



**Wekiva River Basin
Commission**

**Wekiva River Basin Commission Meeting Minutes
August 11, 2017
2:00 p.m.**

ECFRPC Offices
455 N. Garland Avenue
Orlando, FL 32801

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. Charles Lee – Senior Vice President, Florida Audubon Society

Commissioner Brenda Carey – Seminole County

Commissioner Bryan Nelson – Orange County

Mr. James Stansbury – Florida Department of Economic Opportunity (via phone)

Ms. Laura Kelley – Central Florida Expressway Authority

Mr. Jody Lee – Florida Department of Agriculture & Consumer Services

Mr. Charles Henry – Florida Department of Health

Mr. Alan Hyman and Mr. Steve Martin – District Secretary, Florida Department of Transportation

Mr. Tom Shupe for Ms. Shannon Wright – Regional Director, Florida Fish and Wildlife Conservation Commission

Mr. Jeff Prather – District Director, Florida Department of Environmental Protection

Ms. Lisa Kelley for Dr. Ann Shortelle – Executive Director, St. John's River Water Management District

Mr. Harold Barley – MetroPlan Orlando

1. Call to Order and General Business

- The Pledge of Allegiance was led by Commissioner Constantine.
- Announcements – Commissioner Constantine introduced Mr. Charles Henry as the Wekiva representative for the Florida Department of Health. He is the Health Officer with the FDOH in Sarasota County. Mr. Bart Harris is also attending for FDOH.
- Approval of February 2017 Minutes - Mr. Jody Lee requested a change to the last sentence of his report (page 3) in the February 2017 minutes which will now read: "Projects **in the Wekiva Basin** are currently **funded through** the Marion and Putnam Soil and Water Conservation Districts." A motion to approve the corrected February 2017 meeting minutes was made by Mr. Jody Lee and seconded by another member of the Commission. A vote was taken and passed unanimously.

2. Public Comments

There were no Public Comments at this time.

3. Agency Activities

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

Mr. Henry, as the new representative for the Wekiva Commission, gave an overview of his career and qualifications. He also provided an update explaining that rule development continued at the most recent Technical Review and Advisory Panel (TRAP) meetings in March and April. They worked through items and anticipate revision moving forward with rule making this fall. They anticipate the new rule will be in place by the end of 2017. For general information, the rule will make some changes that will allow the installation of nitrogen reducing media layers such as woodchips or sawdust or other materials beneath the drainfields which otherwise would require special processes. The next Wekiva River Basin Management Action Plan (BMAP) meeting is scheduled for August 15th. Mr. Henry also thanked Mr. Bart Harriss for representing FDOH for the last several months.

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

Mr. Prather stated that the August 15th BMAP meeting will be held at the Public Works West Altamonte Operations Facility in the Lake Lotus Training room at 9:30 a.m. They will be working on the nitrogen resource inventory and there will be a draft of the inventory presented at that meeting. Ms. Moira Homann, the Wekiva River Basin coordinator, will be there as well. Mr. Prather announced the new Secretary of DEP is Noah Valenstein and they look forward to working with him. A press release was issued August 7th for Longwood Transmission Main for a septic tank abatement program which is a collaborative funding project of about \$4.6 million. It is essentially building a transmission line to connect to the City of Altamonte Springs which is part of the A-First System. Not only will septic tanks be pulled offline but also the water will be heading towards Apopka where it can be reused for their benefit. Efforts to get all the wastewater treatment facilities in the Wekiva protection area either down to the new nitrogen standards that's dictated by the ACT or connected, Orange Blossom KOA in Orange County partnered with St. Johns River Water Management District who are providing funding to get them connected to the City of Apopka. They are a small package plant that was problematic which would have been very difficult to get them up to standards. This showed good partnership with several agencies. Congratulations to Deborah Shelley, Manager of the Wekiva River Tomoka Marsh Aquatic Reserves, who was recognized as the Resource Manager of the Year in the State of Florida, a very prestigious award. There are 43 Waste Water treatment facilities in the Wekiva Protection Area, in which 37 are in compliance with the new standards, two are out of compliance right now but with minor issues and are working on corrective actions and four are under formal enforcement, in which a lot of major construction is needed to get them back in compliance.

The DEP has a website called Permit Application Subscription Service (PASS). It is a tool that the public can use to be notified when they receive an application. The website is: <http://pass.dep.state.fl.us>. Any application that comes into any DEP office will be able to be viewed, for any county or for any program. It's a way to keep track of what's going on in each of the counties. Issues in Keenansville were also discussed.

