

ADOPTED

**Myakka River Management Coordinating Council
Lemon Bay Park
570 Bay Park Blvd.
Englewood, Florida 34223**

**April 23, 2010
9:10 A.M. – 12:20 P.M.**

MINUTES

The meeting began at 9:10 A.M. with Maran Hilgendorf presiding. Introductions were made. This meeting was advertised in the Herald Tribune on Friday, April 9, 2010 and the Florida Administrative Weekly on March 25, 2010. Peggy Morgan, Bob Arredondo and Jill DeBuono attended via the teleconference.

MEMBERS IN ATTENDANCE

Manon Lavoie – FDOT
Jono Miller – Sierra Club
Susan Hochuli – PRMRWSA
Dianne Davies – SWFWMD
Maran Hilgendorf – CHNEP
Belinda Perry – Sarasota County
Jill Green – Dona Bay/Homeowner
Jerry Cattelane – Homeowner
Elizabeth Wong – City of North Port

Don Caillouette – City of Venice
Allain Hale – ECOSWF
Ernie Estevez – Mote Marine Lab
Tom Williams – FDOF
John Dzuiba – Homeowner
Lou Kovach – Homeowner
Marlene Guffey – Homeowner
Bill Byle – Charlotte County
Bob Arredondo – DCA

INTERESTED PARTIES

Bernie Milosky – Charlotte Co. Utilities
Chad Kennedy – Loxahatchee River MCC
Pat Zoeller – North Port Utilities
Hugh D. Dinkler – ESA
Terry Hingtgen – FPS
Judy Meents – FPS

Bill Orendorff – SWFWMD
Diana Donaghy – FPS
Dee Allen – Mosaic
Steve Reilly – Englewood Sun
Natalie Balcer – FPS
Jill DeBuono – DEP

There were no changes or additions to the Agenda. At the last meeting Manon Lavoie suggested we have a time certain for our Business meeting. It was decided to start the business meeting at 11:00 a.m.

Public Comments: None

Updates:

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Allain Hale – ECOSWF Update

Allain was representing Becky Ayech, ECOSWF president. Recent activities in the watershed rallied support and boosted membership. At the EPA water quality hearing on April 14th, Becky Ayech was got support from the Sierra Club in Lee County and Tampa. The opposition to the EPA's loading requirement was virtually non-existent.

A new potential project that ECOSWF is interested in is Mosaic's Pine Level and Keys Mine which add up to about 40,000 acres. The project sits on top of the Big Slough Watershed which serves 700,000 people in the North Port and Port Charlotte area. Municipalities are interested in how the proposed mine will affect their water quality and public supply. ECOSWF sent a letter to the EPA which backs the agency's opinion and proposes that an area-wide EIS be required to help understand how the mine will affect the water supply of urban areas.

Bill Byle – Charlotte County Update

Bill has been working on the Coastal Element for the updated Charlotte County Comprehensive Plan. It is being reviewed by DCA.

He has received inquiries from people regarding phosphate mining in the Charlotte Harbor watershed, however Bill is no longer the contact person on this subject.

Bill reviewed a large project, Palm Harborview DRI, proposed for the north side of the Peace River at I-75 which includes a 4,000 unit development and a 600 boat capacity marina. The project proposes converting a borrow pit for an overpass area into a marina which will be connected to the Peace River by a large canal.

This area is prime habitat for the smalltooth sawfish, a federally endangered species. Three of the hotspots are in our area: (1) the Myakka River, (2) mouth of the Peace River and (3) the mouth of the Caloosahatchee River. Bill passed out a map which shows where some of the sampling for smalltooth sawfish that has been done. In order to protect the sawfish, the critical habitat for juveniles must be protected. The nursery grounds consist of water that is basically less than 3 feet deep at low tide and has a soft bottom with no vegetation. Charlotte County staff and the SWFRPC have recommended denial of the large DRI project. Anyone who wants a copy of the report electronically can email Bill.

