

ADOPTED

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

**September 18, 2009
9:00 A.M. – 11:50 A.M.**

MINUTES

The meeting began at 9:00 A.M. with Maran Hilgendorf presiding. Introductions were made. This meeting was advertised in the Sarasota Herald Tribune and the Florida Administrative Weekly on 9/4/09.

Introductions were made.

UPDATES:

SWFWMD Update – Natalie Balcer for Diane Davies.

Natalie announced a Public Open House regarding Future Conservation and Land Acquisition Properties within the Myakka River Watershed to be held on September 30, 2009 at the SWFWMD Sarasota Office, 6750 Fruitville Rd., from 6:00 to 8:00 p.m.

A handout was available to explain accessing the website for the list of proposed acquisition regions and maps.

Also a Cooperative Funding workshop for local government staff and other potential cooperators will be held October 28, 2009 at 10:00 a.m. at the same office on Fruitville Rd.

Charlotte Harbor National Estuary Program Update – Maran Hilgendorf.

Reservoirs were identified as a concern within the study area. CHNEP had a two-day workshop April 13 and 14, 2009. They had invited 25 experts to give presentations, there were three excellent peer reviewers and a report was created that was reviewed by the committee. From that report came 17 actions. They are now in the process of prioritizing these actions.

If anyone is interested in participating in the prioritization an email can be sent with the list. The list of actions will be posted on the website by Wednesday, September 23, 2009.

All of their events are on their website in PDF format (abstracts, reports). They taped it using the program Illuminate which allows you to hear the presentation.

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Since 2002 CHNEP has been creating videos and they now have them on one DVD. A supply of them was available. The DVD features about 40 of their partners including Ernie Esteves.

The 10th Annual Charlotte Harbor Nature Festival will be held November 21, 2009. It is a free event; details are on the website.

Bureau of Park Police – River Patrol Update – Natalie Balcer (Lt. Hand was not present).

There was a task force event the last Sunday of August. It was very quiet on the river and has been for the summer. An FWC employee stopped to talk to a crab fisherman. There was a derelict vessel found earlier that week which was checked out.

Hopefully this coming winter another task force event will be organized.

Charlotte County Update – Bill Byle.

He has been working on the latest draft of Charlotte County's coastal element for the Comp. plan. Bill is interested and now has official approval from the Commission to move forward in creating a Charlotte Harbor Management Committee which would look at things happening in the watershed. He invited Council members to participate.

The Natural Resource Conservation element got some controversy due to the requirements for setbacks from wetlands and streams. The Commission had decided the water management district's buffer regulations were sufficient enough to protect wetlands and streams (about 25 feet). Bill would like to see what justifies more than 25-foot buffer for things like development, septic tanks, excavations – they tried to impose a half mile buffer for excavations. A lobby was against having these buffers. Bill is asking for good scientific studies that support the need for certain size buffers.

Questions and answers followed.

Sarasota County Environmentally Sensitive Lands Update – Belinda Perry.

The Sarasota County ESLP is marking its 10-year anniversary on Saturday, October 17, 2009 at Deer Prairie Creek Preserve from 9:00 a.m. to 1:00 p.m. It is a short half-day event to let people see what they have been doing on some of their lands, particularly Deer Prairie Creek, since it is one of their larger sites. Over the 10 years they have acquired 59 parcels, about 27,000 acres to add to what the County previously has protected; making the total over 60,000 acres being protected. When joined with other public lands within the County there is significant protection along the Myakka River.

They are under negotiations for a number of parcels, some are in-holdings on already acquired property.

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They are also doing a volunteer workday as part of National Public Lands Day which is held throughout the nation on Deer Prairie Creek Preserve on Saturday, September 26, 2009 from 8:00 a.m. to 12:00 p.m.

Since the last meeting they have added some public amenities to their lands. They are opening a south entrance off US-41 by the January for Deer Prairie Creek. They currently have a north entrance for public access. It has parking, picnic pavilion and trails.

They are putting in compost toilets, an ADA trail and picnic pavilion at Sleeping Turtles Preserve which is just north of Border Road along the Myakka River. They hope to have their permits this coming year.

