



**Wekiva River Basin  
Commission**

**Wekiva River Basin Commission Meeting Minutes  
August 15, 2016  
2:00 PM**

East Central Florida Regional Planning Council  
309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Boardroom  
Altamonte Springs, FL 32701

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**1. Call to Order and General Business**

The meeting was called to order by Chairman Constantine at 2:05 p.m. Ms. Pegge Parker called roll and announced there was a quorum. The following members were in attendance:

**Chairman Lee Constantine** – Chairman  
**Mr. William Battaglia** – Battaglia Fruit Co.  
**Mr. Charles Lee** – Senior Vice President, Florida Audubon Society  
**Commissioner Brenda Carey** – Seminole County  
**Commissioner Bryan Nelson** – Orange County  
**Mr. James Stansbury via phone** – Florida Department of Economic Opportunity  
**Ms. Laura Kelley** – Central Florida Expressway Authority  
**Mr. Jody Lee** – Florida Department of Agriculture & Consumer Services  
**Mr. Bart Harriss** – Chief Bureau, Onsite Sewage Programs, Florida Department of Health  
**Ms. Noranne Downs** – District Secretary, Florida Department of Transportation  
**Ms. Shannon Wright** – Regional Director, Florida Fish and Wildlife Conservation Commission  
**Mr. Jeff Prather** – District Director, Florida Department of Environmental Protection  
**Dr. Ann Shortelle** – Executive Director, St. John's River Water Management District  
**Mr. Harold W. Barley** – Executive Director, MetroPlan Orlando

A motion to approve the March 2016 meeting minutes was made by Mr. Jody Lee with one correction to the spelling of Mr. Steve Dwinell's last name, Director of the Office of Agricultural Water Policy. Ms. Kelley seconded the motion. A vote was taken and passed unanimously.

**2. Wekiva Wild and Scenic River System**

Ms. Nancy Prine, Friends of the Wekiva River, Inc., gave an overview presentation of the Wekiva Wild and Scenic River System. She reviewed its designation, classifications, and its partnerships and discussed the remarkable values of the Wekiva River System. She also gave an update on the Florida Black Bears, their movement in the Wekiva area and the GPS video

from camera collars. Ms. Prine distributed a handout titled Paddle Guide which includes maps and discussed additional activities available on the Wekiva River.

### **3. Agency Activities and Legislative Report**

#### **Florida Department of Health, Rulemaking Activities on On-Site Disposal Systems Treatment Standards Pursuant to Recommendation 9 of the Final Report – *Mr. Bart Harriss***

Mr. Harris provided an update on the Florida Management Inventory. The update is now complete for Lake, Orange, and Seminole Counties and the entire state will be done by 9/30/2016. The data can be found at: <http://floridahealth.gov/flwmi>. He then discussed the analysis of wastewater for Wekiva BMAP: just under 160,000 total built parcels; 61% sewer; 36% septic, 3% unknown. Also, there is a searchable web application developed where results for specific addresses can be researched. He also addressed the FLWMI tool.

Mr. Harriss provided the status of the 64E-6 proposal on lined drainfields. A Technical Review and Advisory Panel meeting will be held Wednesday August 31 from 10:00 a.m. – 3:00 p.m. in Orlando to discuss the rule modification to allow a liner underneath a drainfield. This was one of the tested nitrogen reducing concepts that was one of the most cost-effective options.

The ongoing work in the development of designs of passive nitrogen systems will be incorporated into existing approved performance-based treatment system products (expected to be done by end of calendar year). This will add nitrogen reducing technologies to the approved products list. There are several existing technologies already available, and DEP is doing further experiments on lined drainfield nitrogen reducing systems. Bureau staff will continue monitoring several of the passive nitrogen removal technology home sites to gain more data on system longevity (three are in the Wekiva Study Area in Seminole County).

#### **Florida Department of Environmental Protection, Establishment of Total Maximum Daily Loads Pursuant to Recommendation 6 of the Final Report – *Mr. Jeff Prather***

- Wekiva River, Rock Springs Run, and Little Wekiva Canal Basin Management Action Plan (BMAP) Update – *Moira R. Homann, Environmental. Consultant and Kevin Coyne, BMAP Program Administrator (FDEP)*

Ms. Homann gave an overview on the Basin Management Action Plan and its characteristics and the water quality framework. She discussed the Florida Springs and Aquifer Protection Act and its main goal of providing protection and restoration of the 31 outstanding Florida springs and the elements of the Act. The DEP will develop a Nitrogen Source Inventory and Loading Tool (NSILT) and Onsite Sewage Treatment and Disposal Systems (OSTDS) for the Wekiva Basin. It will provide the best available assessment of where nitrogen is currently being applied in the BMAP area, as well as estimates of nitrate loads from multiple groundwater sources. They will also develop a Wastewater/OSTDS Remediation Plan to help achieve a reduction for these sources within 20 years. The OSTDS Advisory Committee represents the sectors that are affected by the OSTDFS Remediation Plan and have expertise to lend in the process and success in reducing the nitrogen loadings. Its' purpose is to provide ideas, suggestions and concerns; assist with specialized technical topics to be researched; and, provide information to

community leaders, decision makers and homemakers. Commissioner Constantine asked Ms. Homann to send information about their meetings.