Dianne Davies with SWFWMD added that the Palm Harborview DRI development order was issued in 1993. They have recently received final comments for the substantial deviation which is the marina. It is to be connected to the Peace River by an existing canal that has to be dredged out a little further to connect. They are proposing locks and structures. Back in 2006 they had a couple of pre-application meetings with the District and the District recommended some changes in their design of the marina which have been made. The application process is going forward. SWFWMD had some deep concerns, but since they made the changes in the design the permit criteria was satisfied and by law the permit had to be issued.

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Bill continued, since the original DRI was approved back in the early 90's several hundred acres have been added on the west side of I-75, and the applicant has also proposed a 40 trailer-parking lot and boat ramp for the public. In conversations with the applicant Bill learned that the connection from the canal to the river involves dredging 600 feet (two football fields long) through jurisdictional wetlands which isn't consistent with Charlotte County's Comp Plan.

Maran Hilgendorf – Charlotte Harbor National Estuary Program Update

In May CHNEP will have a two-day training taught by NOAA Coastal Services Center staff called Planning for Meaningful Evaluation. If interested in attending, details are posted on their website, chnep.org.

The deadline for submitting images to the 2011 calendar is July 14. Up to three images of any media or any time period is accepted.

They were able to increase the maximum award for their public outreach grants from \$3,000 to \$5,000. The deadline is September 1st and the guidelines are on their website.

Every three years they have a watershed summit. The next one will be the last week of March, 2011 at the Charlotte County Event and Conference Center in Punta Gorda. They hope to be able to raise enough funds through sponsors for a free event.

They have produced 21 videos on topics of concern ranging from Florida Friendly yards to seagrass. Almost all were contracted with WGCU, a high quality public broadcasting station. Their next round of videos will be focused on a virtual wading trip to show the animals and plants that live in the estuary.

Clyde Butcher donated two images to the CHNEP, one of Myakka River State Park. Maran would like to have member's ideas on how to get them out to the public.

Dianne Davies – Southwest Florida Water Management District Update

The 2010 Regional Water Supply Plan update will be District wide. They intend to implement the plan in four regions: the northern region of the District, Tampa Bay, the Heartland and the southern region which will consist of Manatee, Sarasota, Charlotte and Desoto Counties. There will be five volumes to the plan, one for each planning region and one executive summary.

By the end of this month or the first week in May there will be a review draft available on the District's website, watermatters.org. Comments will be due July 16th by email, comment directly on the website or print out and send by mail. There will be a public input meeting workshop on May 6, 2010 at 10:00 a.m. in their Sarasota Service office on Fruitville Rd.

Questions and answers followed.

Natalie Balcer – Biologist Report

Since the last meeting the biggest change in the program has been that John Chassey has taken a position with the ACOE. FPS is currently searching for a replacement.

The water has remained fairly high throughout the winter. As a result they haven't seen many of the shorebird species, especially in the Lower Lake usually seen during the winter months.

In March there was a nuisance-exotic workday at Rambler's Rest. This Brazilian pepper removal project has been going on there for a couple years now. Five staff members and one volunteer come out and help. Approximately five or six large peppers were cut down with a chainsaw and they did a lot of retreatment the area. Next week Natalie plans to return north of Snook Haven and treat some Lygodium seen popping up since the initial treatment didn't seem to work.

After the last meeting the new law enforcement officer, Toby Fogle, John Chassey and Natalie went out on the river to give Toby a tour. That day Toby stopped one boater for speeding in the Manatee zone south of U.S. 41. A couple people in the Lazy River community came out and applauded his presence on the river. Hopefully he will be out on the river more.

Susan Hochuli – PRMRWSA – New Water Supply Needs

The draft 2010 Regional Water supply Plan will be presented at their next board meeting on May 5th. PRMRWSA is continuing to work towards water conservation. They are narrowing down a date in June for the next meeting.