DOF has let them borrow some equipment to roller chop on some of their acreage.

Responding to a question from Jono Miller Belinda stated that the County has acquired land on the northwest corner of the river and US-41 under the same Environmentally Sensitive Lands Program. This is potentially another site for access to the Myakka River. There is an existing boat ramp that would need work.

Fish Kill Update – Kathy Meaux, Sarasota County Water Resources.

The watershed experienced about 1 ½ inches of rain on Sunday, March 29, 2009, the first significant rainfall in about 50 days. Numerous fish kills were reported in the County. Numerous agencies were involved in investigating: FWC, EPA, DEP, FDOH and Sarasota County.

There were a series of events or conditions came together at the same time and caused the fish kills. First there was low to no flow in the river starting in November of 2008. The water temperature rose resulting in warmer water which holds less dissolved oxygen. The evaporation of water results in a higher concentration of nutrients; temperature stratification is not as pronounced. Many times a turnover of the water results due to the water acting like a lake since there is no flow. They found it did turnover and the lower oxygen levels were near the surface. The tidal extent moved up beyond Border Road. All these combinations contributed to the fish kill. Dead leaves fell in the river and sank to the bottom using up oxygen. So the first flush of nutrients occurred on May 29th, but the river already had a high concentration of nutrients. The higher nutrient and organic loading caused algae blooms and a reduction in the DO and that results in fish kills.

A fish kill was called in by the general public. They thought it might be a discharge from the Venice Minerals property and the DEP conducted a compliance investigation and found there was no illicit discharge.

There was a concern the flow from the ditch from the Blackburn Property just south of Border Road may have been an illicit discharge site or some kind of illegal pumping was occurring. They conducted a very thorough inspection and there was no evidence of any

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illegal activity. They found that tidal waters flow up the ditch connected to the pit from the mining activities and into the lake and then back out into the river. At one point while they were there the out-flowing tide was flowing so fast that they thought they were pumping but it was due to the high tide. Samples were taken: there was elevated BOD, nutrient levels, very low DO levels and they felt it could have contributed to the fish kill.

The property owner is now doing restoration to the lake to improve the water quality. The vegetation has been removed. They are planning to install a weir in the ditch to keep the tidal waters from flowing into the lake and back out. (Previously the owner did not want anyone to trespass on the lake so they didn't take care of the property.)

Conditions have much improved on the river.

Biologist's Report – Natalie Balcer.

The Myakka Wild & Scenic River brochure is complete. She is waiting on a CD which contains the final copy from Tallahassee. Copies will then be printed.

Two months ago John and Natalie treated some Lygodium on the river north of Snook Haven. The herbicide used worked well, but it soon rained so it may need to be treated again.

Two permits were issued along the river: one for a dock application down near Tarpon Point south of Myakkahatchee Creek; the second was for the Regional Water Supply Authority Pipeline proposed for under the Myakka River going to the Carlton Water Treatment Plant near Laurel Rd.

Natalie developed a chart which looked at population trends from Rookery data collected on their river inspection trips. The Great Egret, Wood Stork, Anhinga, Snowy Egret and Cattle Egret were charted from April of 2001 to July of 2009. The Wood Stork presence showed the greatest amount of fluctuation on the river.

Questions and discussion occurred.

Presentations:

Indicator Species – Tidal Creek Study – Ernie Estevez.

Ernie discussed work that Mote Marine Lab and Sarasota County has been doing in tidal creeks of the County and concluded with trying to address the transferability of this work to the Myakka River.

This work is really focused on issues of total maximum daily loads (TMDL) and watershed plans.

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There are 16 tidal creeks in Sarasota County. There is also the Myakka River and its tributaries which include tidal creeks, but they choose to work only on the coastal creeks and exclude the Myakka River from their work.

The project began in 2005 with literature reviews and concept development studies. In 2006 they did preliminary field work and tried to work out the mathematics of an index. In 2007 they undertook their first major field effort to collect the data from 15 of the 16 creeks. They repeated that in 2008 during the spring and also in 2009. Because all of their work has been during the spring, they've chosen one creek to follow every month during the summer to compare results.