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

Mr. Jody Lee discussed the ten new positions that have been filled and the request for three new field positions. They are in the process of hiring a new technician which will be funded through the Water Conservation District and who will be based in Maitland. They are also in the process of converting/transitioning all programs to the electronic method. Mr. Lee described the purpose of the new Implementation Verification system. Steps include sending out surveys and setting up appointments to review recording-keeping regarding fertilizer being used, how much they are using and when. This should help with tracking over fertilizing and also identify specific lands. Mr. Lee stated they are looking to have the Implementation Verification System Program by Rule adopted by July 1st of next year.

Mr. Lee provided information regarding the Cost Share Program and the \$20 million hit they took to their budget. They are looking to change the Cost Share Program and adopt it by Rule as well as go to a batching/ranking system, similar to Natural Resource Conservation Services. When there's a limited amount of dollars that can be used, projects are ranked, and they proceed down the list until the funds are gone. The remaining projects will then be funded in the next year. The problem with this system is there is a time constraint on projects that have to be completed in the current fiscal year but they continue to see how to make it work. Lake Jessup Basin was also discussed regarding verifying the actual land use.

St. Johns River Water Management District – Ms. Lisa Kelley for Dr. Ann Shortelle

Ms. Kelley gave an update on their Cost Share Program continuing to reduce its fund balance in the coming year and committing to support more than 80-cost share projects and spending \$25.8 million on water quality and water supply projects throughout the district. In coordination with the FDEP, the District has committed more than \$13.5 million to benefit multiple springs protection projects, including Outstanding Florida Springs. The SJRWMD continues restoration efforts providing \$8.3 million for projects such as enhancements to the Lake Apopka Marsha Flow-way system; \$7 million for removal of the nutrient rich muck in the Eau Gallie River; and \$5 million for the Black Creek Water Resource Development project.

Grant opportunities include:

- Blue School Grants: Providing up to \$2,000 per teacher per school in four areas: water quality field study, water conservation garden project, classroom/ community awareness, and freshwater resources education program. Middle and High School teachers at public and charter schools within the district's 18-county service area are eligible to apply by August 31, 2017.
- Redi/Innovation Cost Share: They are expecting to advertise in mid-September with applications due in October and are funding up to \$5 million.
- Ag Cost Share: Applications closed in July and are currently under review. They are funding up to \$1.5 million.

Florida Fish and Wildlife Conservation Commission – Mr. Tom Shupe for Ms. Shannon Wright

- Mr. Shupe gave a brief bear update. Commissioner Carey stated that there still needs to be more grant money available as there are still over 2,000 requisitions for bear-proof cans. Commissioner Constantine stated that there will no longer be surplus charges for picking up bear-proof cans instead of regular cans after January 1, 2018. Commissioner Nelson stated that on September 9, FWC is scheduled to start the roll out for converting regular cans over to the automated bear-proof cans at the Service Center at Rock Springs Road in Apopka. Commissioner Constantine commented on the great bear habitat at the Zoo.
- Mr. Shupe also gave an update on wildlife permitting and related issues:
 - Section 3a (west SR46 connection) Under construction – Permitted with FDEP with no USACE involvement; consultation with USFWS for sand skinks and the eastern indigo snake is complete; payment has been made to The Nature Conservancy to satisfy sand skink mitigation; MANLAA for eastern indigo snake; gopher tortoise permit has been issued.
 - Section 3B (441 Interchange) Under construction – Permitted with FDEP with no USACE involvement; no sand skink surveys necessary; gopher tortoise permit issued.
 - Section 5 (46A re-route) Under construction - Permitted with FDEP with no USACE involvement; consultation with USFWS for sand skinks and the eastern indigo snake is complete; payment has been made to The Nature Conservancy to satisfy sand skink mitigation; MANLAA for eastern indigo snake; gopher tortoise permit has been issued.