New water needs are down in the four-county area that they service, which includes Manatee, Sarasota, Desoto, Charlotte and the City of North Port, due to the downturn in the economy. Previously the average water demand provided by their customers over a 20-year demand period, were about a 4% increase per year. The demands received in January this year were averaging about a 2% increase over 20 years. As a result of their customer's new demand projections new quantities of water supply have been pushed out another 4 years to 2018.

The PRMRWSA Master Water Supply Plan has identified among other options, the use of the Myakka River as a water supply source. Other water supply sources include Shell Creek System, Donna Bay Watershed and other groundwater opportunities. There are lots of options out there, but for the time being there isn't much going on for new supply development because the customers don't need it.

Questions and answers followed.

Discussion occurred regarding water conservation and how people in general are continuing to conserve water even when the restrictions have been relaxed.

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The status of the Laurel Road Pipeline is underway. They are working at the moment on Carlton Reserve. The construction duration is 14 to 15 months.

Harborview Pipeline Project in the Charlotte County area-corridor is upstream I-75 bridge. To cross the Peace River the open-trench construction method was most agreeable.

Presentations:

Bill Orendorff – FARMS Program

The FARMS Program was started as a collaborative process with both SWFWMD and FDACS. FARMS can be described as a BMP cost share, reimbursement program for agricultural operations located within the District. They reimburse farmers for improvement projects that they undertake to implement BMPs related to water quality and quantity. The program promotes public and private partnerships and gives incentives to growers for adopting BMPs. The FARMS Program aims to specifically reduce Floridan aquifer withdrawals, particularly the upper Floridan region of the aquifer because that is where the highly mineralized due to salt-water intrusion.

The program got started in the Shell Prairie Joshua Creek Watershed. Back in the 1990s the City of Punta Gorda was having a problem with their upstream reservoir meeting secondary water quality standards. There was a lot of agricultural influence, and deep wells in the upper Floridan aquifer that were being pumped with high chloride water. That water was making its way into the Peace River and getting down to the City of Punta Gorda. One of the management actions from the resulting stakeholder group was the FARMS Program created in 2003.

Over time they looked at other areas and issues. Subsequently the Upper Myakka River Watershed became another priority area. They then expanded their priority area further and declared the Southern Water Use Caution Area (SWUCA) as their main goal to reduce agricultural groundwater pumping. Most of their work is in the SWUCA because it is a remediation initiative, whereas in the northern part of the district is more of a preventative action. The scale of farms is more intensive in the Polk, Manatee, Hardee, Highlands, Desoto and Sarasota than in the other counties in the north.

The application process was discussed. A 5-20 year contract is required. Most of the contracts are five years, due to the useful life of the equipment they are funding. The applicant must be in compliance with his water use permit and/or environmental permit. Originally they required that the operation be at least 3 years old, however more recently they have taken new operations if the project resulted in conservation and saving groundwater.

The program was first funded originally by FDACS and the District. Up until a couple of years ago they were getting appropriations from Ecosystem Trust Fund from the Senate. FDACS contributions were made early, but in 2007 state budget cuts hit them hard and

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FARMS has not had any FDACS contributions since. The District funding is the only source presently.

The program only covers tangible assets as an eligible reimbursable expense. Things like earth moving and consultant services are not tangible and do not qualify for eligible expense, however they do qualify for total project cost which goes towards the applicants match. They require that the projects meet a cost-benefit analysis using a spreadsheet model and look at a dollar/thousand gallons saved. Every combination of crop and irrigation system has a benchmark value. So, when they do their cost-benefit analysis they compare the proposed cost of the project to that benchmark. It has to meet the benchmark in order to qualify. The staff and governing board have final approval of qualifying projects as well as the Basin Boards because the funding comes from the District governing board and the Basin Board. Last year their program went from being governed by District procedure to an actual rule, 40D-26 F.A.C.

Each service office has designated personnel that deal with the agricultural permits in that area started in 2003 to 2005. That has put the district in a much better light with many farmers because they know there is only one person they must deal with.

