group meeting and spoke on the Council’s behalf as follows, “I’m Jono Miller. I’m here today representing the Myakka River Management Coordinating Council. The Council is established by the Florida legislature. I started serving in ’86. I’ve been serving continuously. It is a body that is responsible for generating the park management plan.” Jono pointed out that this should be the Wild and Scenic River Plan but that the transcript has many errors in it. “At some point, we should clarify whether we are only speaking representing the organization”. Sine Murray replied “Today, we are here as an advisory group representing the organization you represent”. Jono stated that he took this to mean he should only comment on what the Council had instructed him to comment on. He was not supposed to talk about anything else that he knew about the Myakka River.

Jono read his advisory group statement.

“My name is Jono Miller. My involvement and commitment started in 1974, when I assisted a woman I eventually got to marry me. I worked on a thesis through the college, on aquatic vegetation in Myakka Lake, ended up assisting the National Park Service when I came to evaluate the Myakka River as a Federal Wild and Scenic River. 1985 when Bob Johnson passed the state Wild and Scenic Act, he had me appointed to the Myakka River Management Coordinating Council, presumably because of my commitment since ’74. I’ve been serving on the Council continuously for the last 31 years. I was not allowed to speak as an individual last night. Apparently, not allowed to today. I will eventually be heard on this topic whether it is with the ARC or before the governor and cabinet, but I will. Because there are so many people that want to speak as citizens, I will confine my comments to the directive I received from the Myakka River Management Coordinating Council on February 24. And the Council voted to ask me to serve as an advocate for no harvesting activities as an additional revenue source for the park. A number of ideas were floated that could be potential revenue sources. One is timber harvest, and from a strictly management point of view, if you have North Florida slash pine in the park and they are maturing, reaching a point where they are producing seed and that seed can propagate additional North Florida slash pine. If you had unlimited resources you would go in deal with them immediately so you were not getting the next crop of pines. But apparently there is this lure, attraction to 10 years, it is now 8 years of being able to have some marketable product. If you are going to leave those I think that is a real problem. DEP and the Division of Recreation and Parks needs to rebuild trust with the public. I think we have, because of some activities at the state level, because of the intention regarding the efforts to introduce cattle grazing at Myakka Park, there is a lot of suspicion related to some of these proposals. So, I just

outlined how the potential, lure of dollars from marketable timber may be skewing management decisions towards allowing these trees which are not wanted to persist. I think that there is another problem that has to do with suspicion and skepticism on the part of the public. If you are harvesting a resource, whether it is a by-product of a legitimate management activity or not, and then you are selling the resources, there is a real risk, because the recent direction of DEP, there is a real risk that the public is going to say, 'Well, there just doing that for money', and that erodes confidence in the park, at Myakka Park, and erodes confidence in the state park system, erodes confidence in DEP. So, to reiterate, those North Florida Slash, do not have to be, you do not have to wait until they are a marketable size. They can be removed right now with a brown tree cutter. There are also other pines in the prairie habitat and there is concerns about trees and snags and habitat providing purchase for raptors. They can prey on species we are trying to encourage but they are really scattered trees. So, the amount of money you would ever receive from this I believe is fairly trivial, and creates a situation where managers may be tempted to make decisions not solely based on best management, but instead, the lure of dollars. May be rightly or wrongly but I suspect the motives. Pine stump operations, as Jon Robinson said, 'Is tremendously damaging activity at Johnathan Dickinson and Lake Kissimmee stumps, they don't remove stumps at the Carlton Preserve and stumps are a very important wildlife habitat for burrowing animals.' A lot of animals, particularly snakes will take advantage of the stumps. You know the stump is solid in a way that they Myakka Pine stand or something is not, so the ability to burrow into the stump is an important wildlife resource. So, and again, the stumps are probably scattered. I have heard the reason to include stumps is a legitimate management activity that remnant hard pine is incredibly hard. It can damage vehicles tires, etc. But somebody can come out with a chainsaw and cut it and further reduce the risk without the damage that accompanies professional stump removal.