They are working at one site per creek. Some of the creeks are very small and short. It is not possible to have multiple stations in every creek.

The criteria used in choosing the sites were: whether they were representative of that reach of the creek, proximity to other data, size of the site, whether it would be there in the future, accessibility, safety and pollution levels.

They were interested in a pollution indicator species that was rapid to assess. The components include nine biological constituents. They used the Tagelous, a stout razor clam and assessed the density and size groups. They also use dip nets for fish, crabs, shrimp other life forms. While at the sample location, the numbers of burrows visible on the bottom of the creek are counted and periphyton abundance and filamentous algae coverage is measured. They are also working with oysters by measuring the largest oysters and calculating the percentage of live oysters.

The oysters are sampled intertidally. Other variables are all sampled subtidally. For most polluted creeks they sometimes employ alternate sampling methods from being in the water. Most importantly, sampling is biased to produce the highest possible return for metric which would produce the highest possible score for every creek to see how it changes through time.

Here's the index. The scores are shown from north to south along the coast of Sarasota County. Then they are shown from lowest to highest. 1 is the lowest score and 4 is the highest. In 2007 there was a larger group of creeks with intermediate values. This pattern has persisted through the two subsequent years of springtime sampling and suggests there is some room for improvement in the condition of the creeks.

Creek measurements were compared to classical benthic fauna. Landscape Development Intensity Index was used. The quantity and kind of benthic fauna were calculated. There is a very good range of quantity values with some creeks having very low abundances of organisms and others very good abundances. If you look at the number of species you get the same sort of picture with a good range in the diversity of these creeks in the County.

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The creek condition results of their Rapid Survey Creek Index Method are good. In terms of the benthic species number they get a highly significant relationship of the tidal creek index. In terms of the numbers of individuals they get a significant relationship. This means that the tidal creek index, even though it is not using the same methods or biota exclusively that the benthic index used, it gives them a good approximation regarding the health of the creeks. In 2007 the tidal creek condition index and the benthic data shared five of the five highest creeks in the county and three or four of the five lowest creeks in the county. They didn't have data from Matheny Creek. It is possible it would have been one of those five.

Mark Brown from the University of Florida developed an index called the Landscape Development Intensity Index. It's an aerial weighted way of categorizing land and the way it is used with respect to how that use subtracts from ecological values. With a GIS you can compute a Landscape Development Intensity Index and Jon Perry did a marvelous job in Sarasota County of doing that for all of the creeks.

Working in the creeks compelled Ernie to wonder what it is that really effects what is seen the creeks. One possibility is how long people have lived in the creek system. Jon Perry realized that using age data of every building in the county, he could produce an aerial-weighted mean age of buildings for the watershed. Young creeks had an average building age of five years. Hudson Bayou is on the order of 30 years, which was average.

There was not much variation between pollutant load from the watershed to the creeks; but Hudson Bayou stands out.

They found that the benthic data matched up very well with watershed age development index but the tidal creek index was not significantly related to the total metals load. However, for a number of reasons, the good fit between the creek index and the benthic data gave them reason to believe they were on the right track. By collecting more data they will be able to explore these relationships with a larger data set.

The annual trends in the springtime look like this for the 16 creeks as a whole. The average was 1.6 and went to 1.9 and has been hanging in there for three years. Ernie speculated that we are coming out of two or three years of drought and he thinks there is real evidence that the creeks were suffering. In the spring one of the most remarkable things about the tidal creek is the number of sea stars, brittle stars and sea cucumbers. Right now we are starting to see Tagelous come back.

Can this index be used on the Myakka River? As they have defined it presently it will depend on oysters. If used as is it can only be used between Sarasota/Charlotte County Line to about the mouth of Myakkahatchee Creek. If it were to be reformulated then possibly it could be used from US 41 up to about Ramblers' Rest. But if reformulated they wouldn't be able to compare any of the results to the 16 creeks out on the coast.

Questions and answers followed.

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Break at 10:25 A.M.

Resumed meeting at 10:35 A.M.

There were no public comments and no additions to the Agenda.

River Road Widening – Isaac Brownman – Sarasota County Capital Management Services.