- Section 6 (replace SR46 and cross river/bridge – Rock Springs Run Reserve and Seminole state Forest) Contract awarded to Design Build (DB) Firm March, 2017 – FDEP and USACE permits issued; FWC Bald Eagle Disturbance permit and USFWS Bald Eagle Disturbance permits both issued; ARC approval received for both the FDOT project and the FGT project; gopher tortoise surveys to be responsibility of DB firm and are underway. FDOT, the DB firm, and FWC are working towards the ARC commitment to keep tortoises on state lands and the current MOU with Florida Forestry allows this with ease. However, there is no MOU between FDOT and FDEP State Parks to facilitate these projects. It may be that they utilize the short-term recipient site option (keeping the tortoises on FDEP lands) if the adjacent to public lands option does not pan out. Land identified during the ARC process to replace impacted Forestry lands are currently being transferred to the Division of State Lands. The DB firm will build a new entrance road as an ARC commitment for impacts to FDEP State Parks' land (on this section, Rock Springs run State Reserve).
- Section 7a (Seminole County/West SR46) – FDEP and USACE permit issued; ARC approval received for both the FDOT project and the FGT project; gopher tortoise surveys done and application submittal anticipated August 2017. FDOT and FWC working towards the ARC commitment to keep tortoises on state lands. No MOU with FDEP State Parks and FDOT exists to accomplish this however. It may be that we utilize the short-term recipient site option (keeping the tortoises on FDEP lands) if the adjacent to public lands option does not pan out. DB firm for Section 6 will build a new entrance road as an ARC commitment for impacts to FDEP State Parks' land (on this section, Lower Wekiva River Preserve State Park). Construction letting date is 12/2017.
- Section 4a/4b (Mt. Plymouth section) Construction complete and road is open.
- Section 8 (I-4/417 interchange) – FDEP permit issued, USACE concurred that the project is still not jurisdictional, RFP development underway and this section will go Design Build, gopher tortoise permitting will be the responsibility of the DB Team selected.

Florida Department of Economic Opportunity – James Stansbury

Mr. Stansbury gave his report on Comprehensive Plan Amendments which is attached. Mr. Charles Lee discussed 17 ESR in Apopka, and the change from mixed use to agriculture, contrary to the trend. Mr. Stansbury said he believes they are just moving the density to another location within the Kelly Park project. Mr. Scott Taylor, a member of the public, asked about the Wekiva Comp Rules vs. the Eustis Report of non-contiguous annexation. Commissioner Carey asked whether there were Interlocal Agreements between the cities in Seminole County. Mr. Taylor will send specifics to Mr. Stansbury for his review.

Florida Department of Transportation – Mr. Alan Hyman for Secretary Steven W. Martin

Mr. Hyman thanked FWC and DEP for getting the permits in place for the relocation of the Gopher Tortoises to the shortest possible distance away instead of sending them to all the way to Glade County. He also stated that Ms. Mary Brooks will give her presentation update on the DOT sections next under the CFX Authority section.

Commissioner Constantine asked if there was an update on the Rest Area issue on I-4 and Mr. Alan Hyman stated that there is a new study looking into the situation district-wide.

Central Florida Expressway Authority – Ms. Laura Kelley

Ms. Kelley gave a recap of the July 27th ribbon cutting of the Wekiva Parkway from Connector Road to Kelly Park Road and stated there's now about 7,000-9,000 vehicles per day on the road.

Ms. Mary Brooks provided a presentation by request of Ms. Laura Kelley and Mr. Alan Hyman for the DOT sections. She first showed a presentation on the Wekiva Parkway ribbon cutting and the opening of

the road. Her next presentation was a drone video of the recent construction activities of the CFX sections of the Wekiva Parkway. The video shows construction occurring throughout the corridor.

Update on individual sections:

- Section 3a/3b – Pre-Construction Public Meeting – August 24; Construction Start – late September/October 2017; Construction Completion – 2019; Construction Cost - \$32.8 million; Project Length – 3.8 miles
- Section 5 – Construction Start – June 5, 2017; Construction Completion – Spring, 2019, Construction Cost - \$9.88 million; Project Length – 2.5 miles; Gopher tortoises relocated to Herman Belville Ranch in Sumter County
- Section 6 – Public Meeting – September 28, Camp Challenge; Construction – Late September/October 2017; Completion – 2020
- Section 7a – Construction Start – Early 2018; Project Length – 3.5 miles
- Section 7b – Construction Start – Summer 2019; Construction Cost - \$20.1 million
- Section 8.0 – Construction Start – Late 2018; Project Length – 2.63 miles

MetroPlan – Mr. Harold Barley

Mr. Barley gave an overview of the research on the truck parking at the rest stop located in Longwood. They are determined to find a solution because it is a critical safety need and it does deal directly with the economy. There are possibilities of prospective locations along the Beltway which will provide for the needs of the truckers. Commissioner Constantine agreed that Seminole County doesn't feel that it's a great location for the truckers.

Mr. Stansbury stated a follow-up: the reduction in Apopka is probably due to expansion of the American Farms Nursery.

4. Other Business

Legislative discussions included:

- Amendments to the Wekiva Parkway Act
- Lack of funding for Florida Forever Funding
- Rural and Family Lands Conservation

5. Public Comments and Announcements

There were no Public Comments.

6. Future Meeting Dates – *Chairman Constantine*

The next meeting will be scheduled at either Wekiva Island, Wekiwa State Park, or the CFX offices.