FronD harvest. This is the most aggravating and problematic proposal in the list of harvesting. I wrote my master's thesis on cabbage palms. 90,000 words into a book for the University of Florida on cabbage palms. I talked to people from the panther refuge, Picayune Strand, Oscar Scherer, there are many preserves and parks in the state of Florida that deliberately remove cabbage palms because of their impact on particular species. At Oscar Scherer, they pose a threat to scrub jays. Picayune Strand can be an issue for red-cockaded woodpeckers. The Florida Panther Refuge removes cabbage palms because the cabbage palms eliminate the habitat for prey animals for Florida panthers. But removing green fronds from a cabbage palm does not kill the tree. There is no known, legitimate management goal that can be reached by cutting green fronds off cabbage palm. So, when you see in a document that proposal that we would allow people to remove fronds from cabbage palms extensively because that is something that reached the management goal, I reject that, I do not think it is true, I don't think that can be proven. I think it reflects the fact that someone, somewhere, someone had a brainstorming session and said what can we sell off the Myakka River State Park that might bring in a few bucks. And this is an idea that somebody floated without knowing too much about it. I have gone out with the Indian crews on the reservation when they harvest these fronds for chiki construction. They need at least 15 to 20 fronds, they will leave maybe 6. It has a potential that introduces disease to the trees. There is a lot of collateral damage from vehicles when they collect these fronds. It is not particularly aesthetic. The crew I went with took every single pygmy rattler they encountered and I deliberately stopped telling them where the pigmy rattlers were because I knew they would just walk over with a machete and kill them. So, I really view the inclusion of frond harvest are

indicative of the fact that people are somewhere in the system thinking more about dollars than legitimate management goals and I will stop there because we have so little time and there is so many other points.”

Jono added in the (advisory group) summary that he also “expressed the need to address the visual user experience of the recreational paddler arguing the UMP needs to be consistent with the plan and goals of the Myakka Wild and Scenic River legislation.” And that during the meeting, “Rob Wright added that he supported efforts to maintain the area as ‘Wild and Scenic’ and felt that should be the main priority.”

Jono continued, “when I read this document there is no meaningful consideration of the Wild and Scenic River “in the draft UMP. In the ARC checklist, the review states it has to consider any other legislative or executive directives that constrain the use of such property. There is a statement that ‘the park provides protection for the viewshed of the Myakka Wild and Scenic River’, but it never says how it does that. It also states, “The Designation includes the Wild and Scenic Protection Zone, a 220-foot corridor of uplands along the river established ‘to buffer the river area and its resource values against impacts from adjoining land uses’. For example, there is a proposal to change the Upper Myakka Lake day use area by potentially relocating the visitor center, upgrading the boat ramp and canoe/kayak launch, road and parking improvements and additions, adding a restroom and large picnic pavilions. Jono showed a map of this area with hatching showing the “protected zone” in the park. The document also states that, “locating a new visitor center at the Upper Myakka Lake Day Use Area may improve the function and use of this facility during peak season.” Jon Robinson, who was the park manager for 12 years stated in part, “...it may make conceptual sense, but due to flooding issues, construction costs, overcrowding and potential changes in use patterns this does not make practical sense.” Robert Dye, who managed the park for 25 years feels that there is no room. A boat ramp is needed but no new structures are. He also feels that it would really add to the congestion in this area. Jono also brought up the dumpster that is on the bank of and visible from the river. If a homeowner was to request to put a dumpster on their property in view from the river, it would not be allowed but it is in the state park. (Quoting the UMP) “A protected zone is an area of high sensitivity or outstanding character, facilities requiring extensive land alteration or resulting in intensive resource use, such as parking lots, camping areas, shops or maintenance areas, are not permitted in protected zones. All wetlands and floodplains are protected zones.” The park drive along with many of the park’s CCC era amenities were constructed within the river’s wide floodplain. As a result, in wet seasons, the park drive and park’s day use areas are subject to flooding. This will cause portions of the park to be closed to visitors.