A water conservation initiative qualifies for up to a maximum of 50% reimbursement. If there is water conservation and water quality enhancement BMP being initiated, the applicant is eligible for up to a 75% reimbursement. If the project that is being proposed will offset or conserve more than 50% of that person's water use permitted quantities, that situation will also qualify for a 75% cost-share. The overall goal of their program is to offset or conserve 40 million gallons per day on an annual average of groundwater from the SWUCA region by the year 2025.

They do interact with other agencies and programs like the NRCS EQIP. There are several situations where they have the same farmer with an EQIP contract which pays for reservoir excavation in conjunction with the FARMS Program which pays for the equipment: the pumps, piping, etc. associated with the reservoir. Another initiative part of the FARMS Program is Mini-FARMS with FDACS being the lead agency. Mini-FARMS is a scaled-down version of FARMS for projects on land less than 100 acres with less than \$8,000 reimbursement.

Presently they have 87 board-approved projects and there is projected about 14.25 million gallons per day groundwater offset. Of that there are 56 operational projects. The program requires applicants to have metered water use since they are using public money. When a project comes on line it will take a couple months for it to reach its peak efficiency. If an applicant applies and is approved and finds later is not able to move forward the money allocated is put back into the FARMS budget.

Some examples of the types of projects FARMS does include surface water systems range from tail water management and recovery or surface water supply. The true surface water supply projects are really few because there are not many places where you can excavate a reservoir and hit a shell layer that will actually make water. Most of their

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reservoirs are for tail water capture and reuse. The other main type of project is Irrigation Management or Precision Irrigations Systems. That can range from soil moisture monitoring to electronic equipment telemetry used to get more automated controls on the pumps out in the field. Precision irrigation is done with a weather station installed in the middle of a field so they get all calculations needed to schedule their irrigation based on actual crop water use or evapotranspiration rates. Soil moisture probes on the farm allow the farmer to can see real-time data depending on the depths of the probe what the water level is doing. This facilitates watering more precisely; does not waste water. A field valve can electrically actuate the irrigation. Surface Water Control Equipment is also covered which can consist of a culvert with a riser and more boards can be added to the ditch to contain the water for use or to catch rainwater to pump.

The Manasota Basin has 5 or 6 mid-size, operational FARMS projects in the area. Falkner Classic Farm started under the Surface Water Exchange Program which predates FARMS. They constructed reservoirs and a long series of pipelines to collect and reuse tail water. Pacific Tomato Growers, PTG, Myakka Farm are other examples of successful groundwater offsetting projects. One example uses an intake ditch from Flatford Swamp in the wet season to help the excess water situation. ESDA Dairy in Sarasota County has a system to precisely manage the wastewater. They put it into a storage reservoir for recycling and prevent downstream nutrient loading. McClure Farms, a big row crop farm, in the Upper Myakka is offsetting at or above its target level. They are trying to intercept water by keeping water on that farm preventing it from getting into the swamp by a series of ditches and surface water structures to control the water. A brand new project, 4-Star Long Creek, is a sloping farm. As you go from east to west there will be a series of water control structures to keep water from flowing off the farm into Long Creek. A pond will be built on the downhill side that will pump water back uphill. There are a series of data loggers on the outside of the field boundary by Long Creek to log groundwater movement.

The website for more information is www.watermatters.org/agriculture/FARMS.

Questions and answers followed.

Pat Zoeller – North Port Master Utilities Study

The City has been working on a master plan from the city limits over towards River Road on the north side of U.S. 41 for about the last 18 months. The purpose of this project was to make sure people could hook up to water and sewer without new septic tanks coming into the area and possibly polluting Myakkahatchee Creek or Myakka River.

City and County comprehensive plans were used lay out where the lines were going to go and help determine the amount of flow that may be generated by the people that end up developing that area, which is mostly commercial.

The south side of US 41 down along River Road has an area with over 1600 future equivalent residential connections (ERCs) that use an average 250 gallons/day for water

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and 225 gallons/day for sewer. Once this area became part of West Villages they were able to remove many projected ERCs from their calculations regarding how much flow the lines could handle.

