



**Wekiva River Basin  
Commission**

**Wekiva River Basin Commission (WRBC) Meeting Minutes  
September 12, 2019  
2:00 p.m.**

Wekiva Springs State Park  
1800 Wekiwa Circle  
Youth Camp Rec Hall  
Apopka, FL 32712

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**In Attendance:**

Chairman Lee Constantine – Chairman  
Mr. Bill Battaglia – Battaglia Fruit Company  
Mr. Charles Lee – Senior Vice President, Florida Audubon Society  
Commissioner Brenda Carey – Seminole County  
Commissioner Leslie Campione – Lake County  
Mr. Glenn Pressimone for Ms. Laura Kelley – Central Florida Expressway Authority  
Ms. Lauren Dorval for Mr. Jody Lee – Florida Department of Agriculture & Consumer Services  
Mr. Charles Henry – Florida Department of Health  
Mr. Alan Hyman for Secretary Mike Shannon – District Secretary, Florida Department of Transportation  
Ms. Shannon Wright – Regional Director, Florida Fish and Wildlife Conservation Commission  
Mr. Aaron Watkins – District Director, Florida Department of Environmental Protection  
Dr. Ann Shortelle – Executive Director, St. John's River Water Management District  
Mr. Gary Huttman – Executive Director, MetroPlan Orlando

**Not in Attendance:**

Mr. James Stansbury – Florida Department of Economic Opportunity

**Other Attendees:**

Mary Brooks – Wekiva Parkway  
Emily Lawson – Orange County Environmental Protection Division  
Nicole Kennedy – City of Apopka  
Kevin Becotte – City of Apopka  
Richard Earp – City of Apopka  
Scott Taylor – Audubon Florida  
Kim Buchheit – Independent Consultant  
Bart Harriss – Orange County Department of Health  
Robert Brooks – Wekiva River Basin State Park  
David Bottomley – Orange Audubon  
Nancy Prine – Friends of Wekiva River  
Lucius Cushman – Commissioner, Altamonte Springs  
Phyllis Hall – Seminole Audubon Society  
Barbara Howell – Florida Department of Environmental Protection  
Andrea Samson – The Sludge Report

## **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.
- Mr. Charles Lee the Pledge of Allegiance.
- Announcements: No announcements at this time.
- A change was made Mr. Jody Lee's section in the February 2019 Minutes. "Common Practice" was changed to "Common Practice Status Report". A motion to approve the February 2019 Minutes with this edit was made. It was seconded by Mr. Charles Lee. A vote was taken and passed unanimously.

## **2. Public Comments**

No public comments at this time.

## **3. Agency Activities**

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

Mr. Henry stated that the Onsite Sewage Program continues monitoring four nitrogen-reducing media bio filter systems constructed during 2013-2014. These systems include one in-ground liner system, two in-tank nitrogen-reducing systems, and one in-ground/in-tank combined system. The results show that six years after these systems were constructed they are still removing nitrogen from residential domestic wastewater at removal efficiencies between 83-97%.

The Onsite Sewage Program signed an MOU with Brevard County, using the INRB configuration to test the nitrogen reducing capability of Bold & Gold media. This media has been successfully used in Florida in treating the nitrogen in storm water. The MOU with Brevard County is to test the media's capability in removing nitrogen from domestic wastewater. During the test, the Bold & Gold media will be used as a denitrification media in place of the lignocellulose media. The funding for the testing project is from the Save Our Indian River Lagoon fund.

Mr. Henry also discussed the number INRBs being applied for, the number of permits issued for INRBs, and the number of INRBs that have obtained final system approval.

The DOH Onsite Sewage Program is now working on funding for a monitoring project on INRBs. The proposed scope of work will sample at least eight INRBs quarterly for at least two years.

### **Florida Department of Environmental Protection (FDEP), Establishment of Total Maximum Daily Loads Pursuant to Recommendation 6 of the Final Report – *Mr. Aaron Watkins***

Mr. Watkins stated the department is working on rule revisions regarding application of Class B bio solids with a number of public workshops and activities around the state that are ongoing. Regarding the BMAP updates, particularly for Wekiwa and Rock Springs, 5 of the 13 BMAPs have been petitioned. There are 8 others still in effect. There is a hearing scheduled for that in the early part of September that got postponed due to the potential of Hurricane Dorian and the hearing dates were now rescheduled for November 12-22.