Jono went back to the slides, noting he visited the area at the UML, on August 6, 2017, the gage was at 7.81, which is 8/10 of a foot over when the river leaves its banks. Jono showed various photos showing the flooding in this area, noting that the proposed area is a part of the river (at high water), and this is where the new improvements would be.

Jono noted the River Rule (62D-15) has specific standards for issuance or denial of a permit, it states, 2. Increasing impervious surface area or stormwater runoff, 4. Causing or contributing to odor or noise, 6. Increasing water resource impacts, 11. Inhibiting the natural storage and detention functions of floodplains, 12. Reducing wetland buffers..., 13. Altering natural

hydrologic characteristics of the river area. These are all grounds for denial. There is more. There are a number of the proposed changes where this rule would apply. Another area, the Stop Camp and the primitive camp area are in the same habitat and elevation as the other protected areas but are not considered protected areas.

Jono discussed impacts to the visual corridor, from the northern boundary of the park to highway 72, there are more visual intrusions in the river corridor than there are from highway 72 to the River Palm subdivision. Impacts in the Park include the park drive, the bird walk, the concession area, the parking, the dumpster, the weir, the Big Flats power line, the Railroad Grade power line, the park drive bridge, the gaging station and the highway 72 bridge area all examples of this.

Jono listed the main problems with this draft UMP. There is the little recognition for the Wild and Scenic Designation, the Rule or the (MWSR) Management Plan. There is no analysis on the visual impact on the recreational river user. It does not say anywhere what that should be. There is no avoidance of new impacts and no proposals to remove or ameliorate existing visual intrusions. There are no suggestions for improving the visual experience. There is capricious and inaccurate mapping of the Protection Zone Floodplain, which excludes most development. There is also still no Recreational Carrying Capacity Study. In the (MWSR) plan, there is a mandate that there has to be a Recreational Carrying Capacity Study before an additional uses can be approved. This has never been done, and should be in the UMP agenda as something that the DEP plans to accomplish.

Jono feels that Draft Unit Management Plan submitted to ARC does not adequately or appropriately consider or incorporate the provisions of the Myakka Wild and Scenic River Act, Management Plan, and Rule and should be withdrawn from consideration by ARC at its October 20th, 2017 pending revision. His solution is to quote and include all applicable governing language from the Act, the Management Plan and the Rule. To accurately map the Protection Zone Floodplain, River Area and Myakka River Protection Zone within the park. Include an analysis of visual impacts on recreational river user, minimize new impacts, and approaches to remove or ameliorate some existing visual intrusions, such as the dumpster and remove proposals for additional visual impacts at the Upper Myakka Lake (UML) Day Use Area. A Recreational Carrying Capacity Study also should be done.

Chris Becker commented that the areas that have been historically developed, like the picnic areas and campgrounds, cabin areas, visitor centers, are in a bubble of development, which is not a part of the [park designated] protection zone. Since the development of the lake area, the picnic area, the concession, has been excluded from the protection zones because it was developed back in the 1930s.

Steven Schaefer added that the proposal is to expand all of those things.

Chris replied that they are still within an existing development area and they have been in place for years.

Steven added that it depends on how you draw the lines.

Marlene thinks that too much emphasis is being put on protecting the visual aspect of the river from a recreational standpoint.

[Editor's notes: The deadlines listed below have changed, since the plan was pulled from consideration for approval by ARC on October 20th.]

Chris advised of the schedule for the state park management plan. There are comments on the ARC draft and Chris will be working on the Resource Management component. The management plans are split up into Resource Management, this is where the Natural Communities are described, the types of management of the Natural Communities, such as removing exotic plants and animals, and prescribed fire. Chris would like any comments on the Natural Resource portion of the plan by September 15th so they can be included in the final draft given to ARC. He can be emailed at Chris.Becker@dep.state.fl.us. Chris will also be getting comments from ARC members, such as, Fish and Wildlife Commission, Florida Natural Areas Inventory, and Division of Historical Resources. They will have editorial comments about the plan and the Resource Management ones will come to Chris.