West Villages built a force main and a water main along US 41 from the city limits but those pipelines were dedicated for the amount of flow they would need in the future. The City didn't want to take capacity from those lines since they belonged to the West Villages. After they went through several revisions they went from over 1,600 ERCs down to just under a 1,000 ERCs.

When first projecting the needs in order to provide service for all future connections the City thought they would have to put in new transmission mains. Through their analysis they saw that if they broke the future connections into 3 different areas they could provide sewer through 3 smaller lift stations instead of putting in new mains that would be very expensive. The lift station would collect the sewage and pump it to their wastewater plant. Since no residential units are being built right now, they could get about 8 commercial units to hook up which is the equivalent of about 28 ERCs. In the future as things grow when they reach a certain 43 units, then they would have enough money collected to afford to build the lift station which would take over the pumping from that 4-inch force main and deliver it to the wastewater plant. There is adequate water capacity in the existing system for several years. They made some improvements on the sewer system that gained some capacity.

They identified some projects that would allow them to connect up to as many as 476 connections. From the work they have already done and a little they can do in the next few years they came to the conclusion that the cost would total \$2,000 per connection. There are several agreements between the City and the County that will be discussed next week. Some of the property is within the City limits and the City want to annex those that want to be a city customer. They have already begun talking to some of the residents. Due to the economic times residents are saying they just can't afford it today.

Questions and answers followed.

Belinda Perry - Sarasota County Environmentally Sensitive Lands Brief Update

April 14th the County Commission approved the County for approximately 3,800 acres on a ranch east of an existing public property that the County and SWFWMD own on the Walton Ranch. Tuesday, April 27th an additional acreage adjacent to the Walton Ranch, the Longino Ranch, is to be brought to the Commission. They are now negotiating for the rest of the ranch to be under conservation easement with the stipulation that on the existing conservation easement there will be a recreational trail. Essentially acreage will be protected within Sarasota County providing a corridor with SWFWMD's continual acquisition along the Peace River. It will connect from the Peace River all the way across to the Myakka, a tremendous opportunity not only for the wildlife but also additional opportunities for recreation. It is a joint ownership between the water management district and the County. Neither one could afford it by themselves.

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MRMCC Business:

Call to Order and Role Call: Those present via the teleconference were Robert Arrendondo. Present in the room were Manon Lavoie, Tom Williams, Dianne Davies, Belinda Perry, Bill Byle, Don Caillouette, Elizabeth Wong, Susan Hochuli, Maran Hilgendorf, Jill Green, Allain Hale, Ernie Estevez, Jono Miller, John Dzuiba, Lou Kovach, Marlene Guffey.

Public Comments: Dee Allen – Mosaic

She suggested that they give a presentation at some future meeting about what they are doing in the basin.

Other Agenda Items: No changes to the Agenda.

Meeting Minutes of 1/22/10: Changes to the CHNEP update were performed. It was decided to place the Members in Attendance list at the beginning of the Minutes rather than at the end. It was also decided to provide Acronyms spelled out within the Minutes as well as on a list on the website.

Manon Lavoie moved and Dianne Davies seconded the Motion. The Minutes were approved.

Nominating Subcommittee Meeting Minutes of 3/18/10: Manon Lavoie moved and Ernie Estevez seconded. Subcommittee Minutes were approved.

Old Business:

Nominating Committee Update – Belinda Perry

The subcommittee, Susan Hochuli, Dianne Davies, Greg Blanchard, Natalie Balcer and Belinda Perry, met on March 18th to discuss the nominations. They thought of having a rotating facilitator that didn't have to necessarily serve as the chair to facilitate meetings, but right now it is inconsistent with the Bylaws. The Nominating Committee is rather reluctant to go through the process of revising the Bylaws so soon. But they did think it would be prudent to ask DEP about the practicality of revising the Bylaws. Natalie Balcer had talked to Valinda Subic about revisions. Valinda said she didn't think it would be difficult to revise the Bylaws.