Regarding the septic tank and fertilizer requirements under the BMAP proposed, once that BMAP is effective and PFAs and conventional septic systems are no longer allowed to be installed on plots less than one acre, this is going to be a statutory requirement. This is not in effect in Wekiwa and Rock Springs yet pending the conclusion of the petitioners challenge to that BMAP and there are also provisions and

requirements for existing septic systems and there are a lot of tiny mechanisms, basically would kick off at the adoption of that BMAP once the petition concludes.

As far as fertilizer requirements within the 2016 Florida Springs Aquifer Protection Act, the Florida legislature required municipal governments that have spring sheds of outstanding Florida waters within their borders to adopt at least the State law by July 2017. This is a statutory requirement independent of BMAPs. Many of the municipalities in the counties have complied beyond just Orange, Lake and Seminole counties.

Regarding Wastewater Treatment Facilities, the plan that was outlined in our last meeting was there to be continued ongoing coordination with the facilities and implementing the Wekiva Study area nitrogen limits. The new limits would be effective in 2028 with a compliance date of 2038.

**Florida Department of Agriculture and Consumer Services (FDACS) – Ms. Lauren Dorval for Mr. Jody Lee**

Ms. Lauren Dorval sat in for Mr. Jody Lee and discussed the following.

The Office of Agriculture Water Policy has a new Director, Chris Pettit, and a new Deputy Director, Kim Shugar.

FDACS has been given the go ahead to start working on redoing our Best Management Practices manuals starting with cow/calif which will change to cattle and our sod manuals.

FDACs has started developing hemp Best Management Practices which they are working on with IFAS.

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

Dr. Shortelle stated they have just recently completed the 11<sup>th</sup> year of monitoring of the submerged aquatic vegetation algae in the Wekiva River and the Rock Springs Run and assisted the Wild and Scenic River program in collection with dragon fly larvae which are aquatic for a nationwide mercury survey in natural parks and Wild and Scenic Rivers. We are still working on the MSL priority list. Our outstanding Florida springs are already set but the Wekiva River MFL is going to be adjusted. It's been a little bit slow going because it's in the central Florida Water Initiative area which has its own set of rules and infrastructure. The hydrologic model has been completed and has been peer reviewed. The MFL should be ready to be set in 2020, which is the goal. As usual, I am still beating the drum for the Cost Share Program. We have Ready and Innovative on the street now. The second round of Ag proposals was in August, and I was unable to get an update on those proposals that were local. We still have capacity on the septic enhancement grants that I've been telling everyone about for about a year. We're here if you're a local government with utility that wants to talk about that in spring sheds.

The septic enhancement project at Camp Thunderbird in the city of Apopka is now in the procurement process now. Commissioner Carey asked how much money is available now and Dr. Shortelle responded that the original pot was \$2 million, and since we don't have the signed contract yet for the city of Apopka, theoretically it is still \$2 million but she felt if they used it all they should probably be able to get \$2 million more.

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

Ms. Wright gave an update on Wekiva Parkway Sections and Progress to-Date:

- Section 3a – permitted with FDEP, no USACE involvement. Consultation with USFWS for sand skinks and eastern indigo snake complete. Payment made to The Nature Conservancy to satisfy sand skink mitigation. MANLAA for eastern indigo snake. Gopher tortoise permit issued. Under construction.

- Section 3b – permitted with FDEP, no USACE involvement. No sand skink surveys necessary. Gopher tortoise permit issued. Under construction.
- Section 5 – permitted with FDEP, no USACE involvement. Consultation with USFWS for sand skinks and eastern indigo snake complete. Payment made to The Nature Conservancy to satisfy sand skink mitigation. MANLAA for eastern indigo snake. Gopher tortoise permit issued. Under construction.
- Section 6 – FDEP and USACE permits issued. FWC Bald Eagle Disturbance permit and USFWS Bald Eagle Disturbance permits both issued. FWC Bald Eagle permit was voided, USFWS one was modified, as the DB firm moved outside of the 330’ buffer. ARC approval received for both the FDOT project and the FGT project. Gopher tortoise permit issued for the project. Seminole State Forest was permitted as a short-term recipient site for impacted FFS tortoises. Rock Springs Run State Reserve permitted as a short-term recipient site to accommodate FDEP impacted tortoises. All conservation tortoises have been relocated to conservation lands, other tortoises were relocated to tortoise banks. Land identified during the ARC process to replace impacted Forestry lands has been transferred to the Division of State Lands. Design Build 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). DB team has permitted the road with SJRWMD. Contract awarded to Design Build firm March 2017, and construction is underway, including construction over the river for the new bridges.
- Section 7a – FDEP and USACE permit issued. ARC approval received for both the FDOT project and the FGT project. Gopher tortoise permit issued. The Rock Springs Run short-term recipient site has accommodated all FDEP impacted tortoises (from Lower Wekiva State Preserve). Construction letting date: 12/2017, and construction is underway.
- Section 4a/4b – construction complete and road is open.
- Section 8 – FDEP permit issued. USACE concurred that the project is still not jurisdictional. Selected Design Build firm is Lane Construction. Gopher tortoises have been removed from the project area. Construction is underway.