The plan is broad and is not going to include specific items since these are 10-year plans.

Sine Murray is working on the Land Use component of the plan. Comments on the development footprint, visitor centers, and carrying capacity studies can be emailed to her at sine.murray@dep.state.fl.us. Chris can be copied as well. Sine would like the comments by September 15th.

Around September 15th, the updated Resource Management component and Land Use component will be combined. In the next version of the ARC draft, there will be a new Natural Community map that better defines the floodplain and river area. That draft needs to be to ARC by September 20th so that this plan can be on the agenda for the ARC public meeting on October 20th. The plan will be available for public review on this date as well. ARC makes the plan available a week prior to their meeting so there will be time to get additional comments to them. The comments can be emailed to Hank Vinson at hank.vinson@dep.state.fl.us in the Division of State Lands between now and the public hearing in Tallahassee on October 20th.

Jim Beever asked if there are any concepts for the park, in this latest draft, that are contrary to what the Council has recommended, such as installing private venue hotels, timber harvesting for clear cut and over intensive grazing.

Chris replied that the Resource Management component, like the palm fronds, cattle, and timber are not considered in this draft. In the Spring of 2018, the Office of Park Planning will be hosting a Land Use development proposal meeting to get input on these things. The plan is overdue, it should have been approved in 2014, which would have been 10-years. This means that the Eco-Lodge is still a possibility.

Lee asked about having another meeting between September 20th and October 20th.

Chris Oliver replied that it would be possible.

Jono commenting (return to plan) that from the DEP website states that pursuant to statute ARC has 90 days to review these plan, it does not say anything about a first version, second or third versions. You cannot show up on October 19th and say disregard the one you have been looking at for 90 days and substitute another document. The public deserves 90 days to review the document that will be considered by ARC. He added that ARC needs to get their comments back to Park Planning on the 20th of September, that this timeline is not physically possible, and suggested that DEP forget about the October 20th deadline date. He reiterated there is not an adequate amount of time for the plan to be reviewed, comments made and returned to ARC before they approve a plan. He thinks it is great that Chris is working to make the plan better, it is better than the original version but strongly feels there are areas that need major work and cited the language regarding the protection zones. He noted the language in the plan states “is an area of high sensitivity or outstanding character from which most types of development are excluded as a protective measure” and “all wetlands and floodplains” are designated as “protection zones” and it does not mention any “bubbles of development” or “existing development zones”.

Allain Hale purposed a motioned that the Myakka River Management Coordinating Council recommends endorsing the changes that Jono Miller has listed on Myakka River (State Park) Unit Management Plan.

Discussion on motion followed.

Howard Berna asked if it would be more efficient to make comments to ARC as a group instead of as individuals. Possibly using Jono to act on behalf of the Council when he goes to Tallahassee for the meeting.

Chris Oliver explained that due to Sunshine Laws, members of the Council cannot discuss Council business outside of a meeting. It would be okay for each member to email Chris Becker with their comments. The Council can make a motion to direct Jono to act on their behalf.

Lee asked if the Council should ask ARC to consider withdrawal from consideration of the draft UMP at the October 20th meeting and to suggest an alternative review time line.

Jono added that the next (ARC) meeting is December 20th. He stated the plan should be pulled. We are three years late, let's take time with the plan and get it right, not to rush it and have it be wrong. And, we are now talking about what should have happened at the front end, people coming down from Tallahassee, to talk with people down here about what the future of MRSP should be.

Lee suggested that an alternative to specifying a certain period would be to clarify that there should be a delay to allow for greater review.

Jono advised that ARC has the option to accept it, reject it, or propose changes. They most likely would not reject the plan outright. Jono feels there are a lot of things missing from the plan and that adequate changes cannot be made by October 20th.