Another suggestion brought up to help agency's employees to serve as Chair was to develop a draft position letter and have nongovernment employees sign the letter on behalf of the subcommittee instead of the Chair.

The subcommittee sent a letter to all Council members to see who was willing to serve as Chair or Vice-chair. Natalie drafted the letter and sent it out with a request that people reply. To date they haven't heard from most members.

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The subcommittee generated a list of topics to give to those not as familiar with the Council an idea of what the Council has participated in. They encouraged Council members to add other topics to the list below.

Recent Council accomplishments include:

- Considered the expansion of the Wild & Scenic River designation into Charlotte and Manatee Counties
- Recommended the site location for Sarasota National Cemetery
- Engaged in process by Sarasota County's efforts to combine local rules to protect the Myakka River (Myakka River Protection Zone)
- Promoted increased law enforcement activities on the river
- Updated Council Bylaws, including expanding membership
- Inventoried roadways crossing the river which led to increased communication with the Florida Department of Transportation

A list of important issues, which we feel are essential for protecting the Myakka River includes:

1. Subcommittee for Management Plan Update (min of 24 month duration)
2. Numeric nutrient criteria by FDEP (current)
3. 2010 Legislative Items (current)
 - a. Exotic pet licensing
 - b. Hometown Democracy
4. Mining permit applications (2012 and beyond)
5. River crossings white paper (current)
6. Myakka River as a water supply (current and future)
7. Data collection/monitoring (current and future)
8. Law enforcement task force (current and future)
9. Compilation and trend analysis of monthly river inspection data (current and future)

Maran asked for the letter to be resent and asked the Council members to add to the list of topics as well as respond.

Management Plan Update – Natalie Balcer

Natalie went over the process to update the Management Plan which is posted on the website. Dianne Davies volunteered to serve on the Management Plan Subcommittee.

Jono passed out a list from 1993 which outlines topics of concern. Jono suggested that some time be reserved in future Council meetings for non-subcommittee members to give input.

Maran suggested that the September meeting be a full day with the afternoon portion dedicated to furthering the Management Plan. She asked Jono Miller to serve as chair of the subcommittee.

Future Agenda Items:

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Sawfish recovery plan and any other listed species-FWRI office, Mosaic mining plans, Nominating Committee, schedule 2011 meetings, North Port's hydrobiological monitoring program-SWFWMD?, guided field trip, revising bylaws in regard to distance from meeting place (Elizabeth Wong).

Future Meeting Dates:

The next meeting date is September 17, 2010 with the possibility of meeting at the North Port City Hall.

Adjournment: 12:20 PM.

List of Acronyms

ACOE – Army Corps of Engineers

BMP – Best management practice

BOD – Biological oxygen demand

DEP – Department of Environmental Protection

CHNEP – Charlotte Harbor National Estuary Program

ECOSWF – Environmental Confederation of Southwest Florida

EPA – Environmental Protection Agency

FARMS – Facilitating Agricultural Resource Management Systems

FDACS – Florida Department of Consumer Services

DO – Dissolved oxygen

DOF – Division of Forestry

DOH – Department of Health

DOT –Department of Transportation

ESLP – Environmentally Sensitive Land Program

FPS – Florida Park Service

FWC – Fish and Wildlife Commission

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FWRI – Fish and Wildlife Research Institute

MRMCC – Myakka River Management Coordinating Council

NOAA – National Oceanic and Atmospheric Administration

PRMRWSA – Peace River Manasota Regional Water Supply Authority

SEC – Science and Environmental Council

SWFWMD – Southwest Florida Water Management District

SWFRPC – Southwest Florida Regional Planning Council

SWUCA – Southern Water Use Caution Area

TBRPC – Tampa Bay Regional Planning Council

TMDL – Total maximum daily load

TN – Total nitrogen

TP – Total phosphorus

WBID – Water body identification