**Florida Department of Agriculture and Consumer Services – *Mr. Jody Lee***

Mr. Jody Lee discussed their cost share programs. The two main programs through the Department are Marion Soil and Water Conservation District and this year, the Putnam Soil and Water Conservation District. This past year they had ten producers in the Wekiva Basin that they cost shared with for about \$100,000. He stated that there is already a waiting list of over 20 people for this current year.

**St. Johns River Water Management District – *Dr. Ann Shortelle***

Dr. Shortelle gave an update on their cost share program. There are seven projects that are currently in the District for this year totaling approximately \$11.5 million in construction costs. The monies for two of these projects are coming from the spring appropriation. The majority of the projects are water quality projects which will help with the BMAP situation and a couple of them are water conservation projects. In addition, they have a couple of agricultural cost share projects that are being done in the Basin. Also available is another program for innovative projects and pilot projects. One of the current pilot projects is in Altamonte Springs for direct potable reuse. There is a lot of opportunity for local governments and other stakeholders to get involved. The program will be advertised in the middle of September with proposals due towards the end of October. This area is in CFWI and, in addition to the many new requirements in the Florida Statutes, Dr. Shortelle stated the Commission has significant rulemaking to do as a group on the water supply side and MFL.

**Florida Fish and Wildlife Conservation Commission – *Ms. Shannon Wright***

Ms. Wright updated the Commission on the continuation of the monitoring of the sand skinks and stated the permitting will begin soon. The FWC postponed the bear hunt for this year due to incomplete scientific information. They are continuing to work with counties on ordinances dealing with garbage cans. There is \$825,000 available for counties to apply for some of that money to help offset the cost of the garbage cans. The FWC is still heavily involved with the top 14 counties, with the majority of those counties in Central Florida. They will continue to work with County Administrators and Commissioners to get ordinances passed in each county.

At a meeting last week with Nick Wiley, FWC Executive Director, Ms. Wright asked where they were with Chapter 327.45, Protection Zones for Springs, as she would need to update the Wekiva River Basin Commission. Mr. Wiley replied that at this point they have not received any requests to take action. They would need to know specifically what the problem is and how to move forward, and it must be in writing.

Commissioner Constantine asked how to proceed. Ms. Wright suggested a letter from the Chair requesting that Wekiva Springs be designated as a Springs Protection Zone. This statute would give the FWC authority to write boating citations and monitor the speeds and operations of vessels in the protection zones. As there are many groups involved, such as the Water Management District, County and City municipalities, and the Army Corps of Engineers, this will require a lot of coordination.

Commissioner Carey asked for more detail as to what would be involved if the Commission were to ask for a Springs Protection Zone and what the impact would be, to protect against unintended consequences. She asked whether the FWC already had the ability to regulate what happens in the Wekiva Basin. Ms. Wright responded that it depends on what the issue is and where. This statute would give full flexibility to use the statute to control the operation of vessels, such as operating in a reckless manner or providing safety to people on kayaks and canoes.

Commissioner Constantine agreed and stated that he would also like to see what the consequences would be. It was suggested that FWC send a memo of the new statutory provisions, and an interpretation of what the FWC's scope would cover, and then it can be discussed. Commission Constantine recommended bringing it up at the next meeting. Ms. Wright agreed to follow up.

Commissioner Carey asked, regarding postponing the bear hunt, when will they look at this again. Ms. Wright replied February of next year. Ms. Carey stated that she believes the dramatic decline in phone calls regarding the bears is possibly due to the bear proof garbage cans, as well as the education provided in the public discussions. She is still waiting on an update on the automated bear proof garbage cans but will report back as soon as it is received.

Commissioner Constantine asked for an ongoing report on the bear situation.

Commissioner Nelson stated that Orange County has a workshop scheduled August 23<sup>rd</sup>, 9:00 a.m. on bear ordinances.

#### **Florida Department of Transportation – Ms. Noranne Downs**

Ms. Downs provided an update on Sections 3A and 3B (the Mt. Dora area) and Section 5 (the CR-46A area) and stated they will be accepting bids this June 2017. Section 7A (the Seminole County area) will have gopher tortoise surveys completed soon and bidding will occur October 2017. Sections 4A and 4B have now opened for cars. The bat condo caves and animal jump off areas are also now available.