Jono added from the Council perspective this plan does not address the MWSR legislation, the (MWSR) plan, and the rule (62D-15). But there is a whole color-coded check list in front of the draft UMP, many of these things are not here. It is deficient, and cannot be made by October 20th with allowed time for public input.

Discussion continued on motion, the Council discussion was focused on two slides in the presentation with the following content:

- The July 18, 2017 Draft Unit Management Plan submitted to the Acquisition and Restoration Council does not adequately or appropriately consider or incorporate the provisions of the Myakka Wild and Scenic River Act, Management Plan, and Rule and should be withdrawn from consideration by the ARC at its October 20th 2017 pending revision. (slide one)
- Main Problems with draft UMP:
 - 1) Scant recognition of the Wild and Scenic River Designation, Myakka River Rule and Management Plan
 - 2) No analysis of visual impact on recreational river user –no avoidance of new impacts, and no proposals to remove or ameliorate existing visual intrusions
 - 3) Capricious and inaccurate mapping of Protection Zone Floodplain, which excludes most development
 - 4) Still no Recreational Carrying Capacity Study

Jim asked if Jono felt that the plan was internally inconsistent, he noted the original versions had issues with this.

Jono advised he has not read the whole plan, cover to cover, but he feels it probably is inconsistent in areas.

Motion:

Glen Compton purposed a motion based on two slides (above). He motioned that the Myakka River Management Coordinating Council recommends endorsing the changes that Jono Miller has listed on Myakka River (State Park) Unit Management Plan. Lou Kovach seconded. Michelle Keirsesey abstained. Motion passed.

Jono replied that it should go to Hank Vinson and Steve Cutshaw. He will send it himself on Monday, August 14, 2017.

Chris Oliver advised that there was a link in the meeting agenda to the Park Planning website for Council members to review the draft management plan.

Jono advised that Becky Ayech, who used to be a Council member, has been having health problems. He passed around a card for people to sign.

Discussion on when the next meeting of the Council should be held. The next meeting is tentatively scheduled for September 29th, 2017.

Lee asked for an explanation on the (MWSR) management plan and why it needs to be reviewed periodically.

Jono explained that things shift and change on the river and it is also a check to see if the plan is being followed and the objectives are being met. He added that the Recreational Carrying Capacity Study is badly needed and the Council should probably start reviewing ways to fund that.

Jim Beever suggested that the Council get together with an educational institution and get a grant so it would be an unbiased study. There are grants like this from the US Fish and Wildlife Service.

Chris Oliver went over the next steps to review the MWSR Management plan. Chris talked about the need for input, that members could contact him on topics in the plan. He added the main focus on this area, “areas for special considerations” according to 1990 & 2011 plans, should be talked about at the next meeting. He read them quickly.

6.3 AREAS FOR SPECIAL MANAGEMENT CONSIDERATION

Specific actions for special consideration include the following:

- Seek funding for a hydrologic study that considers all existing and potential water control structures and diversions of river water and eliminate water quality problems (Action 2.4)
- Amend Chapter 17-3 F.A.C. to designate the entire Myakka River as an Outstanding Florida Water (Action 2.5).
- Develop strategies to restore the historic timing, quantity, and quality of flows in the Myakka upstream of Sarasota County (Action 2.12)
- Undertake a comprehensive boat utilization study to quantify recreational carrying capacity by river segment (Action 7.1).

Commission a cultural resource assessment survey of the watershed and the wild and scenic protection zone to acquire greater knowledge and understanding of the watershed’s archaeological/historical resources (Action 8.3).

Jim suggested adding a new section about adapting to climate change.

Jono reminded everyone that there is a conservation land workshop on September 22, 2017, that he recommends people attend.

Possible agenda items for the next meeting:

A presentation by FDOT about the status of the I-75 rest area in Venice and an aquatic weed manager from SWFWMD.

Lee Amos motioned to adjourn the meeting. Mike Chouinard seconded.

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