The entirety of the Englewood Interstate Connector Project/River Road Widening Project ultimately will go from I-75 down into Charlotte County along River Road and Winchester Blvd. It is intended to be an evacuation route for Lee County, Charlotte County, and south Sarasota County.

It is broken into segments. The design for Segments I and II are complete. Those design plans are being funded by the state through grant money.

In the midst of the design a situation came up with the West Villages Improvement District that is doing a lot of work in North Port. They will have to do some work at the US 41/River Road intersection. The Board, the City of North Port Council and the developer decided that instead of the West Villages doing a small improvement there, they could all put in money now and build out the US 41/River Rd. intersection to its ultimate configuration. The Board and the City of North Port agreed on July 27th to fund it. Design plans are being developed by Kimley-Horn. They will be done September 30, 2009.

There are a couple of right-of-way issues to work on, but they are tentatively looking at a May, 2010 advertise date. Then they expect to start construction at the intersection July of 2010.

They are always looking for other opportunities to fund the rest of the road. Up to now they have not found any. The phase from US 41 to I-75 costs around \$65 million dollars. A TIGER (Transportation Investment Generating Economic Recovery) grant was just discovered recently as part of the federal economic stimulus. It is a 1.5 billion dollar federal grant program that will be distributed nationwide.

They applied for the EIC for the River Road widening project Phases I and II from US 41 to I-75, and Phase III down to Winchester. That puts the grand total at about \$100 million. They have applied for that figure from the federal government. If they get it they will be able to do the rest of the roadway.

The application was submitted September 14, 2009. They won't know until February 17, 2010 whether they received the grant. They are competing with projects nationwide. If they don't get the grant the plans will sit on the shelf until funding becomes available.

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Questions and answers followed.

The incredible grade discrepancy on the intersection will be addressed. Water drainage will be addressed.

MRMCC Business:

Call to Order and Roll Call:

Peggy Morgan, Susan King, Paul Thomas, Kevin Kemp, Tom Williams, Ed Flowers, Greg Blanchard, Belinda Perry, Bill Byle, Peter Perez, Susan Hochuli, Maran Hilgendorf, Terry Green, Mary Jelks, Ernie Estevez, Jono Miller, Suzanne Cooper, Mike Chouinard, Tom Moralee and Jim Beever were in attendance.

Agenda Approval:

There were no changes and the Agenda was approved.

Revision and Approval of Meeting Minutes:

Belinda Perry moved to approve the minutes from 4/24/09, 7/10/09 and 8/21/09. Susan Hochuli seconded and all were in favor.

Old Business:

Plaque for Marlene Guffey – Jono Miller

Jono Miller volunteered to work on a plaque recognizing Marlene Guffey's participation. She will be leaving the Council. It was passed around for all to see. The cost was about \$40. A collection was made to reimburse Jono. Any overage would go to pay for the snacks that Natalie had been purchasing. Expect to have a ceremony at the next Council meeting.

Bridge Crossing Update – Jono Miller

Over several meetings discussions occurred regarding most of the river crossings of the Myakka River when people went to improve, redo them or do them initially. There were complaints about how they were constructed. There were two meetings at which a matrix was created that summarized the different river crossings with some basic information about that crossing. They had not characterized problems yet, but they did discover that DOT has a system of identifying projects that will be coming up. They found what would be most useful would be to know when DOT would be entering the design phase for changes or improvements to river crossings; then those interested could participate.

Susan King was asked to look at the DOT's five-year work program to see if any DOT projects would be over the Myakka River. She found they had one project that's going to cover three bridges in the next five years. Initially those projects were supposed to be done in our fiscal year 2012; now with the budget cuts that project will move out one year.

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A repair project (minor rip rap reinforcement) of some of the piles at three locations is planned: Salt Creek, Myakka River Branch and Myakka River at US 41.

It was decided that advance notification of plans for bridge repair, etc. could be sent to Natalie Balcer. Maran asked the subcommittee to continue to meet to discuss the County Roads and also the white paper.

Bylaws Update – Natalie Balcer

The Bylaws have been approved from the Department of Environmental Protection. Maran signed them to adopt them. They will be posted on the website.