Discussions took place on a recent human/bear incident in Wekiva Springs. A trap was set. Monitoring will continue.

**Florida Department of Economic Opportunity (FDEO) – James Stansbury**

Mr. Stansbury was unavailable for his report.

**Florida Department of Transportation (FDOT) – Mr. Alan Hyman for Secretary Mike Shannon**

Mr. Hyman stated that all the projects on SR 46 are under construction, including the last piece to six-lane SR 46. They will be finishing up projects such as section 5, realigning 46a, and the Mt. Dora extension in the next 3-4 months. The first river bridge is almost complete, one section remains, but should be poured and the contractor started foundation work on other two bridges and on the long wildlife crossing. The next shift will be October 6 and then the public will be able to drive on the 4400’ wildlife crossing.

Ms. Mary Brooks showed a PowerPoint presentation and highlighted work to-date on the Sections. The future construction schedule was also discussed. Her presentation also included updates on traffic, landscaping, the trail, environmental coordination, the bridges, and the Wekiva Parkway honors/awards received. Ms. Brooks’ full presentation has been added to the website.

## **Central Florida Expressway Authority (CFX) – Mr. Glenn Pressimone for Ms. Laura Kelley**

Mr. Pressimone discussed Wekiva Parkway honors/awards;

- IBTTA Toll Excellence Awards 2019: Social Responsibility
- Florida Transportation Builders' Association: (FTBA) Best in Construction, Expressway Authority, Project of the Year (Section 2B Systems Interchange)
- American Council of Engineering Companies of Florida (ACEC), Excellence Grand Awards (Section 2B Systems Interchange)

## **MetroPlan Orlando – Mr. Gary Huttman**

Mr. Huttman stated that MetroPlan is undertaking its aggressive long range planning effort and would be interested in adding it to the next WRBC meeting agenda.

## **4. Other Business**

Legislative Update: Commissioner Constantine discussed his recent meeting with the FDOT Coordinator and Planner and their request that he make a presentation on what the WRBC did and how the FDOT wants to use the Wekiva Parkway as a model, or example for up to a 350-mile stretch of three potential toll roads in western Florida. He discussed the process and how it's not just the outcome; it's the many meetings it takes to build a coalition and consensus. The first question the WRBC asked was it's not when we build this road, it's if we build the road, how are we going to protect the resource. The Legislation was written after the commission's approved recommendations, not before. This ensured that recommendations were in the statute and would be followed. The Legislation also established this Board to make sure that the statute and those recommendations were followed to the letter.

Commissioner Constantine also talked about a recent meeting with the representatives from the state park, DEP, and DOT concerning entrance improvements needed at the Wekiva State Park and that \$1 million was allocated by the legislature to relieve congestion.

Mr. Robert Brooks, Wekiva State Park, Park Manager, commented that they had just completed the upgrade yesterday to improve the DSL service coming into the ranger station which will speed up the controls at the gate. There are 4-5 employees around the station on weekends just to assist with directing traffic at the front gate for directions to parking areas.

Commissioner Carey will be speaking to our delegation tomorrow concerning the bear cans and a number of other items regarding the Wekiva Springs.

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

- Ms. Kimberly Buchheit, an independent consultant, discussed conservation lands such as Pine Plantation. She provided background on her profession as a Land surveyor and work with parcel title issues. She discussed the concern of whether for Pine Plantation the right away was separated from the conservation land and whether land not being used for right away is actually under a conservation easement. She was directed to the Expressway Authority for them to check into this. She also addressed the wildlife corridor and fencing by the Lake Lucy property and bridge. She suggested aggregating property to make a more functioning corridor. There was further discussion concerning looking at this area. She also addressed how the Wekiva process is a good process for the MCORES to follow and that there are inconsistency with land use and zoning codes across jurisdictional lines.
- Ms. Nancy Prine announced the next Wekiva Wild and Scenic meeting will be held next Wednesday, September 18<sup>th</sup>.

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

The next meeting will be scheduled after the legislative session in 2020.

## **7. Adjournment**

Chairman Constantine adjourned the Wekiva River Basin Commission Meeting at 3:50 p.m.