Section 6 Update – Mr. Alan Hyman gave an update on Section 6 which includes the Wekiva River Crossing. Four contractors have decided to further pursue this contract and they will meet with them regarding commitments that have already been made as well as have aesthetic meetings to make sure the bridge looks like the picture that was shown at the Industry Forum back in January. The FDOT is working with the Advisory Management Committee and the National Park Service to also get them involved in the aesthetics. This Friday the FDOT will be meeting in Tallahassee regarding the acquisition and restoration formality for easement from the State land to move ahead on Section 6. Bids will be opened January 18, 2017 for the Design Build section.

Commissioner Carey inquired about the DOT section in Seminole County District 5 as you cross the river and requested an update in her office early next week on where it's going. She stated it would have a big impact on some of the neighborhoods, based on where Section 7 is going, She also suggested another comment to take to Tallahassee which is to convince the Turnpike Authority to sell the section of 417 in Seminole County to the Expressway Authority. This would give them enough money to moved forward and advance Section 7 of the Wekiva Parkway.

### **Central Florida Expressway Authority – Ms. Laura Kelley**

Ms. Kelley met with Eileen Cho, Editor of Engineering News-Record Magazine last spring and it was just announced this afternoon that the Wekiva Parkway project, because it's involved both with environmental solutions as well as transportation solutions, will be featured on the cover of the ENR Magazine. It was a very well written article on the Parkway with Ms. Mary Brooks being directly involved. Commissioner Constantine requested the link to the article be sent to everyone. CFX is providing the North-South movement to the Wekiva Parkway and they are all under construction and on schedule. The Kelly Park Road interchange will open next year. Mary Brooks gave a presentation on the update of the construction of their section.

### **MetroPlan – Mr. Harold Barley**

Mr. Barley discussed how proud everyone should be about getting the Wekiva Parkway project job done when it was regarded as something that was impossible, a minor miracle, to do twenty years ago.

Commissioner Constantine agreed that everyone worked very hard for the cause.

### **FL Dept. of Economic Opportunity – James Stansbury**

Mr. Stansbury gave an update on the amendment packages received since the last Wekiva meeting. There were eight amendment packages from the local governments within the Wekiva River Study area; three of them adopted amendments and five of them were proposed amendments. There was one text amendment from Lake County regarding the regional office future land use category.

### **4. Other Business**

No additional business was discussed.

### **5. Public Comments and Announcements**

Scott Taylor of Sorrento, Florida requested to examine the Section 6 schedule in light of CFX's early completion January 1, 2018. There is a concern about a lot of traffic on SR 429 and exiting onto SR 46.

Mr. Charles Lee responded that another concerning factor is the I-4 Ultimate and the potential bypass on I-4 for people coming from Tampa on their way to Daytona Beach, particularly trucks. He stated that when the word gets out, there would be the likelihood that people coming from Tampa would pick up SR-429 to SR-46 and then over to I-4 and bypass the Orlando area and he is concerned about the traffic on SR-46. There might also be environmental wildlife consequences. He asked if there would be an opportunity to have DOT accelerate their schedule so there's not such a long disruption between the completion of the CFX portions and the link to I-4.

Commissioner Carey asked the cost of the section from SR-46 to the bridge or to get over the bridge.

Mr. Hyman responded that Section 6's cost is approximately \$225 million; Section 7A in Seminole County is approximately \$170 million; and the I-4 Wekiva Interchange is around another \$180 million, totaling approximately \$700 million. Also, a bypass already exists of I-4 in Orlando SR 417 on the East side.

Commissioner Constantine discussed the concern regarding the I-4 rest area and it becoming a distribution center. He stated citizens are requesting an air quality study. DOT has said that is not within their purview so Commissioner Constantine asked Jeff Prather, DEP, and Bart Harriss, DOH, which State department would be responsible. Mr. Prather replied they do ambient air quality sampling throughout Florida, not specific to one location. He will check with the division if there is a governmental agency that can do a specific sampling at a location. Commissioner Constantine would like a follow-up on doing the study.

Commissioner Carey stated that there definitely needs to be a solution and thinks DOT should consider the property at SR-44 and I-4. There were discussions about a public/private partnership facility and there are no residents around there. The current rest stop is too small to handle the capacity of the trucks.

Ms. Downs stated that after doing a facility study, the response received from Volusia County was that they did not want anything to do with it. After the response was received from Volusia County, the private party involved in the property at SR-44, met with Chairman Davis of Volusia County to see if there was any possibility to work it out. She was not sure if that same group also approached the Board but the DOT replied to Chairman Davis that, should they want to move forward, they would work with them.

Mr. Hyman stated that the Mayor of Deltona would be open to a meeting to discuss and the DOT has contacted the Mayor.

## **6. Future Meeting Dates** – *Chairman Constantine*

The next meeting will be scheduled for approximately October or November 2016 at East Central Florida Regional Planning Council offices.

## **7. Adjournment**

Chairman Constantine adjourned the Wekiva River Basin Commission Meeting at 4:10 p.m.