Membership Application Update – Natalie Balcer

The application was changed slightly since the last meeting. Check boxes were added. New categories were also added.

The Bureau Chief has approved the Membership Application and a copy has been sent out to Lou Kovach who is an interested homeowner and lives in Venetian Gulf River Club and attends the meeting regularly. Mike Chouinard has filled out an application to replace Marlene Guffey as the primary council member. It is believed that John Dzuiba who is on the Board for the Assoc. of Myakka Communities is also interested. When Natalie receives the three applications she will send them to Tallahassee to be approved.

Suzanne Cooper moved to approve the Membership Application. Susan Hochuli seconded. The members approved.

Management Plan Update – Natalie Balcer

Chris Becker had been working on the plan in approx. 2000, but the plan has not been updated since 1990. Much of the text has been laid out; but all of the graphics will need to be updated. When he left there were public hearings to review the text. It was decided to take what Chris worked on and add it to the website and members were asked to review it and compare it with the 1990 plan. Council plans to work on it at the next meeting. Members were asked to come prepared.

Bioindicator Update – Maran Hilgendorf

At the last meeting Bill Byle suggested we need more bioindicators on the Myakka River. At the conclusion of the official meeting there was another meeting to discuss it further. Maran hoped she would have help to work with the monthly river survey spreadsheet, but there was not the help she had hoped for. There was no progress made. Perhaps this winter District 4 volunteers can take the task on. The spreadsheets that are shown monthly would be recoded so that the charts would show what's happening with the different observations: alligators, new species, exotic species, disappearance of species, etc.

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Discussion occurred.

It was moved that the Council write letters of support for additional funding to support projects that study the potential indicators of the health of the river. Letters would be emailed to the members and posted on the website. Ed Flowers moved and Susan Hochuli seconded.

Maran asked the members to forward to Natalie any contact information of studies or entities doing studies on the Myakka River, time frame, name of study and if they have any reports available both current and historical.

Discussion continued.

Public Comments: There were no public comments.

New Business:

Future Agenda Items: Sunshine Laws, Our Lady of Perpetual Health Special Exception, PRMRWSA Water Conservation Summit Update, Peggy Morgan - Water Quality Update, Management Plan Update, Bio-indicators Update, presentation of wood storks, Charlotte Harbor National Estuary Program the SW FL Regional Planning Council has completed its ... Assessment for Climate Change for the SW FL region which includes the Myakka River Basin – Jim Beever, and Bridge crossing update.

Jono discussed his disappointment in some of the speakers scheduled who were not here to give their report. Discussion occurred about the alternate being asked to replace the speaker and it was decided to begin the meeting registration at 8:45 am.

It was also decided to call the whole roll during roll call time. The meeting place will remain the same until a better location can be determined.

Schedule Meeting Dates:

Maran suggested we set all the meeting dates for 2010 at the January meeting. For the following years they can be set in the fall.

The January meeting date was set for the 22nd of 2010.

It was suggested that in the future members make donations at the refreshment counter for the purchase of refreshments. Members may decide to donate prepared refreshment.

Adjournment was at 11:50 A.M.

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MEMBERS IN ATTENDANCE

Greg Blanchard – Manatee County	Kevin Kemp - FWC
Jono Miller – Sierra Club	Ernie Estevez - MOTE
Tom Moralee – Venice Campground	Bill Byle – Charlotte County
Susan Hochuli - PRMRWSA	Tom Williams - DOF
Suzanne Cooper - TBRPC	Mary Jelks – Friends of Myakka
Peggy Morgan - DEP	Paul W. Thomas - FWC
Ed Flowers - DOF	Maran Hilgendorf - CHNEP
Peter Perez - City of Sarasota	Mike Chouinard – Homeowner
Belinda Perry – Sarasota County	Jim Beaver - SWFRPC
Susan King – DOT	
Terry Green – Dona & Roberts Bay Env. Society	

INTERESTED PARTIES

Lou Kovach	Craig Huegel
Kathy Meaux	Michael Regan
Diana Donaghy	Betty Regan
Hugh Dinkler	Isaac Brownman
Jon Robinson	John Chassey
Judy Meents	