7. Adjournment

Chairman Constantine adjourned the Wekiva River Basin Commission Meeting at 4:00 p.m.

**Wekiva River Study Area
Comprehensive Plan Amendments
February 20, 2017 to August 3, 2017**

Summary

The amendments proposed or adopted within the Wekiva River Study Area since February 20, 2017, include six proposed amendments and two adopted amendments. The amendments change or propose to change the land use for 218 cumulative acres and include 120 text amendments. The plan amendments result in an increase of 3,057 potential residential dwelling units and an increase of non-residential uses by 2,276,162 square feet. Greater detail on each plan amendment is provided below.

Proposed Comprehensive Plan Amendments

Apopka 17-1ESR

One Future Land Use Map amendment was proposed to redesignate approximately 22 acres from *Office* (0.3 FAR) and *Residential Low* (5 du/ac) to *Mixed Use* (1.0 FAR and/or 15 du/ac) for a net increase of 224 dwelling units and 683,020 sq. ft. of nonresidential uses. The site is located at the SR 429/Ocoee-Apopka Road interchange within the Wekiva Study Area.

Apopka 17-2ESR

The proposed amendment consists of one Future Land Use Map amendment to redesignate approximately 23 acres from (1 du/10 ac) *Rural Settlement* to *Residential Very Low Suburban* (2 du/ac) representing an increase in development potential of 42 dwelling units. The site is located within the Wekiva Study Area near the intersection of W. Ponkam Road and Golden Gem Road less than a mile east of where Wekiva Parkway Sections 1A and 2B connect.

Apopka 17-3ESR

The proposed amendment consists of one Future Land Use Map amendment to redesignate approximately 32 acres from *Mixed Use* (15 du/ac & 2.0 FAR) to *Agriculture* (1 du/5 ac), a net decrease of 478 residential dwelling units and 2,816,589 sq. ft. of nonresidential uses. The site is located near the intersection of Plymouth Sorrento Road and CR437 Road within Orange County Joint Planning Area. The property is located within the Wekiva Study Area.

Oakland 17-1ESR

The proposed Oakland 17-1ESR amendment consists of one Future Land Use Map revision affecting approximately 73 acres on the south shore of Lake Apopka. The current land uses are *Town of Oakland Low Density Residential* (33.01 acres), *Conservation* (13.78 acres), *Agriculture* (19.14 acres) and *Orange County Rural* (7.27 acres). Adoption of the proposed land use categories, *Town of Oakland Low Density Residential* (47.3 acres) and *Conservation* (25.9 acres) would allow 165 dwelling units, for an increase of 47 units. The Town of Oakland lies wholly within the Wekiva Study Area.

Orlando 17-1 ESR

The amendment updates the City's Water Supply Facilities Work Plan through 24 text amendments to the Potable Water, Wastewater, Stormwater and Aquifer Recharge, Intergovernmental Coordination, and Conservation Elements of the City's Growth Management Plan. The updates incorporate the City's population and land use projections to estimate demand for water over the next 10 years.

Ocoee 17-1ER

On April 14, 2017, the City of Ocoee submitted 95 proposed EAR based text amendments. The revisions address the issues identified in its September 21, 2010 Evaluation and Appraisal Report (EAR). The text amendments proposed revisions to the Future Land Use, Transportation, Housing, Conservation, and Open Space and Recreation Elements generally addressed statutory requirements up to 2010 and implement the recommendations from the 2010 EAR. In its Objection Recommendation and Comments letter, the Department of Economic Opportunity (DEO) provided one objection pertaining to long term planning periods covering at least 10 years and one comment pertaining to land use categories for annexations that have occurred within the boundaries of the Joint Planning Area.

Adopted Comprehensive Plan Amendments

Oakland 16-1 ESR

One Future Land Use Map amendment was adopted to change approximately 58 acres from *Agriculture* (~ 15 ac) and *Commercial* (~42 ac) to *Mixed Use Activity Center* (55 du/ac and 2.0 F.A.R.), for a net increase of 3,187 residential dwelling units and 4,409,731.26 sq. ft. of nonresidential uses.

A supporting text amendment established the Mixed Use Activity Center land use category. The amendment was adopted as proposed on December 13, 2016 and was submitted for review to DEO on May 5, 2017.

Oakland 16-2 ESR

The amendment adopted one Future Land Use Map amendment to redesignate approximately 10 acres from *Orange County Rural/Agriculture* (1 du/10 ac) to *Oakland Low Density Residential* (3.49 du/ac), an increase of 35 residential dwelling units. The subject site is within the Wekiva Study Area.